

# United Nations Development Programme

Country: Turkey

## Project Document

**Project Title:** Support to the Improvement of Practice of Mediation in Criminal and Civil Justice System in Turkey

### UNDCS Outcome(s)<sup>1</sup>

Outcome 1.1. Increased individual collective and institutional capacity for participation at all levels of decision making.

Outcome 1.2. Mechanisms for the implementation and monitoring of international norms and standards on human rights strengthened.

### Expected CP Outcome(s):

**CP Outcome 1.1:** Increased individual, collective and institutional capacity for participation at all levels of decision-making

**CP Outcome 1.2:** Mechanisms for the implementation and monitoring of international norms and standards on human rights, including the judicial system strengthened and reformed.

### Expected Outcome(s):

Outcome I: Efficient functioning of the judiciary enhanced through the improvement of mediation practices in criminal justice system of Turkey

Outcome II: Efficient functioning of the judiciary enhanced through the application of alternative dispute resolution mechanisms at civil matters

### Expected Output(s):

*(Those that will result from the project)*

Output 1.1: Mediation practices in criminal disputes improved and increased through the amendment of the current legislation on mediation in criminal justice

Output 1.2: Institutional structuring and coordination mechanisms among responsible institutions improved for effective mediation practices in Turkey

Output 1.3: Individual and institutional capacity of the judicial professionals on mediation in criminal disputes enhanced

Output 1.4: Guidelines developed and broadly used to enhance successful mediation practices in criminal justice

Output 1.5: Code of Conduct for the mediators developed for improved mediation practices in criminal justice system of Turkey

Output 1.6: Conduct of the outreach strategy on mediation in criminal justice scaled up

Output 2.1: Institutional and individual capacity of the judicial practitioners on mediation in civil disputes enhanced

Output 2.2: Implementation model for mediation in civil disputes developed through the review of comparative models and pilot mediation practices in civil disputes

Output 2.3: Input for the Finalization of the Draft Act on Mediation in Civil Disputes Provided

Output 2.4: Individual and institutional awareness on mediation in civil matters is raised through different means and mechanisms developed including a holistic public awareness/ outreach strategy and user friendly manual addressed particularly to judicial practitioners

**Executing Entity:** Ministry of Justice

**Implementing Agencies:** UNDP Turkey

### Brief Description

The Programme at hand aims to support the endeavors of the Government of Turkey to improve the practices of alternative dispute resolution in criminal and civil justice system of Turkey. The Project will achieve this through the capacity enhancement and awareness raising programmes for judicial actors and other relevant professionals on mediation in criminal and civil disputes. In that respect, the Programme is expected to achieve the following outcomes: i) Efficient functioning of the judiciary enhanced through the improvement of mediation practices in criminal justice system of Turkey and ii) Efficient functioning of the judiciary enhanced through the application of alternative dispute resolution mechanisms at civil matters

Programme Period: 2006-2010

Key Result Area (UNDAF):

"By 2010, strengthened individual and institutional capacity for both democratic and environmental governance at local and central levels."

Atlas Award ID: \_\_\_\_\_

Start date: 15 January 2011

End Date 31 December 2012

PAC Meeting Date

Management Arrangement: NIM

Total resources required	<b>USD 2,100,000</b>
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GMS (3%) Government	USD 16,500
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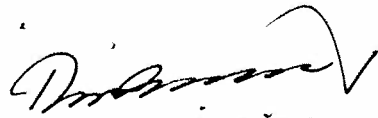
GMS (7%) SIDA	USD 108,500
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Total allocated resources:

Government Cost Sharing	<b>USD 550,000</b>
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SIDA	<b>USD 1,550,000</b>
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<sup>1</sup>The defined outcomes are covered by the next UNDCS of 2011-2015.



Agreed by Ministry of Foreign Affairs (MFA):

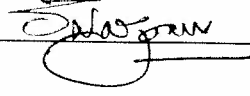
**H. Renan ŞEKEROĞLU**  
Head of Department  
Multilateral Economic Affairs

2.2.2011

Agreed by Ministry of Justice (Executing Entity):

*Mustafa Elçin, Müstesar Yrd.*

Agreed by (UNDP):



**Shahid Najam**  
Resident Coordinator

15.03.2011



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## **I. SITUATION ANALYSIS**

### **I.A. Background and Justification**

It is globally recognized that there are strong links between establishing democratic governance, reducing poverty and securing human rights and access to justice for all. This recognition has led to the acceleration of justice reforms worldwide as one of the essential prerequisites of sustainable human development.

Judicial reform is one of the high priority issues for Turkey. Commitment of Turkey to judicial reforms is expressed in various national policy framework documents. Government of Turkey clearly emphasizes the need for the continuation of judicial reforms in its 9<sup>th</sup> Development Plan in which it states: “endeavors aimed at service quality in the functioning and basic elements of judiciary will continue; in the framework of supremacy of law and requirements of rule of law, legislative and institutional arrangements aiming at rapid, just and reliable functioning of the judicial process will be undertaken.” Similarly, the 2008-2013 National Program of Turkey also emphasized the importance of faster, simpler, effective trial with a minimum cost and resolution of certain disputes through non-contentious jurisdiction, compromise, and conciliation instead of contentious jurisdiction to increase the efficiency, efficacy and functionality of the judiciary.

The Government accelerated its efforts of crafting an encompassing judicial reform strategy as a follow up these national policy frameworks. The Judicial Reform Strategy was introduced in September 2009 with the below main objectives:

- Strengthening independence of the judiciary
- Promoting impartiality of the judiciary
- Enhancing efficiency and effectiveness of the judiciary
- Enhancing professionalism in the judiciary
- Improving management system of the judicial organization
- Enhancing confidence in the judiciary
- Facilitating access to justice
- Introducing measures for prevention of disputes and increasing the effectiveness of existing measures
- Improving penitentiary system
- Continuation of legislation work for the EU harmonization

Regarding the development of alternative dispute resolution mechanisms, the Strategy foresees the broad application of the practice of mediation in both criminal and civil justice system of Turkey. Within this perspective, the following sections of the Judicial Reform Strategy stress the commitment of the GoT to increase the effectiveness of the Turkish judiciary through different means of dispute resolution:

**Strategy Objective 8.3-Increasing the efficiency of mediation system in the criminal procedure:** It is foreseen that activities aiming at improving the current legislation for the practice of mediation in criminal disputes and organizing training courses in order to enable mediation to be applied in a more effective and common manner shall be conducted.

**Strategy Objective 8.4-Developing mediation and alternative dispute resolution methods for civil disputes** focuses on the practice of mediation in criminal disputes and the introduction of a draft code on the application of this alternative dispute resolution mechanism to the civil justice system of Turkey. The referred draft code contains provisions that aim at the objectives of making fast, simple, cost-effective and efficient handling of cases, enabling certain conflicts such as uncontested claims to be resolved by means of accord or reconciliation instead of coming before courts in the form of contested claims and reflecting developments in comparative law to civil legal procedure. Legislative process of the draft code envisaging mediation method to resolve civil conflicts before coming to the courts will be pursued by the Ministry.

**Strategy Objective 8.5- Increasing the efficiency of the arbitration system:** This specific objective of the Strategy focuses on the amendments to Civil Procedure Code and other codes, which will be made and necessary training studies will be conducted so as to make “arbitration” procedure, existing in Articles 516–536 of Civil Procedure Code, common and effective.

Effective access to justice is one of the fundamental conditions for the establishment of the rule of law. In the past, in Turkey, the right of access to judicial protection meant essentially and almost exclusively the aggrieved individual’s formal right to litigate or defend a claim, defined in strictly legal terms. A broader view of defending such claims, e.g. with the help of mediation, opens new pathways for relieving the overburden of the courts and resolving disputes. In particular, mediation processes, as one of the most effective mechanisms of alternative dispute resolution, are of significant importance to justice systems as it can significantly reduce the number of minor disputes before the civil and criminal courts, thus helping to improve the availability of judges for cases, which must be tried.

Alternative dispute resolution (ADR) mechanisms, in particular mediation, are not a substitute for the formal court system. They can serve as alternatives that complements formal justice systems in both civil and criminal cases. Access to justice, especially for the poor and disadvantaged, is facilitated through mediation or other mechanisms of ADR as it addresses key obstacles facing these groups such as economic barriers in the form of lack of means to meet the costs of court fees, lawyer fees, form fees, illiteracy and resulting limited communication with the judicial actors to understand their technical jargon, lack of awareness, insensitivity/lack of awareness of particular needs, insufficient outreach of disadvantaged groups and in some cases is more accessible than courts. In addition, from a right-based perspective, mediation practices often provide win-win solutions, in which both parties are satisfied with the result.

More broadly, the diffusion of mediation and ADR has become a significant factor in ensuring confidence in the legal framework as a whole, supporting and promoting the rule of law. A recent Directive of the European Parliament and the Council – 2008/52/EC of 21st May 2008 – highlights the importance of facilitating access to Alternative Dispute Resolution (ADR) methods/procedures, promoting the amicable settlement of disputes by encouraging the use of mediation and by ensuring a balanced relationship between mediation and judicial procedures. Securing better access to justice through mediation, as well as through other methods of ADR, is now part of the established policy of the European Union.

Within this perspective and with reference to the above mentioned national and international policy documents, the necessity to enhance the efficiency of the judiciary through decreasing the workload and strengthening the administrative and judicial infrastructure is urgent as it constitutes a requirement for the principle of democratic governance and empowerment of the disadvantaged groups for better access to justice for all in Turkey. In that respect, the Program at hand will serve for improving access to justice in Turkey as being one of the fundamental conditions for the establishment of the rule of law through the application and effective implementation of alternative dispute resolution mechanisms in both civil and criminal disputes.

## **I. B. UNDP Involvement**

Access to justice is a service line under the Democratic Governance practice areas identified by UNDP globally. UNDP's strategy in access to justice is based on a set of four main principles. The twin principles of accountability (of duty bearers) and empowerment (of claim holders) provide an objective for capacity development strategies. Non-discrimination implies a particular focus on disadvantaged groups and special attention to the impact of the program on those who are not the focus of development interventions. Participation is a key principle underlying all stages in the programming process. Based on this corporate mandate, the overarching strategic objective of the proposed justice programming in Turkey is to work with the judiciary to contribute to its institutional capacity in the EU accession process and also legally empower the citizens for their access to justice.

Within this overall strategy, UNDP Turkey has been engaged to the Turkish judiciary since 2008 with the aim of supporting the judicial reform efforts of Turkey in its EU accession process. Up to date, UNDP has worked in the following areas: i) support to the judicial reform in the perspective of organizational administration; ii) support to the practices of mediation in Turkish criminal justice; iii) development of programs for legally empowered citizens in Turkey. Special niche of UNDP in the field of access to justice and strengthening of the rule of law in Turkey is to provide technical assistance for individual and institutional capacity-building based on its global experience and technical expertise in providing country experiences in judicial systems for strengthening the rule of law.

Some of the immediate results of the first phase of technical cooperation in the field of mediation are as follows:

- Broader application of the mediation practice promoted; the Board of Inspectors added a parameter in assessing the performance of the judges and prosecutors to measure whether they fulfill their role in conveying the cases to mediation
- A resource persons pool comprising 120 judicial actors created all over Turkey those are consulted by the mediation practitioners upon their request
- User-friendly toolkit for judges, prosecutors and mediators developed in consultation with the above referred resource persons and international expertise and disseminated to all courthouses of Turkey
- Approximately 20 % of judicial actors, both the judges and prosecutors, trained on the basics of mediation in criminal justice
- Mediation bureaus established in 6 pilots and the processes of these pilot bureaus were shared with all Chief Prosecutors
- Outreach strategy of the mediation practice developed and implementation of its first phase started

- Policy recommendation paper developed with the contribution of the resource persons, Chief Prosecutors of the pilot mediation bureaus, national and international expertise

The Program at hand builds on the past cooperation between the judiciary and UNDP and aims to support the judicial reform initiatives of Turkey for increased access to justice and enhanced efficiency of the judiciary and is based on the three identified areas of need, which are explained in detail below.

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## **II. STRATEGY**

The Program at hand addresses gaps and needs in efficient functioning of the judiciary in Turkey for improved access to justice through improvement of the practice of mediation in criminal justice system of Turkey and application of alternative dispute resolution mechanisms in civil disputes.

Alternative dispute resolution is only a piece of models for facilitating access to justice. Therefore, the Program at hand will benefit from the achievements and lessons learned in joint initiatives between UNDP & Ministry of Justice in other fields of access to justice. In that respect, it is expected to create synergies among the ongoing and pipeline UNDP partnerships on development of programs for legally empowered citizens and improvement of Legal Aid Practices in Turkey.

In particular, the Program integrates the lessons learned of the past joint project between UNDP & Ministry of Justice on development of mediation practices in criminal justice system. As such, the experiences and results of the pilot mediation practices, training programs and knowledge sharing platforms for judicial practitioners in mediation in criminal justice will serve as guidance and are expected to improve the mediation practices in civil law.

Female participation in all program activities will be encouraged and facilitated.

With this Strategy, the Program is expected to achieve the following outcomes:

### **Outcome 1: Efficient functioning of the judiciary enhanced through the improvement of mediation practices in criminal justice system of Turkey**

In Turkey under the burden of the heavy workload, the judiciary is losing its effectiveness. In the efforts to address this bottleneck, both Turkish Criminal Law No: 5237, which was taken into effect on 1 June 2005 and invalidated the Turkish Criminal law No: 765 dated 1 March 1926 and Turkish Code of Criminal Procedure No: 5271 that was taken effect on 1 June 2005 and invalidated the Turkish Code of Criminal Procedure No: 1412 dated 1 April 1929, arrangements on “mediation” were made and thereby alternative dispute resolution mechanisms were adopted in the Criminal Law System of Turkey.

Within this context, Article 253 of the Turkish Code of Criminal Procedure gives the public prosecutor and the court authority to use mediation. The statutory regime for the conduct of mediation in Turkish penal procedure law has been substantially changed by the enactment of the amendments of Act No 5560 to the Code of Criminal Procedure (CCP), which came into force on December 19, 2006. Under the CCP, a By-Law on Mediation was published in the Official Gazette of Turkey.

*Project for the Development of the Practice of Mediation in Criminal Justice System of Turkey*, which was a joint initiative of Ministry of Justice and UNDP underlines the need of improving the alternative mechanisms of dispute resolution for effective functioning of the judicial system and thereby increasing access to justice for all. The referred project focused on creating in-house capacity in the form of training of trainers, training seminars for approximately 20 % of the judicial professionals working in the court houses, pilot practices to see the most applicable model for the institution of mediation and development and conduct of an Outreach Strategy to raise awareness in the country.

The first outcome of the proposed Program at hand comprises the continuum of the Project for the Development of the Practice of Mediation in Criminal Justice System and shaped by the recommendations of the judicial professionals those were consulted at various platforms created in the course of the Project. Some of the key recommendations are as follows:

- The legislation should permit a greater number of qualified people with different backgrounds to act as mediators. The current requirement that all mediators must have a formal legal education should be removed
- The legislation should clearly specify that practicing prosecutors and judges should not act as mediators. Such a practice is not in line with the international standards as well as the principles of independence and impartiality
- The role of law enforcement officials (the police) in mediation practice should be clarified in the legislation
- A “mediation service” should be established in Turkey, similar to the institutions of mediation in Europe
- Mediation should be made available at all stages of the criminal procedure
- Mediation should be available for a greater range of offenses
- The law should specify that the admission, by the offender, of the basic facts surrounding the commission of the offence is a prerequisite to mediation
- Time limits those are defined in the law are too rigid and should be defined with flexibility
- A special Code of Conduct for mediators involved in mediation should be developed
- The Code of Conduct for lawyers should make reference to their responsibility to promote mediation
- Mediation programs in Turkey should be assessed and evaluated on periodic basis
- The establishment of mediation bureaus is essential for effective implementation of the mediation practices. Among the models tested in pilot practices, it was observed that successful mediation practices increased in the pilots where mediation bureaus are established.

In the light of above recommendations and lessons learned during the first Project on mediation in criminal law (mentioned above), the Ministry of Justice and UNDP agreed on the second phase (Outcome 1 of the Program at hand), which is expected to achieve the following outputs:

**Output 1.1: Mediation practices in criminal disputes improved and increased through the amendment of the current legislation on mediation in criminal justice**

The key recommendations, developed in consultation with the judicial practitioners and justice professionals in the scope of the initial phase of the UNDP- Ministry of Justice partnership on mediation in criminal justice, indicate that there is a need for a legislative amendment for effective implementation of this alternative dispute resolution mechanism in criminal justice. In particular, the recommendations address

possible changes eg that mediation practices can be applied to a broader range of offences by a greater number of qualified people with different backgrounds to act as mediators. In addition, and in line with the international principles with regards to the independence and impartiality of the judiciary, it is also highly recommended that the law should have a direct provision that clearly states that practicing prosecutors and/or judges cannot act as mediators in the system.

Within this perspective, based on the lessons learned during the first phase of the Project and particularly the pilot mediation practices, the following activities will be attained under Output 1.1:

***Activity 1.1.1. Draft the Amendment of the Legislation on Mediation in Criminal Disputes:*** Based on its global and national experience in the field of alternative dispute resolution and in line with the policy recommendations proposed during the first phase of the project, UNDP will draft the amendment on mediation in criminal justice. At this point, the draft amendment will be discussed with the practitioners and submit to the Ministry of Justice for their further consideration. In that respect, it is expected that with a possible amendment in the current legislation, the quality of the mediation practices will be improved with a direct increase the number of the cases that are solved with mediation.

***Activity 1.1.2. Establish platforms in the form of joint meetings, workshops etc for exchange of opinion & knowledge on draft amendment on mediation in criminal disputes:*** Following the development of the first draft of the amendment on mediation in criminal justice, platforms with the participation of judicial practitioners and academia will be established in order to discuss draft amendment and get their opinions. In that respect, it is expected that the resource pool, composed of judicial practitioners and established during the first phase of the Project, will contribute to the finalization of the draft amendment.

***Activity 1.1.3. Finalize and Submit the Draft Amendment to the Ministry of Justice:*** Based on the inputs received from the judicial practitioners and academia, UNDP will finalize the draft amendment and submit to the Ministry of Justice for their further consideration, possible approval and use during the legislation review process.

## **Output 1.2: Institutional structuring and coordination mechanisms among responsible institutions improved for effective mediation practices in Turkey**

This output will build on the results of the capacity enhancement programs and pilot practices which were carried out in the initial phase. Different models for the implementation of mediation in Turkey have been tested through pilot mediation practices. Accordingly, the immediate results regarding the institutional arrangements of the mediation practices are as follows:

- The mediation bureaus should be established at each courthouse. In that case, it should be ensured that a prosecutor in charge of mediation cases should be appointed. The Ministry of Justice should take necessary measures for the establishment of the necessary ground for mediation bureaus in terms of human and financial resources.
- Strong coordination and partnership should be developed between the Ministry of Justice and Union of Turkish Bar Associations for institutionalization of successful mediation practices. Under the current legislation, only the law graduates can act as a mediator and therefore lawyers themselves constitute a large number of mediators in Turkey. Therefore, regardless of a change in the current legislation on profile of mediators, it is crucial that the level of



ownership in Union of Turkish Bar Associations is high. In that respect, it is expected that the number of the mediation trainings and awareness raising activities among the lawyers are increased. In addition, the incentives provided by the Union of Bar Associations to the Bar Associations would also be a good indicator for the increased ownership and commitment of the Union of Bar Associations towards mediation practices.

- The Justice Academy should be actively involved in the process for the development of training programs for mediators and judicial practitioners on mediation in criminal justice. It is also crucial for the sustainability and success of the mediation practices in Turkey. In that respect, Justice Academy should include mediation curricula in its own education program and should have active role in mediator trainings in Turkey.
- The level of ownership in High Council of Judges and Prosecutors should be increased. As per the results of the training programs and pilot mediation practices, it is indicated by many of the practitioners that increased ownership among the High Council of Judges and Prosecutors is critical for the increase of cases that are applied to mediation. Therefore, it is proposed that a principle decision should be taken by the High Council encouraging the judicial practitioners to apply mediation.

Within this framework, and in line with the lessons learned during the initial phase, the Program will address the improvement of the institutional arrangements and coordination mechanisms between justice institutions including the Ministry of Justice, Union of Turkish Bar Associations, Justice Academy and High Council of Judges and Prosecutors for effective implementation of mediation in criminal disputes. In that respect, the following activities will be carried out: .

***Activity 1.2.1. Develop an assessment report on institutional arrangements and coordination mechanisms on mediation in criminal disputes in Turkey:*** As per the findings of the first phase of the project, an assessment report about how to develop institutionalized mediation mechanisms and effective coordination among the responsible institutions will be developed. Accordingly, the report will address the roles and responsibilities of relevant institutions such as the Ministry of Justice, Union of Bar Associations, Justice Academy and High Council of Judges and Prosecutors for institutionalized mediation practices in Turkey, in line with the international standards and also the best practices experienced globally.

***Activity 1.2.2. Organize platforms in terms of joint meetings that the assessment report for institutionalized mediation practices and improved coordination mechanism in Turkey will be discussed with responsible institutions:*** The assessment report will be shared and discussed with the justice institutions including the Ministry of Justice, Union of Bar Associations, Justice Academy and High Council of Judges and Prosecutors. It is therefore expected to create an ownership among those institutions that are well aware of their responsibilities and roles for the effective functioning of the institution of mediation in Turkey.

### **Output 1.3: Individual and institutional capacity of the judicial professionals on mediation in criminal disputes enhanced**

In addition to the arrangements that are proposed at the institutional level, it is also highly recommended by most of the practitioners and academicians during the first phase of the project that the training programs for judicial professionals including the mediators themselves and staff of Justice Academy and Union of Bar Associations should be developed. In that respect, the following activities will be carried out in close cooperation with the Ministry of Justice, the Justice Academy and the Union of Turkish Bar Associations in order to improve the capacity at institutional and individual level.

***Activity 1.3.1 Develop tailor-made training curricula on mediation in criminal disputes:*** The capacity of Ministry of Justice, the Justice Academy, the Union of Bar Associations and respective Bar Associations on mediation in criminal justice will be improved through capacity enhancement of the judicial professionals. In the development of the training curricula, the experiences of the countries that have successful mediation practices in criminal matters, international documents and reports will be benefitted. In terms of institutionalization of mediation training, the training modules will be incorporated into the curricula of the Justice Academy, which is responsible for training the mediators. Therefore, the role of the Justice Academy for the promotion of mediation practice in criminal disputes will be strengthened and the coordination with the Ministry of Justice and Union of Turkish Bar Associations improved.

***Activity 1.3.2 Establish a “resource pool” and conduct two training of trainers programs for the improvement of mediation practices in criminal disputes:*** A “resource pool”, composed of the staff of the Justice Academy, the Union of Bar Associations and lawyer mediators, will be established before training of trainers programs. The resource persons will be selected on identified criteria and will act as the trainers in the training programs during the project lifespan. They also will ensure the sustainability of the training activities since they would be the ones that professionals would consult in their region about their questions on mediation. Based on the training modules developed on the techniques of mediation, two trainings of trainers programs will be realized for the selected resource persons.

***Activity 1.3.3 Conduct training seminars in 12 selected provinces with the participation of a broad range of judicial professionals on mediation in criminal matters:*** Following the conduct of the training of trainers programs, a series of training seminars on mediation in criminal disputes will be conducted all over Turkey. The training seminars, in which the resource persons act as the trainers, will cover the general principles and practices on mediation in criminal matters. Overall 2500 judicial professionals are expected to participate to the referred training seminars.

### **Output 1.4 Guidelines developed and broadly used to enhance successful mediation practices in criminal justice**

In the scope of the initial phase, ie the *Project for the Development of the Practice of Mediation in Criminal Justice System of Turkey* different practices and models of mediation were experienced in six pilots. The experiences of the pilots provided important inputs for the improvement of mediation in criminal justice system of Turkey and therefore a set of recommendations were developed in terms of legislative arrangements and practical implications. These recommendations will comprise the basis for the guidelines for more efficient implementation of mediation practice and be adopted by the Ministry of Justice in advanced mediation practices.

**Activity 1.4.1 Develop guidelines on mediation practices in Turkey based on the pilot mediation experiences:** Relying on the experiences gained in the pilots, practical guidelines to conduct successful mediation practices will be developed. In that respect, the successful and unsuccessful practices of mediation will be examined and the practitioners in pilot court houses will be consulted.

**Activity 1.4.2: Disseminate the guidelines broadly among the judicial professionals and institutions:** In order to scale-up the successful mediation practices, guidelines for successful mediation practices will be disseminated broadly by the Ministry of Justice among the judicial professionals and institutions including but not limited to public prosecutors, judges, Bar Associations and academicians.

### **Output 1.5 Code of Conduct for the mediators developed for improved mediation practices in criminal justice system of Turkey**

Guidelines of the European Commission for the Efficiency of Justice (CEPEJ) states that “member states should take measures to ensure the uniformity in the concepts, scope and guarantees of the main principles of mediation such as confidentiality and others within their countries, by legislative measures and/or by developing codes of conduct for mediators.”. In line with this recommendation, the Program will develop special code of conduct for the mediators in Turkey.

**Activity 1.4.1. Develop code of conduct for mediators in Turkey:** The code of conduct will be developed for the mediators in Turkey in order to contribute to the effective and smooth functioning of the mediation in criminal justice. Those rules are also expected to be obligatory and include necessary information and recommendation for the mediators about the attitudes they should have during the whole process of mediation. At this point, the Justice Academy will refer to the Code of Conduct in the mediation trainings and also the Union of Bar Association ensuring the application of those rules by the lawyer mediators in Turkey.

**Activity 1.4.2. Publicize and disseminate the code of conduct for mediators in Turkey:** The code of conduct will be publicized and widely disseminated among the Court Houses, Bar Associations and mediators in Turkey. In that respect, it is expected that the code of conduct is approved and adopted by Ministry of Justice and Union of Bar Associations through its inclusion in the curricula in apprentice to law and mediator trainings. Therefore, it is targeted that the mediators are well informed about the main principles of mediation and uniformity in mediation practices is ensured.

### **Output 1.6 Conduct of the outreach strategy on mediation in criminal justice scaled up**

Outreach Strategy for mediation was developed and put into action in the scope of the initial phase. MoJ accepted the Strategy as its road map for creating awareness on mediation in Turkey. In this context, various sensitization activities such as the training seminars, development and dissemination of promotional materials, inclusion of the theme of mediation in TV series, broadcast of TV spots including the real life stories on mediation, etc. have been conducted.

With this perspective, during the lifetime of the Program at hand, conduct of the outreach strategy will continue. Scope of these activities will be formulated following the assessment of the results achieved by the awareness campaign conducted during the first phase of the Project.

**Activity 1.6.1 Develop an assessment report about the implementation of the Outreach Strategy on Mediation in Criminal Justice:** An assessment report including the impact of the activities realized in scope of the Outreach Strategy will be developed. As per the findings of the referred report, the road map for the scale-up of the awareness raising activities on mediation will be developed.

**Activity 1.6.2. Develop the road map for scale-up of the awareness raising activities on mediation:** Based on the findings of the assessment report about the implementation of the Outreach Strategy on Mediation, the Project will develop the road map for scale-up of the awareness raising activities. Therefore, it is expected that the public awareness is raised and a common understanding about mediation is reached among the public and judicial professionals.

**Activity 1.6.2 Scale-up of awareness raising activities on mediation in criminal law:** The assessment report and road map about the implementation of the Outreach Strategy on Mediation will draw the framework for the scale-up of the awareness raising activities on mediation. In that respect, various sensitization activities on mediation such as development and dissemination of promotional activities, inclusion of the theme of mediation in TV series and popular TV shows, broadcast of TV spots including the real life stories on mediation will be realized based on the lessons learned during the first phase. The main target group for the awareness raising activities are the judicial professionals and the public at large, in particular the disadvantaged groups of children, women and youth. In that respect, it is also expected that the lessons-learned in UNDP& Ministry of Justice Project on legal empowerment for access to justice will be benefitted.

## **Outcome 2: Efficient functioning of the judiciary enhanced through the application of alternative dispute resolution mechanisms at civil matters**

The existing system of civil procedure in Turkey is troubled by excessive costs, delay, and complexity. Justice is not accessible to everyone because of rising costs and overcrowded courts. Over the past several decades, the average time required for civil cases to get into court has lengthened, adding to the cost and uncertainty of the litigation process. Court dockets are loaded, so civil litigation can easily be put off for years. The practice of ADR in Turkey, on the other hand, is limited. There are direct interested provisions about mediation in the Turkish civil justice system such as Advocateship Act, Code of Criminal Procedure, Code of Labor, and Code of Consumer Protection. However, the practice of those provisions are very low and there is no training provided for their broad implementation.

Recognizing the potential of the alternative dispute resolution mechanisms for the efficiency of justice, the Ministry of Justice has developed a draft administrative procedure act. This code envisages the introduction of alternative dispute resolution mechanisms in settling administrative disputes. Chapter 8 of the Draft Act deals with alternative means for resolving disputes between administrative authorities and private parties. There are the following alternative processes: internal reviews, negotiated settlement, and mediation (or conciliation). In this draft code, reference is made to Recommendation no (2001) 9 of the Council of Europe Committee of Ministers on alternatives to litigation between administrative authorities and private parties.

To introduce this practice to the Turkish judicial system the Government has drafted the Code on Mediation in Civil Law. This draft bill, which aims to ensure broad application of mediation in civil cases in Turkey in parallel with the European Union member states and other countries in the world, is on the agenda of the Justice Commission of the Parliament.

Outcome 2 of the proposed program aims to promote the enabling environment for the effective implementation of mediation in civil disputes and develop an implementation model in the context of Turkey for effective mediation practices in civil disputes. To this end, the Outcome 2 aims at:

1. Institutional and individual capacity building for the judicial professionals. This is expected to increase the awareness and capacity on mediation and provide the necessary ground for the effective functioning of mediation institution in civil law.
2. Pilot mediation practices on civil matters in terms of providing necessary ground for the effective implementation of the mediation as required by existing legislation including the Advocateship Act, Code of Criminal Procedure, Code of Labor, and Code of Consumer Protection. The level of implementation of the provisions of these legislations is low due to the lack of awareness and capacity. The pilot practices will be designed for full-fledged implementation of these provisions on mediation.
3. Awareness on main principles and benefits of mediation in civil disputes raised among the public.
4. The practices in the pilots will lay the ground for the efficient implementation of the Code on Mediation in Civil Disputes when it is enacted by the Parliament.

5. Comparative experiences on implementation models for effective mediation practices in civil law reviewed and submitted to MoJ
6. The implementation model for effective mediation practices in Turkey is developed based on the pilot mediation practices and comparative implementation models.

Within this framework, the Program will follow a phased approach towards an institutionalized structure with regards to mediation in civil law. In that sense, the Program at hand will ensure an enabling environment for effective mediation practices and through the models tested at the pilot sides, the best implementation model in the context of Turkey will be developed. The lessons-learned in the first phase of UNDP & Ministry of Justice partnership on mediation in criminal justice will serve as a guide and inform the activities under this outcome.

### **Output 2.1: Institutional and individual capacity of the judicial professionals on mediation in civil disputes enhanced**

The quality of mediation processes is essentially contingent upon the jurisdiction of the third parties who are responsible for mediation in civil matters mechanisms. Proper training is required to master the techniques involved in mediation. In that respect, judges have an important role in practice of mediation in civil matters and need specific training to have an extensive knowledge about mediation, arrange information meetings and invite parties to apply for mediation when required and / or transfer the case to mediation. Therefore, it is crucial to develop court-based mediation programs ensuring that lawyers and the judges understand the mediation process and provide accurate information to parties who may wish to use it. To this end, the institutional capacity building activities on mediation are expected to set the ground for the effective functioning of this institution in civilian justice system. In other words, through this component the preparatory work for the practice of mediation will be finalized and when the Draft Code on Mediation in Civil Matters become effective, the challenges faced in practice will be minimized.

In that respect, the following activities will be carried out to attain Output 2.1:

***Activity 2.1.1 Conduct a needs assessment on the mediation practices in civil disputes:*** Before the development of the training modules and conduct of the training seminars, a needs assessment will be conducted in order to have a clear picture about the needs, opportunities and challenges with regards to the mediation practices in civil disputes. The needs assessment report will also lay the ground for the development of the tailor-made training modules on mediation.

***Activity 2.1.2 Establish the “resource pool” composed of the judges, lawyers and other relevant professionals and conduct of the training of trainer programs:*** The aim of this activity is to have resource persons in the country with in-depth knowledge on the institution of mediation in civil law. The resource persons will be from different regions of Turkey those are selected according to the defined criteria and act as the trainers in the training seminars and pilot practices those will be conducted during the lifetime of the Program. Gender balance will also be sought in this selection.

***Activity 2.1.3 Develop tailor-made training modules on mediation in civil disputes:*** Institutional capacity of the Ministry of Justice on mediation in civil disputes will be

enhanced through individual capacity enhancement of the judicial professionals. In the development of the training modules, experiences of the countries with successful mediation practices in civil matters; international documents and reports; the outputs and products of the EU and technical assistance projects those have been implemented at the national level will be benefitted. In that respect, it is expected that the modules or the training curricula will be institutionalized as it will be included in training curricula of Justice Academy for mediators in civil disputes. Therefore, a strong cooperation with Justice Academy and union of Bar Associations will be established for the institutionalization of mediation training curricula.

***Activity 2.1.4 Develop training of trainers programs for the resource pool on mediation in civil matters:*** The training of trainers programs will be developed for the selected resource persons. Addressing the fundamentals of mediation in civil disputes, these trainings will cover, but not limited to, the following issues:

- a. The fundamentals of mediation (e.g. impartiality, confidentiality)
- b. Ethics and standards of mediation
- c. The basic three phases of mediation
  - i. Before mediation
  - ii. During the substantive mediation
  - iii. The end of mediation and settlement agreements
- d. Traditional resolution of a dispute and mediation in civil matters
- e. Structure and functioning of mediation in civil matters
- f. Legal framework on mediation in civil matters
- g. Communication and negotiation skills and methods
- h. Role plays and practical exercises
- i. Family mediation
- j. Peer to peer mediation

***Activity 2.1.5 Conduct of the training seminars in 12 selected provinces:*** Following the training of trainers programs, a series of training seminars will be carried out in 12 selected provinces with the participation of 1,000 judicial and other relevant professionals. The referred seminars will be carried out by the resource persons and cover the general principles and practices on mediation.

**Output 2.2: Implementation model for mediation in civil disputes developed and approved by the Ministry of Justice through the review of comparative models and pilot mediation practices in civil disputes**

Following the tailor-made training programs, implementation model for institutionalization of mediation in civil disputes will be developed through the review of comparative models and pilot mediation practices in civil law.

Pilot practices on mediation in civil matters will be commenced in 4 pilot sides. In the selection of the pilot sides, the geographical regions, population density, workload of the court houses, number of the cases concluded with mediation, etc. will be taken into consideration. Following this step, different implementation strategies will be determined in the selected pilots. In that respect, the lessons-learned in the pilot mediation practices in criminal law will be benefitted.

Until the enactment of the Code on Mediation in Civil Matters the pilot practices will focus on the implementation of the provisions of Advocateship Act, Code of Criminal Procedure, Code of Labor, and Code of Consumer Protection those create the basis for the mediation practice in civil law.

Results of the pilot practices are also expected to provide input for the finalization of the Draft Law on Mediation in Civil Matters.. Therefore, during and after the implementation of the pilots, findings from the pilot practices will be submitted to the Justice Commission in the Parliament. By this, it is expected that the Program will contribute to the work of the Commission as well as to the effective implementation of the Law on Mediation in Civil Matters.

Within this framework, the following activities are expected to be realized under Output 2.2:

***Activity 2.2.1. Review comparative implementation models for mediation in civil disputes:*** In order to determine the best implementation model for mediation in civil law, different country experiences in mediation will be reviewed. In that respect, a mapping study will be conducted among different implementation models and best practices in both Continental Europe and Anglo-Saxon countries.

***Activity 2.2.2. Develop criteria for selection of the pilot sides:*** The pilot mediation sides will be selected based on the criteria that will be identified in consultation with the Union of Bar Associations, Justice Academy and academia. In that respect, the geographical regions, population density, workload of the court houses, number of the cases concluded with mediation will be taken into account.

***Activity 2.2.2. Develop different implementation strategies for pilot mediation practices:*** In order to define the best implementation model for mediation in civil disputes in the context of Turkey, different implementation strategies or models will be tested at the pilots. In addition, the results of the pilot practices are also expected to provide inputs for the finalization of the Draft Code on Mediation in Civil Disputes.

***Activity 2.2.3. Develop and approve the most suitable implementation model for mediation in civil disputes, which will be approved by the MoJ in the context of Turkey:*** Based on the pilot experiences and lessons learned and review of the comparative models, the Project will develop an implementation model, which will ensure the effective implementation of mediation in the context of Turkey.

### **Output 2.3. Input for the Finalization of the Draft Act on Mediation in Civil Disputes Provided**

In line with the results of the pilot mediation practices and also the implementation model developed, the Project will contribute to the finalization of the Draft Code on Mediation in Civil Disputes.

***Activity 2.3.1. Develop an assessment report regarding the Draft Code on Mediation in Civil Disputes and submit to the Justice Commission of the Parliament:*** In line with the results of the pilots and trainings, an assessment report with regards to the provisions of the proposed law on mediation will be developed and submitted to the Parliament. It is therefore expected to include the ways in how mediation would best work in Turkey and address the best profile of mediators, scope of crimes, institutionalized mechanisms, etc. in Turkey.



**Output 2.4 Individual and institutional awareness on mediation in civil matters is raised through different means and mechanisms developed including a holistic outreach strategy and user friendly manual addressed particularly to judicial professionals**

In order to increase knowledge and understanding on mediation, the Program will develop and implement structured awareness raising programs to promote court-based mediation and inform the public and persons with civil disputes about this alternative method. The programs will also include references to the costs and efficiency of mediation. Various means and methods will be used in the awareness raising endeavors including information campaigns, printed materials and web pages. In that respect, the following activities will be carried out in the scope of the awareness raising component of the Program:

**Activity 2.4.1 Develop and Approve an Outreach Strategy on Mediation in Civil Disputes:** In order to increase the awareness of the public on mediation in civil disputes and strengthen the cooperation between Ministry of Justice, Union of Bar Associations, universities, civil society organizations, media organizations and other relevant stakeholders for effective implementation of mediation in civil matter, the Program will develop an Outreach Strategy, which will be approved and adopted by the Ministry of Justice. The referred Strategy will address the following identified bottlenecks:

- 1) Lack of awareness among the public on the mediation option in civil disputes
- 2) Limited knowledge and understanding of mediation in civil matters among the judicial professional including judges, prosecutors and lawyers
- 3) Lack of cooperation between various stakeholders and resulting ineffective implementation of the mediation provisions of the Advocateeship Act, Code of Criminal Procedure, Code of Labor, and Code of Consumer Protection

**Activity 2.4.2. Develop and Implement Outreach Strategy Action Plan on Mediation in Civil Disputes:** Based on the issues indicated in the Outreach Strategy, the Program will also develop an **Action Plan** for its implementation. In this context, it is aimed to ensure better ties between the Ministry of Justice, the Union of Bar Associations, universities, civil society organizations and other relevant stakeholders; thereby creating a bias-free environment and of increased public trust and ownership towards the practice of mediation in civil disputes in Turkey. The Action Plan will include but not limited to the following:

- Organization of national and international conferences on mediation in civil disputes
- Organization of a national press conference - it can be in form of a breakfast type media conference for a limited participation from mass media organizations –in order to generate interest towards mediation in civil disputes
- Producing a set of guidelines aimed at improving cooperation between Ministry of Justice, Bar Associations and other key stakeholders
- Publication of articles about mediation in civil disputes
- Dissemination and publication of the best practices of mediation in civil disputes
- Development and wide dissemination of promotional materials on mediation in civil matters such as brochures, posters, booklets, etc.
- Broadcast of website on mediation in civil matters that will be owned by the Ministry of Justice. The website will be the interactive instrument for the Ministry of Justice in its guidance to the practitioners as well as the citizens for the mediation practice. The website will also include the basic reference documents relevant to the field of mediation in the criminal justice.

**Activity2.4.3 Establish a monitoring and evaluation system in order to measure the impact of the Outreach Strategy:** In order to measure the efficiency and effectiveness of the outreach strategy, the Program will develop a monitoring and evaluation system. The referred system will be developed upon the finalization of the Strategy and also enable the Ministry of Justice to measure the impact of the awareness raising activities and strategies in the future.

**Activity2.4.4 Develop user friendly manuals for judicial professionals:** Based on the findings of the training of trainers programs, pilot practices of mediation in civil matters and other capacity development activities, a manual for the use of judges and lawyers will be developed and approved by Ministry of Justice. The referred Manual will include concrete steps to be taken by the judges and lawyers for the effective implementation of the draft Law on Mediation in Civil Matters. Being the first of its kind, the Manual will be widely disseminated broadly to the courthouses and bar associations in Turkey by the Ministry of Justice.

## Budget<sup>2</sup>

**Outcome I** - Efficient functioning of the judiciary enhanced through the improvement of mediation practices in criminal justice system of Turkey

<i>Resource</i>	<i>2011</i>	<i>2012</i>
SIDA	\$USD 288.900	\$ USD 461.100
<b>TOTAL:</b>		<b>\$ USD 750.000</b>

**Outcome 2:** Efficient functioning of the judiciary enhanced through the application of alternative dispute resolution mechanisms at civil matters

<i>Resource</i>	<i>2011</i>	<i>2012</i>
SIDA	325.650	474.350
Government Cost Sharing	180.000	370.000
<b>TOTAL:</b>		<b>\$ USD 1,350.000</b>

<sup>2</sup> The detailed budget breakdown per project activities are given in Annual Work Plan

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## Management Arrangements

The proposed Program is considered as a joint initiative of the Government of Turkey and UNDP. The Program will be executed by the Ministry of Justice. Within the Ministry of Justice the Program focal points based on the Outcomes are:

- General Directorate of Criminal Affairs for Outcome 1 “Efficient functioning of the judiciary enhanced through the improvement of mediation practices in criminal justice system of Turkey”
- General Directorate for Civil Affairs for Outcome 2 “Efficient functioning of the judiciary enhanced through the application of alternative dispute resolution mechanisms at civil matters”

UNDP will act as the implementing agency. UNDP will provide its relevant knowledge and expertise in facilitating the capacity building and technical know-how activities. UNDP will be the responsible party to coordinate the activities with the relevant stakeholders and complying with the monitoring and evaluation reporting requested by the Ministry of Justice (MoJ).

The costs of all Program staff and personnel will be met from the resources of the Program at hand. The costs of the UNDP program management will be borne by UNDP. The UNDP will implement the entirety of Program activities in line with UNDP financial rules and regulations and report to the national designated agency (MoJ) on quarterly expenditures through the Combined Delivery Report.

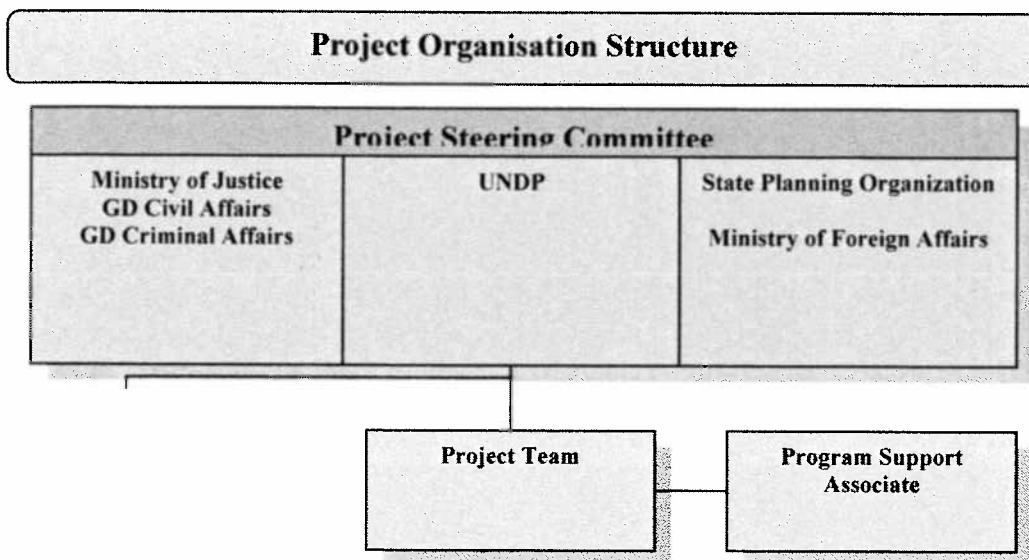
Depending on the requirements of the work, both short term international and national consultants will be recruited.

The Steering Committee, which will comprise of the Ministry of Justice, Ministry of Foreign Affairs, State Planning Organization and UNDP Turkey, will provide the overall guidance to the Program, monitors the Program’s achievement of outputs and outcomes in line with the program document and annual workplans and their contribution to overall national development goals.

Day-to-day management shall be done by the Project Administrator/Associate to ensure that the project produces the results (outputs) within the specified time lines and budget. Quality ensurance will be ensured by UNDP with overall oversight and decision making provided by the Steering Committee.

Project activities that will be conducted with UNDP contribution will be carried out in accordance with the timeframe indicated in Annual Work Plan. The timetable will be revised in case of a possible contribution of other donor organizations.

The project will be audited, in line with the UNDP audit requirements, once in its lifetime at a minimum. Adequate financial provisions for the audit are included in the project annual work plan. When possible, UNDP’s cost recovery shall be applicable.



## Monitoring Framework And Evaluation

In accordance with the programming policies and procedures outlined in the UNDP User Guide, the project will be monitored through the following:

### Within the annual cycle

- An Issue Log shall be activated in Atlas and updated by the Project Team to facilitate tracking and resolution of potential problems or requests for change.
- Based on the initial risk analysis submitted (see annex 1), a risk log shall be activated in Atlas and regularly updated by reviewing the external environment that may affect the project implementation.
- Based on the above information recorded in Atlas, a Project Progress Reports (PPR) shall be submitted by the Project Team to the Project Steering Committee through Project Assurance, using the standard report format available in the Executive Snapshot.
- a project Lesson-learned log shall be activated and regularly updated to ensure on-going learning and adaptation within the organization, and to facilitate the preparation of the Lessons-learned Report at the end of the project
- a Monitoring Schedule Plan shall be activated in Atlas and updated to track key management actions/events

### Annually

- **Annual Review Report.** An Annual Review Report shall be prepared by the Project Team and shared with the Project Steering Committee.
- **Annual Project Review.** Based on the above report, an annual project review shall be conducted during the fourth quarter of the year or soon after, to assess the performance of the project and appraise the Annual Work Plan (AWP) for the following year. In the last year, this review will be a final assessment. This

review is driven by the Project Steering Committee and may involve other stakeholders as required. It shall focus on the extent to which progress is being made towards outputs, and that these remain aligned to appropriate outcomes.

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## Legal Context

This project document shall be the instrument referred to as such in Article I of the SBAA between the Government of Turkey and UNDP, signed on 21 October 1965.

Consistent with the attached Supplemental Provisions, the responsibility for the safety and security of the executing agency and its personnel and property, and of UNDP's property in the executing agency's custody, rests with the executing agency.

The executing agency shall:

- a) put in place an appropriate security plan and maintain the security plan, taking into account the security situation in the country where the project is being carried;
- b) assume all risks and liabilities related to the executing agency's security, and the full implementation of the security plan.

UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an appropriate security plan as required hereunder shall be deemed a breach of this agreement.

The executing agency agrees to undertake all reasonable efforts to ensure that none of the UNDP funds received pursuant to the Project Document are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via <http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm>. This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document.

# ANNEX I:

## RISK LOG

(see *Deliverable Description for the Risk Log regarding its purpose and use*)



Project Title:		Award ID:		Date:					
#	Description	Date Identified	Type	Impact & Probability	Countermeasures / Mngt response	Owner	Submitted, updated by	Last Update	Status
1	Delay in the legislative process for mediation in civil law	During the implementation	Political	Low level of ownership towards the mediation practices in civil justice P= 3	Focus on awareness raising activities on mediation in civil law  Focus on pilot practices of mediation in line with the directly related provisions of some laws (attorney law) on mediation	MoJ	DG Program Manager of UNDP		
2	Low level of trust of the citizens towards the mediation practices in Turkey	During the preparation	Political	Low ownership towards the mediation practices at civil and criminal justice P= 3	Identify the source of low trust and develop response strategies accordingly	MoJ	DG Program Manager of UNDP		
3	Low level of ownership of the pilot civil mediation practices	During the preparation	Implementation	Low level of implementation of the mediation practices at pilots P= 1	Focus on awareness raising activities  Focus on incentives that might be developed to increase the level of ownership among justice and other relevant professionals	MoJ	DG Program Manager of UNDP		

## **ANNEX II:**

**Special Clauses.** In case of government cost-sharing through the project which is not within the CPAP, the following clauses should be included:

Payment Schedule-Government Cost Sharing:

2011 April: USD 180,000

Payment Schedule-Government Cost Sharing:

2012 April: USD 370,000

To the following Bank Account of UNDP:

<i>Bank Name:</i>	<i>Bank of America</i>
<i>Address:</i>	<i>1401 Elm St., Dallas TX 75202</i>
<i>Account Number:</i>	<i>3752207404</i>
<i>Account Title:</i>	<i>UNDP Representative in Turkey (USD) Account</i>
<i>ACH Routing Number:</i>	<i>111000012 [to be used only by US-based banks using</i>
<i>ACH payment type]</i>	
<i>Wire Routing Number:</i>	<i>026009593</i>
<i>SWIFT Code:</i>	<i>BOFAUS3N</i>

The value of the payment, if made in a currency other than United States dollars, shall be determined by applying the United Nations operational rate of exchange in effect on the date of payment. Should there be a change in the United Nations operational rate of exchange prior to the full utilization by the UNDP of the payment, the value of the balance of funds still held at that time will be adjusted accordingly. If, in such a case, a loss in the value of the balance of funds is recorded, UNDP shall inform the Government with a view to determining whether any further financing could be provided by the Government. Should such further financing not be available, the assistance to be provided to the project may be reduced, suspended or terminated by UNDP.

The above schedule of payments takes into account the requirement that the payments shall be made in advance of the implementation of planned activities. It may be amended to be consistent with the progress of project delivery.

UNDP shall receive and administer the payment in accordance with the regulations, rules and directives of UNDP.

All financial accounts and statements shall be expressed in United States dollars.

If unforeseen increases in expenditures or commitments are expected or realized (whether owing to inflationary factors, fluctuation in exchange rates or unforeseen contingencies), UNDP shall submit to the government on a timely basis a supplementary estimate showing the further financing that will be necessary. The Government shall use its best endeavors to obtain the additional funds required.

If the payments referred above are not received in accordance with the payment schedule, or if the additional financing required in accordance with paragraph [ ]above is not forthcoming from the Government or other sources, the assistance to be provided to the project under this Agreement may be reduced, suspended or terminated by UNDP.



Any interest income attributable to the contribution shall be credited to UNDP Account and shall be utilized in accordance with established UNDP procedures.

In accordance with the decisions and directives of UNDP's Executive Board:

The contribution shall be charged:

- (a) [3%]cost recovery for the provision of general management support (GMS) by UNDP headquarters and country offices
- (b) Direct cost for implementation support services (ISS) provided by UNDP and/or an executing entity/implementing partner.

Ownership of equipment, supplies and other properties financed from the contribution shall vest in UNDP. Matters relating to the transfer of ownership by UNDP shall be determined in accordance with the relevant policies and procedures of UNDP.

The contribution shall be subject exclusively to the internal and external auditing procedures provided for in the financial regulations, rules and directives of UNDP.”

## Results and Resources Framework

### Intended Outcome as stated in the Country Programme Results and Resource Framework:

CP Outcome 1.2: Mechanisms for the implementation and monitoring of international norms and standards on human rights, including the judicial system strengthened and reformed.

### Outcome indicators as stated in the Country Programme Results and Resources Framework, including baseline and targets:

Applicable Key Result Area (from 2008-11 Strategic Plan): Strengthening accountable and responsive governing institutions

Partnership Strategy: Partnerships with national and international stakeholders were established in order to contribute to the endeavors by the GoT particularly in the area of justice reform

### Project title and ID (ATLAS Award ID):

Efficient functioning of the judiciary enhanced through the improvement of mediation practices in criminal justice system of Turkey			
OUTCOME I	OUTPUT TARGETS FOR (YEARS)	INDICATIVE ACTIVITIES	RESPONSIBLE PARTIES
<p><b>INTENDED OUTPUTS</b></p> <p><i>Output 1.1: Mediation practices in criminal disputes improved and increased through the amendment of the current legislation on mediation in criminal justice</i></p> <p><b>Indicator:</b></p> <p>Level of progress made in finalizing the amendment reflecting the proposed changes in the Program</p> <p>Number of cases that mediation is applied increased by 40 %</p> <p>Number of cases that are solved with mediation increased by 30 %</p> <p>Level of satisfaction of citizens who applied mediation in criminal disputes</p>	<p><i>Use this column for more complex projects where an output takes more than one year to produce.</i></p> <p>N/A</p>	<p>1.1.1. Draft the Amendment of the Legislation on Mediation in Criminal Disputes</p> <p>1.1.2. Establish platforms for exchange of opinion &amp; knowledge on draft amendment on mediation in criminal disputes</p> <p>1.1.3. Finalize and Submit the Draft Amendment to the Ministry of Justice</p>	<p><b>INPUTS</b></p> <p><u>International consultants:</u></p> <p><u>National consultants</u></p> <p><u>Organizational Expenses (events/workshops/seminar)</u></p> <p><u>Flight and accommodation</u></p> <p><u>Translation expenses</u></p> <p><u>Printing Services</u></p>
			<p>MoJ</p> <p>UNDP</p>

<p>Baseline: The statistical data gathered through the National Judicial Network (UYAP) on the cases transferred to mediation under the current law</p> <p>The policy recommendations for strengthening the practices of mediation in criminal disputes</p>			
<p><b>Output 1.2: Institutional structuring and coordination mechanisms among responsible institutions improved for effective mediation practices in Turkey</b></p> <p><u>Indicator:</u></p> <p>Increased number of joint meetings among the relevant justice institutions including the MoJ, Justice Academy, Union of Bar Associations and High Council of Judges and Prosecutors for strengthening the mediation practices</p> <p>Level of satisfaction of the mediator lawyers in their mediation practices</p> <p>Number of the lawyers who would like to be mediators increased by %30</p> <p>Percentage of judicial professionals including the prosecutors, judges and lawyers who believe that the mediation practices is more professional and better run than two years ago</p> <p>Level of ownership of High Council of Judges and Prosecutors encouraging the application of mediation in criminal disputes</p> <p>The number of apprentice to law who get mediation trainings at their internship increased by %30</p> <p><u>Baseline:</u> The implementation model, which is for the establishment of mediation bureaus and appointment of mediation prosecutors at courthouses, determined during the first phase of the project for institutionalized mediation practices</p> <p>In 2010: Lack of coordination mechanism among</p>	<p>N/A</p>	<p>1.2.1. Develop an assessment report on institutional arrangements and coordination mechanisms on mediation in criminal disputes in Turkey</p> <p>1.2.2. Organize platforms that the assessment report for institutionalized mediation practices and improved coordination mechanism in Turkey will be discussed with responsible institutions</p>	<p><u>International Consultants</u></p> <p><u>Organizational Expenses (events/workshops/seminar)</u></p> <p><u>Flight and accommodation</u></p> <p><u>Translation expenses</u></p> <p>MoJ UNDP</p>

<p>the relevant justice institutions for institutionalized mediation practices</p> <p><b>Output 1.3: Individual and institutional capacity of the judicial disputes enhanced</b></p> <p><u>Indicator</u></p> <p>Training curricula on mediation included in the educational program of Justice Academy</p> <p>Percentage of judicial professionals including the lawyers and prosecutors trained in mediation techniques and its basic principles</p> <p>Number of the joint meetings held with the Justice Academy to improve their curricula on mediation</p> <p>The number of the sessions in Justice Academy courses on mediation techniques and skills for judicial professional increased by %30</p> <p>Number of references to the tailor-made training modules in mediation trainings made by universities, Union of Bar Associations and other relevant institutions.</p> <p>Number of the judicial practitioners who apply to be resource person in the Project increased by %30</p> <p>Number of women judicial practitioners participated at training seminars increased by %30</p> <p>Frequency of application of mediation by the prosecutors and mediators in criminal matters increased by 20%</p> <p>Number of successful mediation practices in line with the international principles</p>	<p>N/A</p>	<p>1.3.1 Develop tailor-made training curricula on mediation in criminal disputes</p> <p>1.3.2 Establish a “resource persons” pool and conduct two training of trainers programs for the improvement of mediation practices in criminal disputes</p> <p>1.3.3 Conduct training seminars in 12 selected sides with the participation of a broad range of judicial professionals on mediation in criminal matters</p>	<p>MoJ UNDP</p>	<p><u>International Consultants</u></p> <p><u>Organizational Expenses (events/workshops/seminar)</u></p> <p><u>Flight and accommodation</u></p> <p><u>Translation expenses</u></p>
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<p><u>Baseline:</u></p> <p>In 2009-2010: %20 judicial practitioners including the judges and prosecutors participated to the capacity development programs on mediation in criminal disputes</p> <p>In 2009-2010: The percentage of women judicial professionals as resource persons on mediation is %10 of overall number of women judicial professionals</p> <p>In 2010: There is not a unique curricula of Justice Academy on mediation in criminal disputes</p> <p>In 2010: The percentage of trained mediators is below 20% of overall lawyers</p>				
<p><b><i>Output 1.4 Guidelines developed and broadly used to enhance successful mediation practices in criminal justice</i></b></p> <p><u>Indicator:</u></p> <p>Number of the copies of guidelines distributed among the judicial institutions and professionals</p> <p>Number of successful mediation practices around Turkey in line with the international standards</p> <p>Number of the references to the guidelines on mediation by universities, Bar Associations and courthouses in their own mediation practices</p> <p>Uniformity on the mediation practices in criminal disputes</p> <p><u>Baseline:</u></p> <p>In 2009-2010: The successful mediation practices in pilot courthouses is approximately %80 of the overall cases in which mediation is applied</p> <p>In 2009-2010: Different methods and techniques were used in successful mediation practices at pilot mediation courthouses</p>	<p>N/A</p>	<p>1.4.1. Develop guidelines on mediation practices in Turkey based on the pilot mediation experiences</p> <p>Activity 1.4.2: Disseminate the guidelines broadly among the judicial professionals and institutions</p>	<p>MoJ UNDP</p>	<p><u>International Consultants</u></p> <p><u>Organizational Expenses (events/workshops/seminar)</u></p> <p><u>Flight and accommodation</u></p> <p><u>Translation expenses</u></p>

<p><b><i>Output 1.5 Code of Conduct for the mediators developed for improved mediation practices in criminal justice system of Turkey</i></b></p> <p><u>Indicator:</u></p> <p>Inclusion of the code of conduct in training curricula of Justice Academy for judicial professionals on mediation</p> <p>Uniformity on the mediation practices in criminal disputes</p> <p>Number of the copies of the code of conduct distributed among the judicial professionals and institutions</p> <p><u>Baseline:</u></p> <p>In 2010: There is no code of conduct for mediators IN Turkey</p>	<p>N/A</p>	<p>Activity 1.5.1. Develop code of conduct for mediators in Turkey</p> <p>Activity 1.5.2. Publicize and disseminate the code of conduct for mediators in Turkey</p>	<p>MoJ UNDP</p>	<p><u>International Consultants</u></p> <p><u>Organizational Expenses (events/workshops/seminar)</u></p> <p><u>Flight and accommodation</u></p> <p><u>Translation expenses</u></p>
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<p><b>Output 1.6 Conduct of the outreach strategy on mediation in criminal justice scaled up</b></p> <p><u>Indicator:</u></p> <p>Number of press news about Mediation  Number of TV programs about Mediation  Number of stakeholder meetings  Number of courthouses and Bar Associations using printed materials  Frequency of use of the website  Website referred press release or speeches  Frequency of Mediation applications  Proportion of demand for Mediation  Number of articles about the Mediation processes in Turkey  Number of disadvantaged groups of children, women, disabled and elderly reached through the awareness raising campaigns</p> <p><u>Baseline:</u></p> <p>In 2009- 2010: Outreach Strategy and Action Plan on Mediation in Criminal disputes were developed and its implementation started</p> <p>Awareness raising meetings and platforms were created at the pilot level and among the judicial practitioners, TV spots, brochures &amp; posters on mediation in criminal justice</p>		<p>1.6.1 Develop an assessment report about the implementation of the Outreach Strategy on Mediation in Criminal Justice</p> <p>1.6.2. Develop the road map for scale-up of the awareness raising activities on mediation</p> <p>1.6.3 Scale-up of awareness raising activities on mediation in criminal law</p>		<p><u>International Consultants</u></p> <p><u>Organizational Expenses (events/workshops/seminar)</u></p> <p><u>Flight and accommodation</u></p> <p><u>Translation expenses</u></p>
<b>Efficient functioning of the judiciary enhanced through the application of alternative dispute resolution mechanisms at civil matters</b>				
<b>OUTCOME II</b>	<b>OUTPUT TARGETS FOR (YEARS)</b>	<b>INDICATIVE ACTIVITIES</b>	<b>RESPONSIBLE PARTIES</b>	<b>INPUTS</b>
<p><b>Output 2.1:</b>  <i>Institutional and individual capacity of the judicial practitioners on mediation in civil disputes enhanced</i></p> <p><u>Indicator:</u></p>	N/A	<p>2.1.1. Conduct a needs assessment study on the mediation practices in civil disputes</p> <p>2.1.2.. Establish the “resource persons” pool that is composed of the judges, lawyers and other relevant professionals and conduct of the</p>	MoJ	<p><u>International consultants:</u></p> <p><u>National consultants</u></p> <p><u>Organizational Expenses (events/workshops/seminar)</u></p> <p><u>Flight and accommodation</u></p>

<p>Training curricula on mediation included in the educational program of Justice Academy</p> <p>Level of common understanding on mediation in civil dispute among the judicial and other relevant professionals</p> <p>Level of satisfaction of citizens who applied mediation in criminal disputes</p> <p>Number of joint meetings among the of the judicial and other relevant professionals for the effective implementation of mediation in civil disputes</p> <p>Percentage of application of mediation in civil disputes increased (for directly related provisions of family law, commercial law, etc) increased by 30%</p> <p>Number of references to the tailor-made training modules in the articles on mediation by universities</p> <p>Number of the judicial and other relevant professionals who would like to be resource person in the Project</p> <p>Number of the women resource persons on mediation</p> <p>Number of the judicial and other relevant professional participated to the training seminars</p> <p>Frequency of application of direct related provisions on mediation in civil matters</p> <p><u>Baseline:</u></p> <p>In 2010: There is no needs assessment conducted on mediation practices in civil disputes</p> <p>There is no training curricula developed on mediation in civil law</p> <p>There is no resource person pool established for mediation in civil law</p>	<p>training of training programs</p> <p>2.1.3. Develop tailor-made training modules on mediation in civil disputes</p> <p>2.1.4. Conduct training of trainers sessions for the resource pool of judicial practitioners on mediation in civil matters</p> <p>2.1.5. Conduct of the training seminars in 12 selected provinces with the participation of judicial and other relevant professionals</p>	<p>Translation expenses</p> <p>Printing Services</p>	<p>N/A</p> <p>2.2.1. Review comparative implementation</p> <p>MoJ</p> <p>International</p>
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<p><b>Output 2.2: Implementation model for mediation in civil disputes developed through the review of comparative models and pilot mediation practices in civil disputes</b></p> <p><u>Indicator:</u></p> <p>Percentage of judicial professionals including the prosecutors, judges and lawyers who believe that the mediation practices is more professional, institutionalized and better run than a year ago</p> <p>The number of pilot mediation practices that are scaled in Turkey</p> <p>The number of the mediation practices in line with directly related provisions of family law, commercial law, etc. increased by %30</p> <p>The number of the mediation bureaus for civil disputes established at courthouses</p> <p>Number of children, women, disabled and elderly as the disadvantaged applied for mediation in civil disputes at the pilot level</p> <p>Level of progress in finalization of the draft Code on Mediation</p> <p><u>Baseline:</u></p> <p>In 2010: Lack of a consensus on the implementation model for effective functioning of mediation in civil law among the judicial professionals and institutions</p>		<p>models for mediation in civil disputes</p> <p>2.2.2. Develop criteria for selection of the pilot sides</p> <p>2.2.2. Develop different implementation strategies for pilot mediation practices</p> <p>2.2.3. Develop the implementation model for mediation in civil disputes in the context of Turkey</p>	<p><u>Consultants</u></p> <p><u>Organizational Expenses (events/workshops/seminar)</u></p> <p><u>Flight and accommodation</u></p> <p><u>Translation expenses</u></p>
<p><b>Output 2.3. Input for the Finalization of the Draft Act on Mediation in Civil Disputes Provided</b></p> <p><u>Indicator:</u></p> <p>Percentage of the recommendations / lessons learnt at pilots of the Project reflected to the Draft Code on mediation</p>	<p>N/A</p>	<p>2.3.1. Develop an assessment report regarding the Draft Code on Mediation in Civil Disputes and submit to the Justice Commission of the Parliament</p>	<p><u>N/A</u></p>

<p>Number of joint meetings with Justice Commission of the Parliament</p> <p><b>Baseline:</b></p> <p>In 2010: The Draft Code on Mediation in Civil Disputes are at the agenda of the relevant Commission of the Parliament</p>			
<p><b><i>Output 2.4: Individual and institutional awareness on mediation in civil matters is raised through different means and mechanisms developed including a holistic public awareness/ outreach strategy and user friendly manual addressed particularly to judicial practitioners</i></b></p> <p><u>Indicator:</u></p> <p>Level of common understanding among the public about the value and basic principles of mediation in civil law</p> <p>Number of press news about Mediation</p> <p>Number of TV programs about Mediation</p> <p>Number of stakeholder meetings</p> <p>Number of courthouses and Bar Associations using printed materials</p> <p>Frequency of use of the website</p> <p>Website referred press release or speeches</p> <p>Frequency of Mediation applications</p> <p>Proportion of demand for Mediation</p> <p>Number of articles about the Mediation processes in Turkey</p> <p>Number of disadvantaged groups of children, women, disabled and elderly reached through the awareness raising campaigns</p> <p>Percentage of application of mediation in civil disputes increased by %20</p> <p><u>Base line:</u></p>	<p>N/A</p>	<p>2.4.1 Develop an Outreach Strategy on Mediation in Civil Disputes</p> <p>2.4.2. Develop Action Plan on Mediation in Civil Disputes</p> <p>2.4.3 Establish a monitoring and evaluation system in order to measure the impact of the Outreach Strategy.</p> <p>2.4.4 Develop user friendly manuals for judicial professionals</p>	<p><u>International Consultants</u></p> <p><u>Organizational Expenses (events/workshops/seminar)</u></p> <p><u>Flight and accommodation</u></p> <p><u>Translation expenses</u></p>
		<p>MoJ</p> <p>UNDP</p>	

				<p>In 2010: The impact of awareness raising activities on mediation in criminal disputes during the first phase of UNDP project on mediation in criminal law</p>
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# Annual Work Plan<sup>1 2</sup>

Year: 2011

OUTCOME I		Efficient functioning of the judiciary enhanced through the improvement of mediation practices in criminal justice system of Turkey									
EXPECTED OUTPUTS And baseline, indicators including annual targets	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	Funding Source	PLANNED BUDGET			
		Q1	Q2	Q3	Q4			Budget Description	Amount		
<b>Output 1.1: Technical assistance provided for the amendment of current legislation on mediation in criminal cases demand basis</b>	1.1.1. Draft the Amendment of the Legislation on Mediation in Criminal Disputes	X				MoJ UNDP	SIDA	International Consultant	10,000 \$		
	1.1.2 Establish platforms for exchange of opinion & knowledge on draft amendment on mediation in criminal disputes	X				MoJ UNDP	SIDA	Travel and Accommodation expenses and meeting hall rent	15,000 \$		
	1.1.3.Finalize and Submit the Draft Amendment to the Ministry of Justice		X			MoJ UNDP	SIDA	Food & Beverages for the Meetings	5,000 \$		
								International Consultant	7,000 \$		
								National Consultant	7,000 \$		

<sup>1</sup> As different activities will be developed during the lifespan of the project, more detailed budget figures will be reported to Ministry of Justice and SIDA on quarterly basis.

<sup>2</sup> The figures for international and national consultant budget lines are estimated costs. The number of the working days invested by the International and National Consultants will be identified in detailed Terms of References and the costs will be concretized as per the Price Proposals that will be submitted by the selected candidates.

<b>Output 1.2: Institutional and individual capacity of the judicial professionals on mediation in civil disputes enhanced</b>	1.2.1. Develop an assessment report on institutional arrangements and coordination mechanisms on mediation in criminal disputes in Turkey	X			MoJ UNDP	SIDA	International Consultant	5,000 \$
							National Consultant	7,000 \$
	1.2.2. Organize platforms that the assessment report for institutionalized mediation practices and improved coordination mechanism in Turkey will be discussed with responsible institutions	X			MoJ UNDP	SIDA	Travel and Accommodation expenses and meeting hall rent for ToTs	10,000 \$
							Food & Beverages for the Meetings	3,000 \$
<b>Output 1.3 Institutional and individual capacity of the judicial professional on mediation in criminal disputes enhanced</b>	1.3.1 Develop tailor-made training curricula on mediation in criminal disputes	X			MoJ UNDP	SIDA	International Consultant	15,000 \$
							National Consultant	10,000 \$
	1.3.2 Establish a “resource persons” pool and conduct two training of trainers programs for the improvement of mediation practices in criminal disputes:	X			MoJ UNDP	SIDA	International Consultant	10,000 \$
							National Consultant	8,000 \$
							Travel and Accommodation expenses and meeting hall rent for ToTs	35,000 \$
							Printing & Publication Expenses	5,000 \$
							Food & Beverages for the Meetings	7,000 \$
							Interpretation services for the meetings	6,000 \$

												Travel and Accommodation expenses and meeting hall rent	60,000
												Printing & Publication Expenses for the Meetings	8,000 \$
												Food & Beverages for the Meetings	20,677 \$
													20,223 \$
													288,900 \$
General Management Services & Support Cost (% 7)													
<b>TOTAL</b>													
		1.3.3											
		Conduct training seminars in 5 selected sides for the participation of a broad range of judicial professionals on mediation in criminal matters			X				X				
		Overheads: General Management Services							X				

OUTCOME II		Efficient functioning of the judiciary enhanced through the application of alternative dispute resolution mechanisms at civil matters									
EXPECTED OUTPUTS And baseline, indicators including annual targets	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	Funding Source	PLANNED BUDGET			
		Q1	Q2	Q3	Q4			Budget Description	Amount		
<b>Output 2.1: Institutional and individual capacity of the judicial practitioners on mediation in civil disputes enhanced</b>	2.1.1. Conduct a needs assessment study on the mediation practices in civil disputes	X				MoJ UNDP	SIDA	International Consultant	6,300 \$		
	2.1.2.. Establish the "resource persons" pool that is composed of the judges/ lawyers and other relevant professionals and conduct of the training of training programs	X				MoJ	SIDA	N/A	N/A		
	2.1.3. Develop tailor-made training modules on mediation in civil disputes	X				MoJ UNDP	Government Cost Sharing	International Consultant	10,000 \$		
	2.1.4. Conduct 2 training of trainers sessions for the	X				MoJ UNDP	SIDA	International Consultant	10,000 \$		
								National Consultant	5,000 \$		
								International Consultant	20,000 \$		

resource pool of judicial practitioners on mediation in civil matters								Travel and Accommodation expenses and meeting hall rent	20,000 \$
								National Consultant	15,000 \$
								Travel and Accommodation expenses and meeting hall rent	41,555 \$
								Interpretation services for the meetings	5,000 \$
								Printing & Publication Expenses for the Meetings	5,000 \$
								Food & Beverages for the Meetings	17,000 \$
								National Consultant	10,000 \$
								International Consultant	20,000 \$
								Travel and Accommodation expenses and meeting hall rent	64,600 \$
								Printing & Publication Expenses for the Meetings	20,000 \$
2.1.5. Conduct of the training seminars in 5 selected provinces with participation of judicial practitioners								Food & Beverages for the Meetings	25,000 \$
								Travel and Accommodation expenses and meeting hall rent	100,000 \$
								Government Cost Sharing	20,000 \$
								SIDA	
								Travel and Accommodation expenses and meeting hall rent	
								Interpretation services for the meetings	
								Printing & Publication Expenses for the Meetings	
								Food & Beverages for the Meetings	
								National Consultant	
								International Consultant	
								Travel and Accommodation expenses and meeting hall rent	
								Printing & Publication Expenses for the Meetings	
2.1.5. Conduct of the training seminars in 5 selected provinces with participation of judicial practitioners								Government Cost Sharing	10,000 \$
								SIDA	
								Government Cost Sharing	20,000 \$
								SIDA	
								Travel and Accommodation expenses and meeting hall rent	
								Interpretation services for the meetings	
								Printing & Publication Expenses for the Meetings	
								Food & Beverages for the Meetings	
								National Consultant	
								International Consultant	
								Travel and Accommodation expenses and meeting hall rent	
								Printing & Publication Expenses for the Meetings	



<b>Output 2.2: Implementation model for mediation in civil disputes developed through the review of comparative models and pilot mediation practices in civil disputes</b>	2.2.1. Review comparative implementation models for mediation in civil disputes	X	MoJ UNDP	Government Cost Sharing	International Consultant	10,000 \$
					International Consultant	10,000 \$
<b>Output 2.3: Input for the Finalization of the Draft Act on Mediation in Civil Disputes Provided</b>	2.2.2. Develop criteria for selection of the pilot sides	X	MoJ UNDP	SIDA	N/A	N/A
	2.2.3. Develop different implementation strategies for pilot mediation practices	X	MoJ UNDP	SIDA	International Consultant	10,000 \$
	2.3.1. Develop an assessment report regarding the Draft Code on Mediation in Civil Disputes and submit to the Justice Commission of the Parliament	X	MoJ UNDP	SIDA	International Consultant	15,000 \$
				Government Cost Sharing	National Consultant	10,000 \$
<b>Output 2.4: Individual and institutional awareness on mediation in civil matters is raised through different means and mechanisms developed including a holistic public</b>	2.4.1 Develop an Outreach Strategy on Mediation in Civil Disputes	X	MoJ UNDP	Government Cost Sharing	National Consultant	10,000 \$



Year: 2012

Efficient functioning of the judiciary enhanced through the improvement of mediation practices in criminal justice system of Turkey										
OUTCOME I	EXPECTED OUTPUTS And baseline, indicators including annual targets	PLANNED ACTIVITIES <i>List activity results and associated actions</i>		TIMEFRAME				RESPONSIBLE PARTY	PLANNED BUDGET	
		Q1	Q2	Q3	Q4	Funding Source	Budget Description		Amount	
Output 1.3 Institutional and individual capacity of the judicial professional on mediation in criminal disputes enhanced	1.2.3 Conduct training seminars in 7 selected sides for the participation of a broad range of judicial professionals on mediation in criminal matters	X	X	X			MoJ UNDP	SIDA	Printing & Publication Expenses for the Meetings	20,000 \$
									Food & Beverages for the Meetings	30,000 \$
									Travel and Accommodation expenses and meeting hall rent	100,000 \$
Output 1.4 Guidelines developed and broadly used to enhance successful mediation practices in criminal justice	1.4.1 Develop guidelines on mediation practices in Turkey developed based on the pilot mediation experiences		X	X			MoJ UNDP	SIDA	Travel and accommodation & meeting hall rent for the coordination meetings	15,000 \$
									International Consultants	10,000 \$
									National Consultant	10,000 \$
								Interpretation services for the coordination meetings	5,000 \$	

<i>Output 1.5 Code of Conduct for the mediators developed for improved mediation practices in criminal justice system of Turkey</i>	1.4.2. Publicize and disseminate the guidelines for mediators in Turkey	X						Food & Beverages for the Meetings	5,000 \$
	1.5.1 Develop code of conduct for mediators for improved mediation practices in criminal justice system of Turkey	X	X				MoJ UNDP	SIDA	15,000 \$
<i>Output 1.6 Conduct of the outreach strategy on mediation in criminal justice scaled up</i>	Activity 1.5.2. Publicize and disseminate the code of conduct for mediators in Turkey		X				MoJ UNDP	SIDA	10,000 \$
	1.6.1 Develop an assessment report about the implementation of the Outreach Strategy on Mediation in Criminal Justice							Printing & Publication & Dissemination of Code of Conducts	15,000 \$
		X						International Consultants	10,000 \$
								Travel and accommodation & meeting hall rent for the coordination meetings	12,000 \$
							Interpretation services for the coordination meetings	5,000 \$	
							Food & Beverages for the Coordination Meetings	5,000 \$	
							National Consultant	10,000 \$	
								Printing & Publication & Dissemination of Code of Conducts	15,000 \$
								International Consultants	10,000 \$
								Travel and Accommodation of the International Consultant	8,000 \$

	1.6.2. Develop the road map for scale-up of the awareness raising activities on mediation	X				MoJ UNDP	SIDA	International Consultants	5,000 \$
								International Consultants	20,000 \$
	1.6.3 Scale-up of awareness raising activities on mediation in criminal law	X	X	X	X		SIDA	Travel and Accommodation of the National and International Consultants & UNDP and MoJ Staff National Consultants	25,000 \$
								Meeting Hall Rent & Foods & Beverages for Media Coordination Meetings at Local and National Level	15,000 \$
								Printing & Publication & Dissemination Expenses	28,823 \$
<b>General Management Services &amp; Support Cost (% 7)</b>	Overheads: General Management Services				X				50,000 \$
<b>TOTAL</b>									32,277 \$
									461,100 \$

Year: 2012

Efficient functioning of the judiciary enhanced through the application of alternative dispute resolution mechanisms at civil matters									
OUTCOME II	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	PLANNED BUDGET		
		Q1	Q2	Q3	Q4		Funding Source	Budget Description	Amount
<b>EXPECTED OUTPUTS</b> And baseline, indicators including annual targets  <b>Output 2.1: Institutional and individual capacity of the judicial practitioners on mediation in civil disputes enhanced</b>	2.1.4. Conduct of the training seminars in 7 selected provinces with the participation of judicial practitioners					MoJ UNDP	Government Cost Sharing	International Consultant	25,000 \$
							Government Cost Sharing	Travel and Accommodation expenses and meeting hall rent for trainings	170,000 \$
							Government Cost Sharing	National Consultant	10,000 \$
		X	X				SIDA	Printing & Publication Expenses for the Meetings	25,000 \$
								Food & Beverages for the Meetings	35,000 \$
								Travel and Accommodation expenses and meeting hall rent for trainings	135,000 \$

<p><b>Output 2.2 -Implementation model for mediation in civil disputes developed through the review of comparative models and pilot mediation practices in civil disputes</b></p>	<p>2.2.3. Develop the implementation model for mediation in civil disputes in the context of Turkey</p>	<p>X</p>				<p>MoJ UNDP</p>	Government Cost Sharing	National Consultant	15,000 \$
							Government Cost Sharing	International Consultant	20,000 \$
<p><b>Output 2.4. Individual and institutional awareness on mediation in civil matters is raised through different means and mechanisms developed including a holistic public awareness/ outreach strategy and user friendly manual addressed particularly to judicial practitioners</b></p>	<p>2.4.2. Develop and implement Action Plan on Mediation in Civil Disputes</p>	<p>X</p>				<p>MoJ UNDP</p>	SIDA	International Consultants	20,000 \$
							SIDA	National Consultant	10,000 \$
							Government Cost Sharing	National Consultant	15,000 \$
							Government Cost Sharing	Printing & Publication and dissemination costs	33,900 \$
							SIDA	International Consultants	10,000 \$

	Printing & Publication and dissemination costs	35,000 \$							
	Travel and Accommodation of the National and International Consultants & UNDP and MoJ Staff	21,446 \$							
	Meeting Hall Rent & Foods & Beverages for Media Coordination Meetings at Local and National Level	30,000 \$							
	National Consultant	10,000 \$	Government Cost Sharing						
	International Consultants	20,000 \$	SIDA	MoJ UNDP					
	International Consultant	15,000 \$	Government Cost Sharing						
	Travel and accommodation & meeting hall rent for the coordination meetings	45,000 \$	Government Cost Sharing	MoJ UNDP		X	X		
	International Consultants	15,000 \$	SIDA						
	2.4.3. Establish monitoring and evaluation system in order to measure the impact of the Outreach Strategy	X							
	2.4.4. Develop User friendly manuals for judicial practitioners and public at large								



