



LOCAL PROJECT APPRAISAL COMMITTEE (LPAC) MEETING
“Support to the Improvement of Legal Aid Practices for Access to Justice for All in Turkey”
6th July 2015
UN House, 4th Floor Meeting Room

Chair: Ms. Matilda Dimovska, Deputy Resident Representative, UNDP

Participants:

Mr. Eyüp Sabri Çepik, Member of Executive Board, Union of Bar Associations of Turkey
Mr. Murat Yalkın, Head of EU and Foreign Relations Unit, Union of Bar Associations of Turkey
Ms. Dalya Darendeli, Expert, Union of Bar Associations of Turkey
Mr. Ramazan Gürkan, Judge, General Directorate for Criminal Affairs, Ministry of Justice
Mr. Rıdvan Ülkümen, Assistant Expert, General Directorate for Criminal Affairs, Ministry of Justice
Ms. Şeyda Karaca, Assistant Expert, General Directorate for EU Affairs, Ministry of Justice
Mr. Hasan Dursun, Expert, Ministry of Development
Mr. Çağatay Gökgöz, Expert, Ministry of Development
Mr. H. Onur Arner, National Program Officer, Sida
Ms. Seher Alacacı Kaygan, Cluster Lead for Human Rights and Rule of Law, UNDP
Ms. Esra Ulukan Fettahoğlu, Programme Finance Associate, UNDP
Ms. Ayşegül Bağ, Portfolio Administrator
Ms. Nazife Ece, Communications Assistant, UNDP

Opening Discussions:

- UNDP informed that the Local Project Appraisal Committee (LPAC) meeting is a formal procedure constituting the last step in the programming process. Its task is to obtain final inputs from key project stakeholders and approve the project document for signature. The current LPAC meeting aims to achieve the approval of the project by all partners as well as Ministry of Development as main governmental policy coordinating partner of UNDP in Turkey. Accordingly, all the contributions and comments agreed among the partners will be reflected to the Project Document prior to signature.
- UNDP reiterated that as a means for access to justice, improvement of legal aid practices is at the core of UNDP’s mandate and targeted programs have been implemented in the region and other continents that UNDP is operating. In that respect, UNDP also emphasized that it would be the first cooperation with Union of Turkish Bar Associations (UTBA) and continuum of the fruitful cooperation with Ministry of Justice (MoJ) in criminal justice field. Besides, it was also

underlined that in addition to Sida, financial contribution of UTBA also indicated its strong commitment to the Project

- UTBA referred to the importance of the project and the subject matter due to the long-standing problems in functioning of legal aid system in Turkey. To this purpose, UTBA thanked all partners in bringing the project proposal at this stage and kind contributions to the project document.

Agenda Items:

Project Document Presentation:

- The justification of the Project and its implementation strategy along with expected results, outputs and activities were presented briefly by UNDP. The expected results of the project are as follows:
 1. Improved Automation System for Appointment of Code of Criminal Procedure (CCP) Attorneys
 2. Enhanced Capacity of the Attorneys Practicing Legal Aid for Disadvantaged Groups
 3. Improved Performance System for Legal Aid Services
 4. Enhanced Coordination and Cooperation Among the Attorneys Practicing Legal Aid
 5. Legal aid needs underpinned and services improved in the southern border provinces of Turkey such as Gaziantep, Hatay, Kilis, Şanlıurfa and Kahramanmaraş
- UNDP stated that target group of the Project is disadvantaged population including women, children, disabled, youth and Syrian population living in southern provinces of Turkey. Project has two overarching objectives and its activities are designed accordingly: i) develop coordinated efforts for enhancing the quality of the legal aid services in Turkey; ii) enhance the capacity of the attorneys, particularly addressing the needs of disadvantaged groups as well as Syrian population.
- UNDP emphasized that the project would adopt an inclusive and sustainable approach in project implementation through the establishment of the Consultation Group (Results 1,2,3,4) and Advisory Committee (Result 5). The referred bodies would be consulted in design and implementation of relevant project activities not having a decision making power. Their composition is detailed in proposed Project document.
- The Project activities will be complementing the Twinning Project that is planned to be launched in 2016 by Ministry of Justice and Union of Bar Associations, in terms of defining the needs in structuring and legislative framework on legal aid practices as well as awareness raising programs. The Project partners and Sida worked on the Project document considering the scope of the referred Twinning Project in order not to create any duplication. Besides, being the partners of two Projects, UTBA and MoJ will ensure that the results of two projects will complement each other.
- UNDP mentioned that the Project mainstreamed gender in design of all the activities. Particularly, the Project will have important results in collecting gender and age disaggregated data on the profile of legal aid service users through the update of Automation System. Besides, the presence of UTBA's Women Commission as well as women's human rights NGOs in consultation bodies of the Project will also ensure that gender dimension is mainstreamed.

- UNDP presented the management arrangements of the Project, which was designed in line with UNDP's new office structure.

Discussions as per the Project Results and Outputs

- Sida and MoJ representatives explored the possibility whether the updated **Automation System** will establish the ground for specialization among the attorneys practicing legal aid for different disadvantaged groups. However, UTBA responded that it would not have a legal basis as the current Law on Attorneys does not foresee specialization of the attorneys at different fields. Besides, it was also shared that the newly proposed amendment to the Law on Attorneys enabled specialization of the attorneys. The participants agreed that this should also be encouraged during project implementation.
- UTBA emphasized that update of the **Automation System** is crucial to adopt the system to according to legal aid needs and ensure a consistent approach in its implementation.
- UTBA reiterated that the **tailor made training modules** for attorneys would not target awareness and knowledge raising on relevant legislative framework but rather the approaches and course of action that an attorney practicing legal aid for disadvantaged groups. In terms of sustainability, the UTBA also mentioned that the referred modules could be adopted by the Trainee Education Commission and incorporated into their curriculum. Sida also confirmed the importance of adoption of the modules for sustainability purposes.
- The participants discussed about the impact and follow-up actions of the **Training of Trainers (ToT)** to be organized under the Project as the attorney trainers were expected to transfer the knowledge/skills they would have to their peers after the project. UTBA clarified that each attorney trainer would be certified after the ToT programs and they would attend the continuous training programs in Trainee Education Centers (TEC) of the respective Bar Associations. The referred training programs of the TEC are free and conducted on voluntary basis.
- MoJ as being the partner for the 2nd Result on enhancing the capacity of the attorneys on legal aid, informed that they would provide the data and analysis they had on legal aid practices. Along with others, those background information would be used as important references during the **needs assessment exercise**.
- Regarding the **performance evaluations system/ criteria**, UTBA underlined the fact that the code of conduct for attorneys will be the basis for the development of performance criteria. At this point, as also raised by MoJ, the criteria would be the annotation of these codes in line with the needs of legal aid practices in Turkey. If the attorneys practicing legal aid would not act according to those rules, possible disciplinary sanctions would arise. Regarding the performance evaluation system, it was underlined that there is no ongoing system for evaluating the services by the users. The Project would fill this gap despite the possible resistances from the Bar Associations during the implementation. The participants also inquired about the ways of encouraging or rewarding the attorneys who have high performance of legal aid service. It was agreed by all that the updated Automation System can be used to this purpose and a "high performance in legal aid service" can be added to as a criteria for appointment of attorneys to legal aid.

- UNDP opened the discussion about the use of project results including needs assessments for future considerations on legislative changes and restructuring on legal aid system in Turkey. MoJ responded that all the inputs of the Project would be used by the Ministry and UTBA, who were in preparation of a Twinning Project, which would address the structural and legislative needs. As being partners of both Projects, MoJ and UTBA could ensure that two projects complemented each other in terms of results and policies developed. MoJ also reiterated that the legislative proposals would be shared with General Directorate of Laws of MoJ and along with the political will, their support would be critical in endorsing a legislative/structural change on legal aid.
- MoD agreed the relevance of the Project as the legal aid system in Turkey is operating far behind the international practices and standards. In that respect, they addressed the good practices in France, Finland and Canada. At this point, UNDP and UTBA mentioned that technical visits would be organized under the Project and the team would take these recommendations into consideration for the selection of the countries. MoD as the planning organisation in Turkey, suggested to be one of the beneficiaries of the Project and attend the technical visits under the Project. UNDP responded that MoD is a natural member of Steering Committees of UNDP Projects and there is no special procedure needed for that. Regarding their attendance to the technical visits, the project partners would be consulted [after the LPAC meeting](#).
- ~~during the stage of annual work plan preparation at the beginning of each year.~~
- LPAC members agreed that other institutions such as UN agencies and relevant public bodies could be invited to the Steering Committee Meetings. This was agreed to be reflected to the Project Document. Besides, the Advisory Committee and the Consultation Group would be included in Project Organisation Structure.

Formatted: List Paragraph, Left, No bullets or numbering

Management of the Project:

- Implementing partner of the Project is UTBA, whereas MoJ DG Criminal Affairs will act Cooperating Partner. UNDP Turkey will provide support services through the provision of relevant knowledge and expertise in facilitating capacity building and technical know-how activities. UNDP will coordinate the activities with the relevant stakeholders in compliance with the monitoring and evaluation reporting requested by the [donor \(Sida\) and](#) -implementing partner.
- Depending on the progress and requirements of the project and in line with AWP, a number of international and national consultants / short term experts will be recruited.
- UNDP will be responsible with day to day monitoring of the activities and provide services for project management support including monitoring the project's activities on daily basis in accordance with the established UNDP rules and procedures, as well as keeping the financial records and reporting to Steering Committee Members.

Conclusion:

- The LPAC members agreed on the relevance of the Project as well as expected results, outputs and activities, which are envisaged in the proposed project document.

- The project document will be revised based on the recommendations and comments of LPAC minutes listed above.
- The LPAC members recommend project document's submission for approval and signature.

LPAC Meeting for
"Support to the Improvement of Legal Aid Practices for Access to Justice for All in Turkey" Project

6 July 2015; 2:00 p.m.

Name, Surname	Organisation	Title	Phone number	E-mail
Nazife EGE	UNDP	Communicating	0 312 454 11 68	naife-ee@undp.org
Cezayir KALINER	Kalkınma B.	uzman.	2946466	cezayir.gokse@kalkinma.gov.tr
Hansen DURSUN	"	"	2946208	hdursun@dpt.gov.tr
Ridvan ÜLKÜMEN	ADALET BAK.	Aç. Uzm. Yard	0505 468 0042	ridvanulkmen@gmail.com
Dalya Darendeli	TBB	Die İlişkiler memuru	0530 956 1901	dalya.darendeli@barobirlik.org.tr
Murat Yalkın	TBB	Uzman İlişkiler ve AB Mekteci	501 865 9695	murat.yalkin@barobirlik.org.tr
H. Emel Arner	Sida	Program Yöneticisi	859644264	em-arner@gov.se
Małgorzata Pikurowska	ONDP	DR		
Ayşe Gül Bağ	UNDP	Portfolio Administrator	03124541179	aysegul.bag@undp.org
M. Seyda KARACA	Adalet Bakanlığı ABGM	Adalet Uzm. Yard	0531 790 0833	karaca.m-seyda@gnntr.com
A. F. Sabri İPEK	TBB	Ym. Kur. Üyesi	0533 653 8510	Sinay Sabri@kocairil.com
Emel Güleran	Adalet Beh. Cüm	Hesab -	5058071740	ab104889@odde.gov.tr

Sera FETTAHOĞLU UNDP RBM Programme Assoc. 454 11 21 esra.ulukan@undp.org
 Değer ALACACI KAYGAN UNDP Cluster Lead 454 11 67 deher.alacaci@undp.org