STRENGTHENING THE CAPACITY OF BAR ASSOCIATIONS AND LAWYERS ON EUROPEAN HUMAN RIGHTS STANDARDS

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Inception Report

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**LIST OF ABBREVIATIONS**

|  |  |
| --- | --- |
| CFCU | Central Finance and Contracts Unit |
| CoE | Council of Europe |
| ECHR | European Convention on Human Rights |
| ECtHR | European Court of Human Rights |
| EUD | Delegation of the European Union to Turkey |
| HELP | Human Rights Education for Legal Professionals, COE programme offering on-line courses on human rights, rule of law and democracy |
| HRC | Human Rights Centre/Commission of bar associations |
| HREIT | Human Rights and Equality Institution of Turkey |
| IPA | Instrument for Pre-Accession Assistance |
| ISP  LI | Indicative Strategy Paper for Turkey 2014-2020  Lead Institution |
| MoJ | Ministry of Justice |
| MEUA | Ministry for EU Affairs |
| DEUA  NGO  NIPAC | Directorate for EU Affairs  Non-governmental Organisation  National IPA Co-ordinator |
| NPAA | National Programme for the Adoption of the Acquis |
| ODGP | Office of the Directorate General of Programmes |
| OI | Ombudsperson Institution |
| OPCAT | Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment |
| SC | Steering Committee |
| SPD | Sector Planning Document for Fundamental Rights Sub-Field (2014-2020) |
| SV | Study Visit |
| TCC | Turkish Constitutional Court |
| ToT | Training of Trainers |
| TR | Republic of Turkey |
| UTBA | Union of Turkish Bar Associations |
| WG | Working Group |

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# Executive Summary

The Joint Project on “Strengthening the Capacity of Bar Associations and Lawyers on European Human Rights Standards” contributes to Turkey’s efforts towards the full enjoyment of fundamental rights and freedoms, without discrimination, by enhancing the standards of the judicial system in line with the European Convention on Human Rights (ECHR) and the case law of the European Court of Human Rights (ECtHR). The Project builds on the recent judicial reforms, and supports the initiatives to “guarantee the fundamental rights and freedoms by ensuring the efficiency of the relevant institutions” and “strengthen the co-operation between relevant institutions and stakeholders that are working in the field of human rights”, as prioritised in the Indicative Strategy Paper (ISP).

The SCoBAL project is a Joint Project of the Council of Europe (CoE) and the European Union (EU), and funded by the EU, Turkish authorities and the CoE, within the scope of the Instrument for Pre-Accession Assistance (IPA II) 2014 Programming. The Union of Turkish Bar Associations (UTBA) is the end beneficiary. The Lead institution (LI)– Ministry for EU Affairs- is named as the Directorate for EU Affairs under the MFA as of 15 July 2018, under the presidential government system. The UTBA, local bar associations lawyers in Turkey are target groups.

The contracting authority of the Project is the Central Finance and Contracts Unit (CFCU). The contract was signed on 31 March 2018, and will last for 36 months, ending on 31 March 2021.

The Project teams established in the CoE Programme Office in Ankara and at CoE Headquarters in Strasbourg were recruited during the inception phase. The tender procedures (restricted consultation) for the selection of international and national consultants were completed through the restricted consultation process.

During the inception phase, the names of the 7 pilot bar associations were determined. Four NGOs and 3 public institutions were selected as observers of the Steering Committee (SC) and invited to the first meeting.

On 7 June 2018, in Ankara, the kick-off and 1st SC meeting (7 June 2018, Ankara) were organised. The representatives of the CoE, UTBA and pilot bar associations, EUD, the then MEUA, CFCU, Ministry of Justice (MoJ), Ombudsperson Institution (OI), Human Rights and Equality Institution of Turkey (HREIT) and civil society organisations attended the events.

The Project Team organised co-ordination meetings with the UTBA, in order to discuss and reassess the logical framework, involvement of NGOs and stakeholders, detailed work plan, preparations for needs assessment, and visibility arrangements. The necessary documents, such as the existing regulation on the Human Rights Centers (HRC) within the UTBA, were translated into English, with a view to supporting the needs assessment process. Information on the Project was published in English and Turkish on the websites of the CoE Programme Office in Ankara and Human Rights National Implementation Division in Strasbourg.

# Introduction

This Inception Report provides information on the preparations and activities carried out during the inception phase of the Joint Project on “Strengthening the Capacity of Bar Associations and Lawyers on European Human Rights Standards (SCoBAL)”

Chapter 1 briefly explains the policy and programme context for the legal profession in Turkey.

Chapter 2 provides information about project activities in general and reviews the progress within the inception period.

Chapter 3 examines the management structure, roles of partners and stakeholders and reporting.

# Project Synopsis

### Title

Strengthening the Capacity of Bar Associations and Lawyers on European Human Rights Standards

### Location

Turkey

### Budget

The project is co-financed by the EU, the Republic of Turkey (TR) and the CoE. The total budget of the project is 3.890.000,00 EUR of which 89,97 per cent is financed by the EU-TR (3.150.000,00 EUR by EU and 350.000,00 EUR by TR) and 10.03 per cent is financed by the CoE.

### Duration

The project started on 31 March 2018 and will last for 36 months.

### Grant beneficiary

CoE

### End Beneficiary

UTBA

### Lead Institution

DEUA

### Stakeholders

MoJ

OI

HREIT

Non-Governmental Organisations (NGOs)

Academia (Ankara University, Faculty of Law)

### Target groups

Lawyers, UTBA and local bar associations in Turkey

### Overall objective

The overall objective is to contribute to effective implementation of European human rights standards in Turkey.

### Specific objective

The specific objective of the Acton is to strengthen the capacities of Turkish bar associations and lawyers in the implementation of the European human rights standards.

### Expected results

The following results are expected to be achieved through the implementation of the Project:

1. The institutional capacity of the Human Rights Centres of the Bar Associations in 7 pilot provinces is strengthened and co-ordination between them is improved.

2. The capacity of lawyers to apply European human rights standards in their daily work is enhanced.

3. The co-operation between the Union of Turkish Bar Associations and Human Rights Centres of local bar associations is fostered.

# Chapter 1 – Policy and programme context

## 1.1 Relevance of the Action

Turkey has been a member of the CoE since 1949 and a candidate for full membership of the EU since 1999. Both organisations attach high importance to common democratic principles based on human rights and the rule of law. While Turkey continues its reforms in the field of judiciary through the comprehensive “judicial reform strategy”, IPA assistance has been used to further complement national efforts as part of the accession process.

“Rule of Law and Fundamental Rights” is defined as one of the priority sectors in the Indicative Strategy Paper (ISP) for Turkey, which sets out the priorities for EU financial assistance for the period 2014-2020 supporting Turkey in the accession process. “Judiciary and Fundamental Rights” is defined as a sub-sector where judiciary and fundamental rights are called as “sub-fields” which comprises the priorities under the Chapter 23.

The ISP and the Sector Planning Document for Fundamental Rights Sub-Field (SPD) point out the support of IPA for reforms in Turkey to strengthen judicial independence, impartiality and efficiency and improve the administration of justice as well as to contribute to greater respect for fundamental rights. They refer to the significant progress in terms of institutionalisation in the field of human rights for example through the “Law on the Human Rights Institution of Turkey”, which entered into force as of 30 June 2012, and the “Law on the Ombudsman” also entered into force as of 29 June 2012 in line with the Constitutional Amendments of 2010.

In addition, Turkey has been a party to the “Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment” (OPCAT) as of 27 September 2011 in line with the policy of “Zero Tolerance Against Torture”.

With the decision of Council of Ministers dated 28 January 2014, the Human Rights Institution of Turkey was assigned as the “National Preventive Mechanism” under the OPCAT. Turkey was also the first country that signed the “Convention on preventing and combating violence against women and domestic violence” (Istanbul Convention) which entered into force on 1 August 2014.

Furthermore, the “Law on Human Rights and Equality Institution of Turkey” has been adopted by Grand National Assembly of Turkey on 6 April 2016 and has been published in the Official Gazette on 20 April 2016. The mentioned Institution has replaced the Human Rights Institution of Turkey and the Institution has been assigned as national preventive mechanism within the framework of the provisions of Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

However, the ISP also underlines that *“despite Turkey’s efforts and support from the international community, the objectives and activities relating to judiciary and fundamental rights have not yet been sufficiently translated into improvements in practice… Social and political developments in Turkey in 2013 and 2014 also demonstrate the need to continue with reforms in line with the principles of an independent, impartial and efficient judiciary and the need to translate these reforms into practice. Deepening co-operation on fundamental rights with civil society organisations is a key requirement.”*

The priorities and objectives listed in the ISP are also in line with the “Enlargement Strategy and Main Challenges 2012-2013” and the “Accession Partnership Document for Turkey” (2008) which set priorities regarding the improvement of the judicial system and the protection of fundamental rights. Amongst others, ensuring the impartiality of the judiciary, promoting rule of law and human rights, protection of minority rights and of socially vulnerable persons and disadvantaged groups have been identified as priorities.

In addition, the National Programme for the Adoption of the Acquis (2008) (NPAA) provides for measures to be implemented in the areas of prevention of torture and ill-treatment, access to justice, freedom of thought and expression, the right to form an association and the right to peaceful assembly, anti-discrimination, women rights, children’s rights, and trade union rights, etc.

Turkey’s 10th National Development Plan also acknowledges that improvements are still needed on the rule of law and the full enjoyment of fundamental rights and freedoms by all individuals, without discrimination. This has been supported by a series of judicial reform packages which are examples of Turkey’s efforts to significantly reform the judiciary, but which also highlight the fact that further steps will be needed.

The ISP refers to “*the proper implementation in line with European standards*” and that “*core institutions especially in the sub-field of fundamental rights need to be promoted to function properly*” such as the Ombudsman and the HREIT and underlines the importance of ensuring the civil society involvement and consultation in that process. The activities to be carried out in this framework should include practices to “*guarantee the fundamental rights and freedoms by ensuring the efficiency of the relevant institutions*” and “*strengthen the co-operation between relevant institutions and stakeholders that are working in the field of human rights*”.

Furthermore, the 2016 Progress Report for Turkey also points out “c*ivil society made what efforts it could to remain active and involved in public life. Independent civil society organisations are rarely involved in law- and policy-making processes*”.

“The Enlargement Strategy and Main Challenges 2014-15” also encourages candidate countries to put in place a more robust institutional framework for the protection of fundamental rights and to work more in co-operation with NGOs: “*A culture of acceptance of the work of non-governmental organisations (NGOs) and human rights defenders also needs to be nurtured*”.

There is a strong emphasis on strengthening the co-operation between institutions and stakeholders engaged in the area of human rights as well as the “institutions functioning properly” in both EU and Turkish reference documents. Therefore, the Action is addressing directly two sub actions of the SPD:

Sub-Action 1-Strengthening the Institutional Capacity in the Field of Fundamental Rights (capacities of local bar associations to be developed concerning the implementation of legislation and rules will be enhanced in order that rights are respected in full and in practice, with proper accountability and control systems) and;

Sub-Action 2-Strengthening the Co-operation between Institutions and Stakeholders in the Field of Fundamental Rights (co-operation between governmental organizations, local administrations and NGOs; and smoothly structured dialogue and partnerships particularly among stakeholders, governmental organizations and local administrations will be improved).

The main objective of the fundamental rights sub-field is described in the ISP as to contribute to further strengthening of respect for fundamental rights and freedoms for all individuals without discrimination in line with the ECHR and the case law of the ECtHR. Financial assistance under this sub-field will contribute to strengthen co-operation between different institutions and stakeholders engaged in the area of human rights. The SPD provides complementary sub-actions and measures of relevant public institutions and NGOs including the UTBA.

The Action will support the bar associations in seven pilot provinces to strengthen the institutional capacities of their human rights centres (HRC) and to improve the co-ordination between them and UTBA. It will also aim at enhancing the capacities of lawyers to apply European human rights standards in their daily work and fostering the co-operation between the UTBA and HRCs of local bar associations and other national and international stakeholders working for the protection of fundamental rights. By achieving these results, bar associations and the UTBA, as one of the three pillars of judiciary, will play significant role in improving the situation of fundamental rights in Turkey.

## 1.2 Challenges and target groups

UTBA is a professional organisation with public institution status and serves as an umbrella organization representing local bar associations, which are independent legal entities. In pursuant to the provisions of the article 76 of the Code of Lawyers, the UTBA is “formed with the participation of all bars.” It is among the main tasks of the local bars and the UTBA to “defend and protect the rule of law and human rights” according to the articles 76 and 110 of the same Code. According to the information provided by the UTBA there were approximately 106496 lawyers registered to bar associations in Turkey, as of 2017.

Since the completion of the CoE-EU Joint project on “*Cascaded Training of Turkish Lawyers on European Convention on Human Rights*” in 2008, through which human rights trainings for the lawyers were carried out, there has been an increase of around 27.000 lawyers in Turkey.

All graduates of Law schools who complete their internship of one year in a law firm have the right to register in a local bar association as a professional lawyer. It is a genuine interest both for the UTBA and local bar associations to strengthen the knowledge of lawyers on human rights issues since the quality of the education in some law schools and the relevance of some internships in combination with the absence of a regular in-service training system for lawyers, have been criticised by various stakeholders as factors jeopardising the effectiveness of defence in court in Turkey. Local bar associations and the UTBA are in charge of initial training of lawyers and they organise conferences, seminars etc. for lawyers to update their knowledge on daily issues and changes in legal systems.

The legal profession, in essence, includes the defence of rights in direct contact with the persons whose rights have been violated and working with them. For this purpose HRCs and Human Rights Study Groups were established in the UTBA in 2001 and in most bar associations in order to examine and determine the alleged violations. The main objective of the HRC is to *“carry out professional, theoretical and practical researches and studies regarding the protecting and promoting the rule of law, fundamental rights and freedoms, at national and supra-national level”* according to the article 2 of HRC Regulation of the UTBA. This work is essential to qualitatively monitor the development of the human rights situation in Turkey and more practically serve as a basis for other lawyers to improve their work. In this context, the HRC of the UTBA produced several reports on various rights-based issues.

In addition and to strengthen the monitoring element, the project “Human Rights Monitoring, Reporting and Archiving” (İHİRAP) was started by the HRC to co-ordinate similar works in HRCs of local bar associations and establishing an effective database. For this purpose, the UTBA HRC organised a series of co-ordinated studies and meetings in 2015 among local bars to increase the effectiveness and efficiency of HRCs of bar associations and their institutional capacities. These activities once again showed the necessity of training activities and co-ordination mechanisms for HRCs, which will be developed and further supported to form an institutional structure by this Action.

However, despite the efforts of the UTBA and local bars, several problems remain unsolved which hampers the quality of defence lawyers and protection of fundamental rights in Turkey:

First, it is a major challenge to bring numerous local bar associations together to implement a uniform system as they are all independent bodies and do not have to follow the recommendations of the UTBA. Not all the bar associations have HRCs and the ones that have these centres and carry out reporting and research on the situation of human rights generally work on their own and neither have a co-operation mechanism with other bar associations and the UTBA, nor do they have individual or a common database to monitor human rights violations in provinces or countrywide. In short, there is not a uniform, systematic tool for data collection and reporting and monitoring of human rights violations for bar associations. Therefore it is necessary to establish a common system and methodology that bar associations may use to report and monitor violations in their provinces.

Second, the absence of a regular pre-service and in-service training for lawyers is one of the main reasons for the claimed low quality of defence in courts in Turkey. The UTBA and local bars organise seminars and conferences for their members when there are changes in legislations and justice system or when there are urgent needs locally such as the training sessions on criminal procedure or migrants/refugee law after the outbreak of Syrian war. Therefore the UTBA and bars need a toolkit for regular training of lawyers on human rights issues and a pool of experienced lawyer-trainers should be created to provide sustainable training capacity for local bar associations.

The activities to be carried out by the Action are also in line with national priorities for judicial reform. As indicated earlier, there are several national documents, including the “Human Rights Action Plan for the prevention of ECHR violations”, which aim at reducing the violations in Turkey by providing solutions to systemic problems. The UTBA has also implemented or took part in several EU funded projects to increase the level of awareness among lawyers about human rights standards and prevention of violations.

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| Chapter 2 – Main activities and the progress made during the inception period |

## 2.1. Activity plan and outputs

The Project foresees 14 main activities categorised under the 3 expected results:

#### A. The institutional capacity of the HRCs of the Bar Associations in 7 pilot provinces is strengthened and co-ordination between them is improved

1. Preparation of Needs Assessment Report for the institutional capacity of the local bars
2. Preparation and adoption of the Action Plan to strengthen the functioning of HRCs
3. Preparation of draft regulation on HRCs
4. Organisation of study visits
5. Placements

#### B. The capacity of lawyers to apply European human rights standards in their daily work is enhanced

1. Preparation of Training Needs Assessment Report for human rights training
2. Preparation of training curricula
3. Delivery of training-of-trainers
4. Delivery of cascade training sessions
5. Translations and Publications

#### C. The co-operation between the UTBA and HRCs of local bar associations is fostered

1. Co-ordination meetings
2. Web-based network
3. Awareness-raising/outreaching meetings
4. Conferences

The details of activities are listed below under relevant subtitles with their planned timeframe, indicating how they will contribute to the production of the outputs linked to each result mentioned above. This is a tentative timeframe, and may be modified during the implementation of the Project, taking into account the constraints of the partners, the availability of the hosting institutions and consultants.

### Activity 1 – Preparation of Needs Assessment Report for the institutional capacity of the local bars

Visits to 7 pilot bar associations, along with 2 one-day-meetings in Ankara, one in the beginning and one in the end of visits, will be organised, in order to prepare needs assessment report on the institutional capacities of bar associations. The report will be composed of assessment of the institutional capacities to operate the HRCs in pilot bars, as well as a proposal about the bar associations including international lawyer organisations in EU member states, in which placements and study visits shall be organized. Additionally it will make suggestions for data collection, maintenance and analysis methodology, reporting templates, reach out strategies and examples of good practices, which will be developed as part of IT data base. The report will be used as a basis for the development of action plan, model regulations and web-based network.

### Activities planned during Inception Phase

Taking into account the elections in local bar associations during the period of September-October 2018, the following plan was prepared for the conduct of the needs assessment for the institutional capacities of bar associations:

* On 14 September 2018, in Ankara, the day after the Launching Conference, the preparatory needs assessment meeting will take place with the participation of international and national consultants, NGO delegates, and the representatives of the CoE and the UTBA, in order to determine the general framework and methodology of the needs assessment.
* On 1-2 October 2018, the first needs assessment visit will be organised to the Bar Association in Diyarbakır, with participation of all consultants and the representatives of the CoE and the UTBA
* On 22-23 October 2018, the group will be divided into two, one visiting the bar association in İzmir and the other in Mersin.
* On 5-6 November 2018, again one of the groups will visit the Istanbul Bar Association, while the other one visiting the Ankara Bar Association.
* On 7-8 November 2018, the group in Istanbul will fly to Trabzon and the one in Ankara to Van in order to conduct their needs assessment missions.
* On 15 November 2018 (the day before the 2nd SC meeting), in Ankara, all consultants will come together for a follow-up meeting in order to discuss their findings and determine how to finalise the needs assessment report, prior to the 1st WG meeting on the development of the Action Plan on HRCs, which has been scheduled for 17 – 18 December 2018, in Ankara.

The aforementioned work plan has been prepared in order to make sure the most efficient and effective use of the Project’s human and financial resources, without causing extensive delays due to the upcoming local bar elections.

### Activity 2 – Preparation and adoption of the Action Plan to strengthen the functioning of HRCs

Based on the findings and recommendations of the needs assessment report, the Action Plan to strengthen the functioning of HRCs will be prepared at two 2-day meetings, which will be attended by 2 international and 2 national consultants, as well as the representatives of UTBA, pilot bar associations and the CoE.

The Action Plan will clearly include the activities to be implemented for establishment and proper functioning of the HRCs as well as the resources, time framework and responsibilities of partners for each activity. After adoption of the Action Plan, the SC will monitor its implementation, taking into account the outcome of discussions at the respective co-ordination meetings.

### Activities planned during Inception Phase

It was decided to organise the 1st WG meeting on the Action plan on 17-18 December 2018, in Ankara.

### Activity 3 – Preparation of draft regulation on HRCs

Similarly, taking into account the needs assessment findings and recommendations, two 2-day meetings will be organised in order to draft model regulations on the HRCs, which will provide a consolidated legal framework applicable for all local bars in relation to their structure, organization, functioning, responsibilities, staffing and financial aspects. As in the WG meetings on the Action Plan, the consultants who attended the needs assessment process will participate in those meetings. After its adoption by the pilot bar associations, the model regulations will become a part of the Action Plan. As suggested at the 1st SC meeting, with a view to responding to the different needs of the local bar associations, different model regulations may be developed.

### Activities planned during Inception Phase

The 1st WG meeting on model regulation(s) was planned for 17-18 December 2018 in Ankara. Since preparation of both model regulations for HRCs and the Action Plan are closely interconnected, the WG meetings of these activities will be organised simultaneously.

### Activity 4 – Organisation of study visits

5 study visits (SV) will be organised to European institutions or EU member countries. 3 SVs will be planned with a view to examining the best practices for HRCs of the bar associations in other European countries or international lawyer organisations. Two will be organized to the CoE institutions in Strasbourg, including attending a hearing at the ECtHR.

### Activities planned during Inception Phase

The 1st SV has been planned for 26-30 November 2018 to the COE institutions in Strasbourg, in order to allow the participants to attend the ECtHR Grand Chamber’s hearing on Lopez Ribalda v. Spain on 28 November. The 2nd and 3rd SVs can take place within the periods of March - June 2019 and September - November 2019, respectively. The last two SVs have been tentatively planned for the periods of March 2020 - June 2020 and September - November 2020, respectively. The efforts will be made to conduct as many SVs as possible during the first two years of the Project, as in the last year, the focus will on the delivery of cascade training seminars. The exact dates of SVs will be determined, once agreed with the hosting institutions which will be identified based on the recommendations of the needs assessment report.

### Activity 5 – Placements

24 placements for the representatives from the pilot bar associations and the UTBA will be organized in various departments of the CoE/ECtHR and HRCs of bar associations in various European countries, including international lawyer organisations for maximum two months.

There will be two groups of placements. First group of placements in the CoE/ECtHR will provide the participants with a chance to work in an international institution/court, to learn their procedures as well as the human rights standards and principles applied by those institutions. In addition, they could also benefit from other CoE host institution, which will enhance their substantive knowledge in specific human rights fields. Second group of placements in the HRCs of bar associations and international lawyer organisations (it should be ensured that at least 50% of the placements will be organized in HRCs of bar associations in various European countries and international lawyer organisations) will provide the participants with a chance to work in a similar institution, to learn the procedures, practices and working methods there, and to establish bilateral relations, which will be accordingly applied in the Turkish HRCs of the bar associations.

The placements will help local bars and the UTBA develop their human resources capacities in the field of human rights. The participants will be required to submit a report, summarising the results of their experience and recommendations for their institutions to improve their working standards, at the end of placements.

### Activities planned during Inception Phase

The activities under this heading will be planned and implemented, taking into account the findings and recommendations of the needs assessment missions to be discussed on 15 November 2018. Hence, it has been envisaged that the first group of placements can take place in March 2019.

### Activity 6 – Preparation of Training Needs Assessment Report for human rights training

Visits to pilot bar associations and meetings will be organised in order to assess the training needs of the lawyers and bar associations regarding human rights issues. Based on the identified needs, the report, which will be also taken as a basis for the preparation of the Action plan, will propose methodologies to be used in drafting training modules and organising training sessions in local bar associations.

### Activities planned during Inception Phase

2 international and 2 national consultants selected for the training needs assessment will join in the meetings and field missions for institutional capacity needs assessment (Activity 1), with a view to using the Project human and financial resources as efficient as possible and avoiding from creating extra burden on local bar associations during their elections. Whenever necessary, separate meetings will be organised during these meetings and field missions. The consultants will finalise the needs assessment report in two months after this process, namely in mid-January 2019.

### Activity 7 – Preparation of training curricula

A working group (WG), consisting of representatives of the pilot bar associations, UTBA and the CoE as well as representatives of stakeholders, will be created in order to develop training modules (pre-service, in-service training curricula and online courses) and materials, including manuals for the trainers for the HRCs of the bar associations and lawyers under the HELP umbrella. Depending on selected topics, two sub-working groups will be organized.

Following, WG meetings, training tool kits, including training manuals for trainers and materials for participants, tailored for the needs of pre- and in-service training programmes for lawyers, will be published and disseminated to trainers, UTBA and bar associations for their use in training activities. All tool kits will also be available in electronic format and published online. In addition, complementary resources will be developed as practical instructions how to monitor and report human rights violations or how to make a complaint before national and international bodies.

### Activities planned during Inception Phase

The WG meetings will be planned and implemented, taking into account the findings and recommendations of the needs assessment missions to be discussed on 15 November 2018. It has been envisaged that the whole process can be completed in January-April 2019. The preparatory WG meeting can take place in the last week of January 2019.

### Activity 8 – Delivery of training-of-trainers (ToT)

Lawyer trainers to be trained in order to deliver pre-service, in-service and online trainings developed and adopted under the Project. The candidate trainers will be selected among lawyers according to the following minimum criteria:

* Minimum 5 years of experience in the profession;
* Good knowledge of human rights cases in Turkey and case law of the ECtHR;
* Availability to work as a trainer;
* Convincing motivation;
* MSc and/or PhD university degree on human rights will be an asset;
* Experience in applying to the ECtHR and/or the TCC will be an asset;
* Any kind of previous experience in training activities and/or projects with the CoE will be an asset.

In selecting candidates, attention will be paid to their ability to employ interactive and innovative training techniques, in addition to their knowledge of European human rights law.

### Activities planned during Inception Phase.

At the 1st SC meeting, the end beneficiary suggested that the number of lawyers to be trained as trainers should be increased from 50 to 150, on the grounds that considering the usual workload of lawyers, it would be too risky to manage to train 5.000 lawyers through cascades training seminars within the envisaged Project timeframe. The project team proposed that the final decision on the increased number of lawyer trainers should be determined after the needs assessment. Taking into account the possible increase in the number of sessions, it has been envisaged that the ToTs can be implemented in May-July 2019. It was also recommended that a supplementary ToT should be planned towards the middle of cascade training seminars (approximately in the second week of April 2020), in order to provide further support for lawyer trainer based on their practical experience.

### Activity 9 – Delivery of training sessions (cascade training sessions)

200 training sessions for 5.000 lawyers (25 participants for each training session) will be organised at different levels, in co-operation with the UTBA and local bar associations. It is foreseen that two trainer-lawyers, previously trained in the ToT sessions, will organise the content and conduct the training activity in co-operation with the project team.

The cascaded training sessions will be organised as below, with an aim to maximise the number of trainees who will participate at the both levels:

**Level 1** training sessions will be 2-day and focus on:

* Human rights mechanisms in Turkey and Europe, which can be used by Turkish lawyers (TCC, Ombudsman, Human Rights Institution and ECtHR); admissibility criteria; procedures which will enhance their capacities;
* Rights and freedoms protected by the ECHR: an overview of the Convention rights including the main case law of the ECtHR and TCC.

**Level 2** training sessions will be 1-day and focus on the specific rights and freedoms protected by the ECtHR such as right to fair trial, freedom of expression, freedom of peaceful assembly or right to property etc.

Initial 4 pilot cascade trainings will be assessed by 1 national and 1 international consultant to ensure the quality of the content and methodology. Based on their assessment, necessary improvements will be made to training modules and materials.

### - Activities planned during the Inception Phase

It has been envisaged that the activities under this heading will start to be implemented in September 2019.

### Activity 10 – Translations and Publications

***Translation***

The major reference documents and resources needed for training programmes such as books, CoE handbooks, case-law factsheets, judgments and policy documents will be translated into Turkish within the framework of the Action. The documents on procedures, working methods, regulations of similar institutions or human rights commissions in other EU member states will also be translated into Turkish and given to the bar associations to compare and improve their systems.

The documents, and presentations provided by international consultants participating in activities will be translated into Turkish and made available to legal professionals via the website of the Action and in hardcopies for participants. The handbooks, books and reference documents to be translated and published will be decided jointly by the UTBA and project management team.

***Publication***

The Project will also support the publication and dissemination of resources necessary to improve the capacity of bar associations and lawyers. National/international academics might be commissioned to prepare additional resources such as books, handbooks or guides if needed/requested by the UTBA and target groups to support the implementation of HRCs and enable access of lawyers to more diverse and up to date information about the protection of fundamental rights.

These publications will cover the following items:

* **Needs assessment reports and brochure on HRCs**: **6.000 copies** (This will cover 250 copies of Needs Assessment Report on the Capacity of HRCs; 250 copies of Needs Assessment Report on Training; 5.500 copies of Brochure on HRCs)
* **Specific handbooks and guides for lawyers**: **12.000 copies** (This will include 6.000 copies of Handbooks, which are short informative documents on specific human rights issues and 6.000 copies of Guidelines, which are the practical instructions such as on how to monitor and report HR violations or how to make a complaint)
* **Training materials/books** **to be distributed to trainees and trainers**: **12.000 copies** (This item will cover 6.000 copies of training materials for participants, the UTBA and local bars; 500 copies training manuals for trainers and the UTBA; 5.500 copies of book(s) on specific human rights issues for trainer/trainees and the UTBA).

### - Activities planned/implemented during the Inception Phase

Translation work already started with the organisation of kick-off and 1st SC meeting on 7 June 2018, which required the translation of the DoA, indicative action plan, project presentation, web news of the two activities and brief report of the 1st SCM. Afterwards several documents needed for the needs assessment, including the internal regulation of HRCs of the UTBA, their training materials and other relevant papers, were also translated. Translation work will increase more prior to and during the WG meetings on action plan, model regulations and curriculum design. Additionally, some informative documents were translated into Turkish in order to increase the visibility of the Project through the CoE website.

As to the publications, it has been foreseen that publication-related activities will be intensified in January 2020, when the training modules and materials are finalised.

### Activity 11 – Co-ordination meetings

2-day co-ordination meetings will be organised with the aim of bringing approx. 15 representatives of pilot bar associations and the UTBA together in order to monitor the implementation process of the Action, exchange information and experience in various bar associations. These meetings are foreseen as an essential discussion forum to ensure consistency of the training methodology and training materials applied by all pilot bar associations. 1 national and 1 international consultant will also be invited to these meetings to give input, observe the progress and provide feedback for the practices of local bars. Moreover, they will advise the local bars on certain thematic issues and also international consultant will share good practices from other respective bar associations.

### - Activities planned/implemented during the Inception Phase

The following timeframe has been planned for the co-ordination meetings which are supposed to take place at least twice two times a year:

* September 2018
* February 2019
* July 2019
* February 2020
* July 2020
* February 2021

In order to adopt a holistic and co-ordinated approach among the three important activities of the Project, namely the Preparation of Needs Assessment Report for the institutional capacity of the local bars, Preparation of Training Needs Assessment Report for human rights training and Co-ordination Meetings, the initial co-ordination meeting will be integrated into the preparatory and follow-up meetings in Ankara which will be implemented under Activity 1.

### Activity 12 – Web-based network

A Project website, communication network and database will be established in order to increase the visibility of the Project, facilitate the communication among the lawyers working in HRCs, and collect and maintain information on the repetitive violations detected by the HRCs. The web-based network will be a standardised tool including reporting templates, guides for users and provide information on a number of applications to HRCs, reports produced, actions taken and their results when available. Its non-technical design and content will be supervised by one international consultant.

### - Activities planned/implemented during the Inception Phase

The activities under this heading will be planned and implemented, taking into account the findings and recommendations of the needs assessment missions to be discussed on 15 November 2018.

### Activity 13 – Awareness-raising/outreaching meetings

Four 1-day awareness-raising/outreaching meetings will be held in Ankara and İstanbul with the participation of 35 people in each in order to share findings of HRCs with other stakeholders, such as judges, prosecutors, law enforcement officers and civil society representatives. The CoE and the UTBA will jointly identify the content and modalities of meetings. These meetings will serve as a platform to discuss most pressing human rights issues as reported by the HRCs and identify challenges and practical solutions, taking into account the roles of each stakeholder in this regard. The recommendations produced during these meetings will be published on the websites of the UTBA and HRCs.

### - Activities planned/implemented during the Inception Phase

The 1st Awareness-raising/outreaching meeting has been planned for 10 December 2018, in Ankara, on the occasion of Human Rights Day, in order to increase the visibility of the Project. The remaining events under this activity are foreseen for September 2019, May 2020 and November 2020 respectively.

### Activity 14 – Conferences

Two one-day international conferences will be held at the beginning and end of the Action in Ankara or another big city such as İstanbul. 3 national and 3 international consultants will be supporting these conferences.

### - Activities planned/implemented during the Inception Phase

The launching conference has been planned for 13 September 2018 in Ankara. The aim of the conference is to inform all stakeholders and the public about the start of the Project, its objective, expected results and activities. About 250 representatives of the bar associations and stakeholders of the judiciary, as well as representatives of universities, media and NGOs will attend the event.

The closing event will be in March 2021.

## 2.2. Preparatory activities carried out during the inception period

### Identification of pilot bar associations, NGOs and other stake-holders to contribute to the Project

Based on the consultations between the CoE and the UTBA, the bar associations in the following 7 provinces have been identified as pilot bar associations: Ankara, Diyarbakır, Istanbul, Izmir, Mersin, Trabzon and Van.

Similarly, the NGOs to contribute to the SC meetings have been selected as follows: Human Rights Joint Platform (IHOP), Human Rights Watch, Civil Society Development Centre and the Federation of Women Associations of Turkey. Additional NGOs which may contribute to other project activities will be selected, on needs basis, in the course of the Project implementation.

Other stake-holders include the MoJ, Human Rights Department, OI and HREIT.

The SC was informed on these matters at its 1st meeting on 7 June 2018.

Additionally, from the academia, Ankara University, Faculty of Law, has been suggested another stake holder, by the UTBA.

### Selection of international and national consultants

On 12 June 2018 a call for tender was published on the CoE Website in order to select international consultants through restricted consultation procedure. Following the evaluation of the applications, a pool of approximately 40 international consultants was created under 3 expected results of the Project. Subsequently, the Project team engaged with those who would contribute to the Launching Conference and needs assessment missions.

In the same vein, on 29 June 2018, a call for tenders for national consultants was published on the Programme Office’s website. Thus a separate pool of consultants was created for approximately 30 national consultants who will co-ordinate the project activities together with the international consultants.

### Visibility-related activities

On 20 June 2018, a call for tender was launched for the development and production of visibility materials and items to be used within the following period of the Project. The project team supervised the design of roll-ups, spider, posters, brochures, pens, notebooks and folders, in accordance with the Project rules concerning the visibility.

Basic project information[[1]](#footnote-2) and the news item on the kick=off event and the 1st SC meeting[[2]](#footnote-3) was published on websites of the CoE’s Division in Strasbourg and Programme Office in Ankara.

### Preparation of Detailed Work Plan and the Logical Framework

The project team, in consultation with the UTBA, prepared a detailed plan of activities until the end of the year.

Table: Summary of activities to be implemented until the end of the year

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Date** | **Location** | **Activity** | **Aim** | **Participants** |
| 13 Sep | Ankara | Launching Conference **(B.3.4)** | Raise awareness of the project, its objectives, expected outcomes, planned activities | Reps of the UTBA bar associations (HRCs), relevant IGOs, EUD, DEUA, CFCU, high courts, MoJ, HREIT, OI, NGOs, media, academics, international and national speakers/consultants,  **TOTAL:** 250  (50 outside Ankara) |
| 14 Sep | Ankara | Preparatory Assessment Meeting  *Re: the institutional capacity and training needs of the local bars*  and Initial Co-ordination Meeting  **(B.1.1. B.2.1** **&B.3.1)** | Develop the framework and the methodology of the assessment of both institutional capacity, including discussions on the online data base as a 1st co-ordination meeting and training needs | 6 international consultants  6 national consultants  5 UTBA representatives  5 COE representatives  7\*2=14 pilot bar reps  **TOTAL:** App. 35  (20 –including consultants outside Ankara)  According to the DoA, 4 international and 5 national consultants have been foreseen for all these activities combined in one event. However, 6 international and 6 national consultants are needed, because in order to cover all issues under these activities, two parallel working group meetings consisting of 3 sessions for each are required to be designed. |
| 21 Sep | Ankara | 1st Management Mtg | technical level exchange of information on all matters concerning the Project | 3 CoE Rep  3 UTBA Rep  1 EUD  1 CFCU  1 DEUA  **TOTAL:** App. 10  2 interpreters  No one from outside Ankara |
| 1-2 Oct | Diyarbakır | Institutional capacity building and training needs assessment visit to pilot bars  **(B.1.1& B.2.1)** | Identify the institutional capacity building and training needs of the local bars | 2 international consultant  2 national consultant  2 UTBA representative  2 COE representative |
| 22-23 Oct | Mersin | Institutional capacity building and training needs assessment visit to pilot bars  **(B.1.1& B.2.1)** | Identify the institutional capacity building and training needs of the local bars | 2 international consultant  2 national consultant  2 UTBA representative  2 COE representative |
| 1-2 Nov | İzmir | Institutional capacity building and training needs assessment visit to pilot bars  **(B.1.1& B.2.1)** | Identify the institutional capacity building and training needs of the local bars | 2 international consultant  2 national consultant  2 UTBA representative  2 COE representative |
| 5-6 Nov  7-8 Nov | İstanbul  Trabzon | Institutional capacity building and training needs assessment visit to pilot bars  **(B.1.1& B.2.1)** | Identify the institutional capacity building and training needs of the local bars | 2 international consultant  2 national consultant  1 UTBA representative  1 COE representative |
| 5-7 Nov  8-9 Nov | Ankara  Van | Institutional capacity building and training needs assessment visit to pilot bars  **(B.1.1& B.2.1)** | Identify the institutional capacity building and training needs of the local bars | 2 international consultants  2 national consultant  1 UTBA representative  1 COE representative |
| 15 Nov | Ankara | Final Follow-up mtg*: the institutional capacity and training needs of the local bars*  **(B.1.1& B.2.1)** | Review of the overall conclusions and findings of needs assessment reports to be drafted under these activities | 6 international consultants  6 national consultants  5 UTBA representatives  5 COE representatives  7\*2=14 pilot bar reps  **TOTAL:** App. 35  (20 –including consultants outside Ankara)  Although according to the DoA, 3 international and 4 national consultants have been foreseen for all these activities combined in one event, 6 international and 6 national consultants are planned in order to follow the format of the preparatory needs assessment meeting. |
| 16 Nov  10:00-12:00 | Ankara | 2nd SC mtg | Information sharing on the planned activities during the inception period and exchange of views | **Members**  COE: 6  UTBA: 4  DEUA: 2  Pilot Bars: 7  **Observers**  CFCU: 1  EUD: 2  MoJ (HRs Dep): 1  HREIT: 1  OI: 1  NGOs: 4  1 rep from acedemia  **TOTAL:** App. 30 |
| 26-30 Nov | Sxb | 1st SV  **(B.1.4)** | exchange information, gain experience, observe the functioning of system (procedures, human resources, IT and physical infrastructure etc.) and establish institutional relations with their counterparts | 15 participants  2 CoE Ankara Staff  2 interpreters  **TOTAL:** App. 25 |
| 10 Dec | Ankara | 1st Awareness-Raising/  Outreaching meeting  **(B.3.3)** | On the occasion of **Human Rights Day**, to discuss most pressing human rights issues as reported by the HRCs and identify challenges and practical solutions | 2 international consultants  2 national consultants  35 participants  5 UTBA representatives  5 CoE representatives |
| 17-18 Dec | Ankara | 1st WG mtg for the Action Plan on HRCs and Draft Regulation on HRCs  **(B.1.2 and B.1.3)** | Small Group 1  Planning of the outline of activities to be implemented for establishment and proper functioning of the HRCs as well as the resources, time framework and responsibilities of partners for each activity  Small Group 2.  Preparation of an outline of model draft regulations suggested for all local bars in relation to structure, organization, functioning, responsibilities, staffing and financial aspects of the HRCs | 2 international consultants  2 national consultants  6 UTBA representatives  7\*2=14 pilot bar reps  **TOTAL:** App. 25  (20 –including consultants outside Ankara |

The revised indicative action plan prepared jointly by the CoE and the UTBA is also attached as Appendix 1.

The current version of the logical framework can be found in Appendix 2 of the Report. As suggested at the 1st SC meeting, it will be improved, in consultation with the end beneficiary and other stakeholders, in accordance with the most recent template available.

# Chapter 3 – Management Structure and Stakeholders

The present Inception Report is in line with the agreements set forth in the DoA, and confirms the role and responsibilities of all the actors involved in the project implementation. The following paragraphs contain an update on the management structure and mechanism, following the selection and recruitment of the Project Team.

## 3.1. Managerial activities carried out during Inception Phase

### Kick-off Meeting

A kick-off meeting was organised on 7 June 2018, in the morning, in Ankara, with a view to bringing all project partners, namely the representatives of the CoE, the UTBA, the EUD, the then MEUA and the CFCU, together and informing them about the start of the project and its objectives. The meeting which was chaired by Mr Michael Ingledow, the Head of the CoE Programme Office in Ankara was honoured by Mr Metin Feyzioğlu, the President of the UTBA, with his opening speech. Mr Tankut Soykan, the Project Manager, presented the project and informed the participants about the Project’s objective, expected results and activities.

### 1st Steering Committee Meeting

On 7 June 2018, in the afternoon, the 1st SC meeting took place. In addition to the participants of the kick-off event, the representatives of 5 out of 7 pilot bar associations, the MoJ, the OI, the HREIT and Civil Society Development Centre attended the meeting. The participants discussed the roles of the partners and stakeholders in project planning and activities, activities foreseen within the first six months of the project and the management system of the project.

The representatives of the pilot bar associations pointed out that some positions in their management structures and HRCs would be replaced following the elections which would be held every two years. The SC members agreed working in a co-ordinated manner not to let these changes interrupt the continuity of the project activities.

Key conclusions of the meeting can be summarised as follows:

* The UTBA will inform the CoE about the exact date of elections for each pilot bar association
* The CoE will work with the UTBA in making necessary improvements to the logical framework and indicative action plan
* Any changes in the DoA and Budget shall be submitted to the CFCU either via official written notification or addendum
* The project team will prepare a detailed work plan for the initial period
* The date of the launching event has been strongly suggested to be maintained as 13 September 2018
* The proposed date for the next SC meeting is 16 November 2018.

Detailed information about the meeting and discussions are provided in Appendix 3– Summary Report of the 1st SC Meeting.

The end beneficiary suggested that a representative of Ankara University, Faculty of Law should be invited for the 2nd SC meeting.

### Recruitment of the Project Team

The CoE is responsible for the overall management of the project. In order to fulfil the tasks described in the DoA, the CoE has established a Project Management Team under the overall authority of the Human Rights National Implementation Division and CoE Programme Office in Ankara. The full team creation will be completed as of September 2018.

The staff for the following posts was recruited according to the Staff Regulations of the CoE, during the inception phase:

* Programme Co-ordinator (PC): The PC based in Strasbourg will be responsible for the overall management and monitoring of the project and sustain the quality of reporting and analysis over the progress and impact of activities implemented under the project. S/he furthermore, will co-ordinate information and actions with the relevant management and administrative entities in Strasbourg and Turkey.
* Project Manager (PM): The PM will be responsible for overall management and implementation of the project, in full co-operation with the PC in Strasbourg.
* Project Officer/Legal Analyst (PO): The PO will assist the Project Manager in the daily work on issues related to substance matter and project management.
* Project Assistants (PA): The PA in Ankara will assist the management team in their daily work on issues related to administrative and logistics to the implementation of the project. The PA in Strasbourg will assist the entire team in Ankara and in Strasbourg on their daily work on issues related to logistics and finances of the management.
* Project/Linguistic Assistant (LA): In addition to the general assistant tasks, the LA will be mainly responsible for the translation of working documents, official texts, presentations and outputs for the participants of activities from/into Turkish and English and proofreading of the documents (Turkish and English), which will be outsourced for translation.
* Financial Assistant (FA): The local FA will be responsible for initiating and closing all purchase orders, preparing financial reports, overseeing the budget and ensuring all expenditures are in accordance with relevant eligibility criteria.

Table 4 The Project Team

|  |  |  |
| --- | --- | --- |
| **Name** | **Title** | **Location** |
| Elena Yurkina | Project Co-ordinator | Strasbourg |
| Melanie Hauchard | Project Assistant | Strasbourg |
| Tankut Soykan | Project Manager | Ankara |
| Zeynep Ertürküner | Senior Project Officer | Ankara |
| Ekin Esener-Uysal | Linguistic Assistant | Ankara |
| Evrim Menteşoğlu | Project Assistant | Ankara |
| Fulay Erdal | Financial Assistant (part time) | Ankara |

## 3.2. Management Structure of the Project

### The Project Steering Committee

The SC will meet to discuss the progress of the project, verify the achievement of the outputs and mandatory results and discuss and decide actions to be undertaken for the successful implementation of the project. It will address major risks and problems that the Action might face.

The SC will consist of representatives from the UTBA and pilot bar associations, the CoE, the DEUA. Representative of the EUD and the CFCU will also attend the SC meetings as observers. The SC may invite other relevant participants to the SC meetings such as MoJ, OI, HREIT or NGOs working actively for the protection of human rights in Turkey.

The SC will be co-chaired by a representative of the UTBA and the CoE. The Project team will prepare brief reports of the SC meetings.

The SC shall be called to meet at the beginning of the Action (during the inception phase) and every six months starting from the end of the inception period and/or more often when deemed necessary by its members.

For the SC, the partner organisations and stakeholders designated the following representatives and contact persons:

**UTBA**

Ünsal Toker, Vice President

Eyyüp Sabri Çepik, Executive Board Memberand the HRC Co-ordinator

Murat Yalkın, Director, International Relations and EU Centre

The contact persons in pilot bar associations will be determined after the elections in September and October.

**Observers**

**EUD**

Maria Stogova, Programme Manager

**CFCU**

Safiye Özkan, Contract Manager

**MoJ**

Alper Hakkı YAZICI, Rapporteur Judge, Department of Human Rights

**HREIT**

Emre Yıldız, Judge

**OI**

Mustafa Aydın Ertunç, Expert

**Human Rights Joint Platform (İHOP)**

Feray Salman

**Human Rights Watch**

Emma Sinclair Webb

**Civil Society Development Centre**

Tezcan Eralp Abay

**Federation of Women Associations of Turkey**

Gülser Erkoç

The UTBA proposed to invite a representative of Ankara University, Faculty of Law, for the 2nd SC meeting as observer, with a view to enabling the academia to contribute to the project.

### Management meetings

In addition to SC meetings, quarterly meetings will be organized at technical level for exchange of information on all matters concerning the implementation of the Project. For management meetings, in principle, the representatives of the following institutions will be invited:

* CoE Programme Office
* UTBA
* EUD
* CFCU
* DEUA

The proposed date for the 1st management meeting is 21 September 2018.

## 3.3. Reporting

### Inception Report

The present Inception Report contains a detailed Work Plan and an overall calendar (a live document subject to further changes). In its elaboration, the Logical Framework Approach shall be followed linking the project’s objectives to expected results and the activities needed in order to achieve the results. The Inception Report outlines the management structure of the Action, clearly describing the responsibilities of the main players, as well as the decision-making process and information flow between the relevant institutions. Although the report was required to be submitted at the end of the 3rd month after the Project’s commencement, since the selection of consultants and recruitment of the Project Officer was still on-going, upon the approval of the CFCU, its submission was postponed from 30 June to 31 August 2018.

### Periodic Reports

The Project team will prepare a periodic report before each SC meeting in terms of the progress of the Action. The electronic version of the reports will be shared with the SC members one week before each SC meeting. Since the beginning of the project coincided with the elections and then the summer period in Turkey, no activities were reported by a periodic report prior to the 1st SC meeting. The first periodic report will be shared with the members of the SC on 9 November 2018.

### Progress Reports

Fully fledged 12-month reports will provide in more detail the activities undertaken and assess the progress towards achievement of objectives. The reports will provide analytics of the achievement of results and also identify potential risks during the implementation period ahead. When the periodic and progress reports overlap, the progress report will include the latest periodic report.

### Final Report

The Final Report should include an in-depth assessment of implementation results and the level of achievement of the objectives. The Final Report will be complemented by an independent evaluation of the impact of the Action aimed at identifying the impact and the achievements of the Action at the end of it. The Final Report will contain recommendations to be followed by the UTBA.

## 3.4. Project Partners and Stakeholders

### The Council of Europe

In order to fulfil the tasks described in the contract, the CoE has established a Project Team under the overall authority of the Human Rights National Implementation Division and the CoE Programme Office in Ankara.

### The Union of Turkish Bar Associations

As the End Beneficiary under the Fundamental Rights Sub-Field, the UTBA is responsible for ensuring compliance with the Co-operation Agreement signed with the then MEUA as the LI as well as the Fundamental Rights Sub-Field Manual of the then MEUA. The UTBA will be in charge of the implementation of the activity and co-ordination among local bars and Turkish institutions and will be the focal point for the partner institutions.

### Directorate for EU Affairs

The Lead institution (LI)– Ministry for EU Affairs- is named as the Directorate for EU Affairs under the MFA as of 15 July 2018, under the presidential government system. It is responsible for programming, technical implementation, information and visibility referred to in Articles 23 and 24 of the Framework Agreement, monitoring, reporting, and evaluation of the activities implemented in IPA II process (2014-2020) under the Fundamental Rights Sub-Field.

### Central Finance and Contracts Unit

The CFCU, as the Contracting Authority, is responsible for administration, overall project supervision, review and final approval of reports as well as financial management including payments related to the Agreement. The CFCU has the ultimate responsibility for the correct use of funds.

### The Stakeholders

The beneficiary institution and the stakeholders were selected for their specific institutional position, mandate and competence, all of which are relevant to achieving effective implementation of the activities. They will be responsible for the co-ordination of the inputs from relevant departments/units of their institutions, internal organisation/co-ordination of activities, ensuring proper participation and representation of their institutions in the project activities and SC, and ensuring sustainability and the widest possible dissemination of the results of the project. These activities will be co-ordinated by the representatives and the contact persons designated by the institutions. The following institutions have been identified as stakeholders: UTBA, DEUA (previously MEUA), CFCU, EUD, MoJ, OI, HREIT and civil society organisations.

# APPENDICES

## Appendix 1 -Revised indicative action plan

Duration and indicative action plan for implementing the Action

The duration of the Action will be **36** months.

|  |  | **First Year** | | | | | | | | | | | | **Second Year** | | | | | | | | | | | | | **Third Year** | | | | | | | | | | | | | **Implementing body** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **No** | **Activities** | **APR** | **MAY** | **JUN** | **JUL** | **AUG** | **SEP** | **OCT** | **NOV** | **DEC** | **JAN** | **FEB** | **MAR** | **APR** | **MAY** | **JUN** | **JUL** | **AUG** | **SEP** | **OCT** | **NOV** | **DEC** | **JAN** | **FEB** | **MAR** | | **APR** | **MAY** | | **JUN** | **JUL** | **AUG** | **SEP** | **OCT** | **NOV** | **DEC** | **JAN** | **FEB** | **MAR** |
| **A** | Inception Period |  |  | **Kick-off[[3]](#footnote-4)** | tenders[[4]](#footnote-5) | tenders[[5]](#footnote-6) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  | CoE, UTBA, pilot bars, consultants |
| **B.1.1** | Preparation of Needs Assessment Report for the institutional capacity of the local bars |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  |
| **B.1.2** | Preparation and adoption of the Action Plan to strengthen the functioning of HRCs |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  |
| **B.1.3** | Preparation of draft regulation on HRCs |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  |
| **B.1.4** | Organization of study visits |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  | CoE, UTBA, pilot bars, DEUA |
| **B.1.5** | Placements |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  | UTBA, pilot bars |
| **B.2.1** | Preparation of Training Need Assessment Report for human rights training |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  | CoE, UTBA, local bars, trainers, consultants |
| **B.2.2** | Preparation of training curricula |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  |
| **B.2.3** | Delivery of training of trainers |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  |
| **B.2.4** | Delivery of training Sessions (cascade training sessions) |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  |
| **B.2.5** | Translations and Publications |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  | CoE and UTBA |
| **B.3.1** | Co-ordination meetings |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  | CoE, UTBA, pilot bars, consultants |
| **B.3.2** | Web based network |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  | CoE, UTBA, pilot bars, IT consultants |
|  | Website |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  |
|  | Communication network |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  |
|  | Database for violations at local level |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  |
| **B.3.3** | Awareness-raising/outreaching meetings |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  |  |
| **B.3.4** | Conferences |  |  |  |  |  | 13 Sep |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  | CoE, UTBA,local bars, relevant public bodies, consultants |
|  | | **First Year** | | | | | | | | | | | | **Second Year** | | | | | | | | | | | | | **Third Year** | | | | | | | | | | | | | **Implementing body** |
| **Management Activities** | | **APR** | **MAY** | **JUN** | **JUL** | **AUG** | **SEP** | **OCT** | **NOV** | **DEC** | **JAN** | **FEB** | **MAR** | **APR** | **MAY** | **JUN** | **JUL** | **AUG** | **SEP** | **OCT** | **NOV** | **DEC** | **JAN** | **FEB** | | **MAR** | **APR** | | **MAY** | **JUN** | **JUL** | **AUG** | **SEP** | **OCT** | **NOV** | **DEC** | **JAN** | **FEB** | **MAR** |
| SC Meetings | |  |  | 7 June |  |  |  |  | 16 November |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  |  | CoE, UTBA, CFCU, EUD, DEUA, pilot bars, consultants, NGOs |
| Management Meetings | |  |  | Kick-off |  |  | 21 Sep |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  |  | CoE, UTBA, CFCU, EUD |
| Inception Report | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  |  | CoE, UTBA, CFCU, EUD, DEUA, Consultants |
| Progress Report | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  |  |
| Evaluation Process / Report | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  |  |
| Final Report | |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | |  |  | |  |  |  |  |  |  |  |  |  |  |  |

## Appendix 2 - Logical Framework[[6]](#footnote-7)

|  |  |  |  |
| --- | --- | --- | --- |
| **Overall objective** | **Objectively verifiable indicators** | **Sources of Verification** |  |
| To contribute to effective implementation of European human rights standards in Turkey. | - number of applications made against Turkey before the ECtHR   * - number of judgments of ECtHR finding Turkey in breach of the ECHR | -Progress Reports,   * -Reports of Peer Based Missions, * -Database of ECtHR * -Annual activity reports of public institutions |  |
| **Project purpose** | **Objectively verifiable indicators** | **Sources of Verification** | **Assumptions/Risks** |
| To strengthen the capacities of Turkish bar associations and lawyers in the implementation of the European human rights standards. | - The HRCs are functional, more co-ordinated and producing regular reports /data on the situation of human rights in Turkey.  - Lawyers are well aware of human rights violations in their provinces and take active roles in prevention of these violations. | -Progress Reports,   * -Annual activity reports of UTBA and bar associations * - MEUA Reports as the Lead Institution | -Stakeholders’ dedication to participate and co-operate throughout the process.  -Continued commitment to the EU accession process and to the political and judicial reform agenda.  -Ministries and other relevant public institutions lend high level support for the measures. |
| **Expected Results** | **Objectively verifiable indicators** | **Sources of Verification** | **Assumptions** |
| 1. The institutional capacity of the HRCs of the bar associations is strengthened. | Increase of cases analysed and reported by the HRCs:   * *Around 700 citizens applied to HRCs for information.*   Increase of public access and trust in HRCs given their increased analytical and investigative capacity   * *35 cases being analysed and reported by the end of the Action.*     No of convictions in favour of the victim given the strengthened analytical capacity of the HRCs:   * *15 convictions reported as a result of the work of HRCs by the end of the Action.*   Networks with international HR institutions and HR institutions of other EU member states   * *Number of lawyers and relevant staff from UTBA and local bars visited European institutions and HRCs in other EU member states;* * *-Number of lawyers from UTBA and local bars visited CoE;* * *24 lawyers from the bars and UTBA were placed in European institutions and HRCs in other European countries* | - Progress Reports   * - Annual activity reports of UTBA and bar associations * - Project reports   - UTBA/Project website  - Attendance sheets  - Visit reports etc. | - Conducive political will, as well as willingness and acceptance by the target groups of the Project and their proper and systematic follow-up on the concrete activities for the project implementation;  - Common understanding as regards the national implementation of human rights standards;  - Broad participation of lawyers across Turkey;  - Co-operation among the partner institutions;  - Inclusion of the training curricula and materials in the Human Rights Centers programmes.  - Availability of hosting institutions in the other European member states for study visits and placements.  - Sufficient linguistic and IT  competency of lawyers |
| 1. The knowledge and skills of lawyers to apply European human rights standards in their daily work is enhanced. | Substantial number of lawyers gained experience in analysing cases according to European human rights standards via access to the training programme "European Programme for Human Rights Education of Legal Professionals (HELP)"   * *Training modules prepared;* * *50 lawyers to train their colleagues and work in HRCs are trained* * *5000 lawyers all around Turkey are trained on protection of human rights and ECHR* * *Publication of training materials and reference books in Turkish* |
| 1. The communication and co-ordination between the human right centers, the bar associations and the Turkish Union of bar associations are fostered. | Strengthened network of HRCs of bar associations and UTBA   * *An online communication network among HRCs and online discussion forum for lawyers are functional*   Risk areas for the prevention of human rights violations are identified in co-operation with HRCs   * *2 annual reports prepared by the UTBA*   Regulations of bar associations revised to establish proper functioning of the HRCs.   * *Draft regulation prepared* |
| **Activities** | **Means** | **Estimated Costs** |  |
| **B.1.1 Preparation of Need Assessment Report for the institutional capacity of the local bars** | * 1 initial meeting, 4 ass. meetings and 1 final meeting, 2 to 4 days each, * 1 international, 2 national consultants, assisted by UTBA and CoE Project team, * Interpretation service. | **Total Costs:** 3 890 000.00 €, covering the human resources, activities, costs for travels, local office and services - details are indicated in the Budget for the Action |  |
| **B.1.2 Preparation and adoption of the Action Plan to strengthen the functioning of HRCs** | * 2 meetings, 2 days each, * 2 national, 2 international consultants, 10 participants from bar associations and UTBA, CoE, * Interpretation service. |  |
| **B.1.3 Preparation of draft Regulation on HRCs** | * 2 meetings, 2 days each, * 2 international, 2 national consultants, assisted by UTBA and CoE Project team. |  |
| **B.1.4 Organisation of study visits** | * 5 study visits, 3 days each (excluding travel days), * 15 participants from bar associations, UTBA, MEUA + 2 CoE staff and 2 interpreters for interpretation service. |  |
| **B.1.5 Placements** | * 24 placements, approx. 2 months each. |  |
| **B.2.1 Preparation of Training Needs Assessment Report for human rights training** | * 2 visits of 4 days each, * 2 international, 2 national consultants, and UTBA staff, * Interpretation service. |  |
| **B.2.2 Preparation of training curricula** | * 7 meetings, 2 working days each, * 3 national & 3 international consultants, 11 participants from beneficiary institutions (bars and UTBA staff included) + 2 CoE * Translation and Interpretation services, * Publication and dissemination of training materials: 12000 copies. |  |
| **B.2.3 Delivery of training-of-trainers** | * 2 groups (25 participants each), 2 training sessions, 4 days each; * 1 national and 1 international consultant for substantive training, * 1 national and 1 international consultant for training methodology. |  |
| **B.2.4 Delivery of training sessions (cascade training sessions)** | * 200 training sessions, 1-2 days each, * 3 trainers (2 for level 1 and 1 for level 2 trainings), 25 participants for each session, * Half day meeting for introduction of online training, * Meeting package, technical equipment, * Transfer of participants from neighbour cities, if needed. * Assessment of four cascade trainings, 1 national and 1 international consultants, * Online training by 1 national and 1 international consultant. |  |
| **B.2.5 Translations and Publications** | * Translation of main reference documents, handbooks, books, * 30.000 copies (including needs assessment reports, books, handbooks and training materials). |  |
| **B.3.1 Co-ordination meetings** | * 6 meetings, 2 days each, * 1 international, 1 national consultant, * 15 representatives of local bar associations and UTBA staff. |  |
| **B.3.2 IT Tool (Communication network and Database)** | * To be carried out by IT team of UTBA and external service providers, * Costs of establishment of the communication network and procurement of services for IT tool |  |
| **B.3.3 Awareness raising-outreaching meetings** | * 4 1-day meetings * 2 international and 2 national consultants * Approx. 140 participants in total * Participants include lawyers, judges, prosecutors, law enforcement officers and civil society representatives |  |
| **B.3.4** **Conferences** | * 2 international conferences (launching and closing conferences), 1 day each; * 3 international, 3 national consultants, * approx. 200 participants in total. |  |

## Appendix 3 - Draft Summary Report-SC 1



This Project is co-financed by the Republic of Turkey, the European Union, and the Council of Europe

Bu Proje Türkiye Cumhuriyeti, Avrupa Birliği ve Avrupa Konseyi tarafından birlikte finanse edilmektedir.

**EUROPEAN UNION-COUNCIL OF EUROPE JOINT PROJECT**

**“STRENGTHENING THE CAPACITY OF BAR ASSOCIATIONS AND LAWYERS ON EUROPEAN HUMAN RIGHTS STANDARDS”**

**“BAROLARIN VE AVUKATLARIN AVRUPA İNSAN HAKLARI STANDARTLARI KONUSUNDA KAPASİTELERİNİN GÜÇLENDİRİLMESİ”**

**AVRUPA BİRLİĞİ–AVRUPA KONSEYİ ORTAK PROJESİ**

**1st STEERING COMMITTEE MEETING**

**1. YÜRÜTME KURULU TOPLANTISI**

**7 JUNE/ HAZİRAN 2018**

**Point Hotel**

**Ankara**

**DRAFT SUMMARY OF THE MEETING**

* Clarification of the objective and expected results
* Activities and Action Plan
* Roles and responsibilities of the partners (project management)
* Organisation of initial activities

**Introductory remarks**

* Representatives of all partner institutions and stakeholders expressed their full support for the project.
* The discussions followed the presentation of project which can be found at the attached to the report.

**Key discussion points**

* The impact of the elections in pilot bar associations during September and October on the organisation of the launching conference and needs assessment visits
* Organisation of study visits and placements
* Management of the training related activities, including the number of lawyer trainers, criteria and methodology for their selection, delivery of ToTs and the importance of targeting the right people for the cascades
* Potential challenges to the co-ordination of the human rights centres in local bar associations and UTBA
* Revision/update of the indicative action plan and logical framework
* Fixing the date of the next SC meeting

**Recommendations / Observations**

***Dates for activities:***

* In relation to the organisation of the launching event and needs assessment visits, attention should be paid to that the period of September and October in 2018 is the time when there are preparations for elections in local bar associations (it was stated that the elections in local bar associations must take place between the 2nd and 3rd weeks of October in every two years). Similarly, when fixing the dates of the activities, it should be kept in mind that since Tuesdays and Thursdays are the days for court-hearings, no activities should be organised on these days as much as possible.
* In response, it was suggested that the local bar associations inform the project team about the exact dates of their elections, so that a proper planning can be done for the organisation of needs assessment visits and other events. However, it was strongly recommended the date for the launching event should be kept as 13 September, because this was a more ceremonial type of activity and it would be too late to organise such an event after the election period for local bar associations. Otherwise, in principle, the project team would avoid holding events on the days when lawyers had to attend court-hearings.
* For the same reasons, it was suggested to organise initial study visits no earlier than November 2018, while keeping in mind that almost all study visits should take place in the first two years of the project in order to maximise the benefits of these activities for the project.

***Impact of local bar elections on HRCs***

* After the local bar elections, the appointment of heads and members of the boards of HRCs will take place in January and February. Caution should be paid in order to avoid from lack of co-ordination in case that some people attending this meeting are replaced during this period. This is the case especially when these bodies are centres, not commissions. In order to prevent any possible interruptions, all pilot bar associations should be duly informed about the project in advance.
* It was also underlined that the memorandum of understandings (MoUs) had been already signed with all 7 pilot bar associations and they are binding. Hence they will not be renewed after the election of new HRCs. In case that there are changes to their management, these bar associations are still obliged to implement the MoUs. The HRC in the UTBA will ensure the co-ordination and continuation in this regard.

***Selection of lawyer trainers and trainees***

* Lawyers who would attend the ToTs should be selected carefully in close co-operation with HRCs in local bar associations, in accordance with certain criteria. Those trainers should have the necessary skills and knowledge to facilitate interactive peer-to-peer training. They should not come from only academia or practice, but must have the abilities to combine both academic and practical knowledge.
* Similarly lawyers who would take part in peer-to-peer training seminars should be selected in due diligence, in order to insure that those who would put in practice the knowledge and skills that they gained from the training. Otherwise, there is a risk that the effectiveness of the project might be jeopardised. Again, HRCs in local bar associations should provide guidance in identifying lawyers dealing with human rights cases who would benefit such training seminars.
* The number of lawyer trainers should be increased from 50 to 150 in order to make sure that 5,000 lawyers could be trained under the project. Additionally, a supplementary ToT seminar can be designed in the middle of cascade seminars, in order to refresh and reinforce the knowledge and skills of the trainers.
* CFCU should be informed about all such changes to the project either through official notification or addendum (if they are significant).

***Some important issues in relation to identifying needs (co-ordination and training related)***

* Attention should be paid not only to the challenges to co-ordination between HRCs in local bar associations and UTBA, but also co-ordination between the HRC in a local bar association and right-based specific commissions (children rights commission, refugee commission, access to justice commission and etc.) in the same bar association.
* Taking into account the diversity of local bar associations, the possibility of preparing multiple model regulations on HRCs should be considered as an option.
* The modules for training should be designed based on specific rights and taking into account the different training needs of each region.
* The experience and knowledge of the human rights education network, consisting of 20 institutions supported by the EU, and other similar projects should be exploited, with the possibility of inviting their representatives for the working group meetings and need assessment visits.

***Improvements/updates to the logical framework and indicative action plan***

* Logical framework should include a column demonstrating baseline values, so that the progress made through the project can be measured.
* In order to more accurately demonstrate the achievements of the project, some indicators can be also improved. For this purpose, a monitoring plan for the collection of indicators should be prepared by the CoE together with the UTBA.
* The necessary revisions should be made to the indicative action plan.
* Changes to the logical framework and indicative action plan should be submitted to the CFCU either via official written notification or addendum..

**Conclusions and Follow-up**

* The UTBA will inform the CoE about the exact date of elections for each pilot bar association
* The CoE will work with UTBA in making necessary improvements to the logical framework and indicative action plan
* Any changes in the DoA and Budget shall be submitted to the CFCU either via official written notification or addendum, in line with the General Conditions provisions
* The project team will prepare a detailed work plan for the initial period
* The date of the launching event has been strongly suggested to be maintained as 13 September
* The next Steering Committee meeting has been proposed as 16 November.

**TASLAK TOPLANTI ÖZETİ**

* Proje hedefi ve beklenen sonuçların açıklığa kavuşturulması
* Faaliyetler ve Eylem Planı
* Proje ortaklarının görev ve sorumlulukları (proje yönetimi)
* Hazırlık faaliyetlerinin düzenlenmesi

**Açılış**

* Tüm proje ortaklarının ve paydaşların temsilcileri projeye tam destek vereceklerini ifade etmişlerdir.
* Proje sunumundan sonra katılımcılar arasında görüş alış verişi devam etmiştir, söz konusu sunum bu raporun eki olarak ilginize sunulmaktadır.

**Görüşülen temel konular**

* Eylül ve Ekim ayında pilot barolarda gerçekleştirilecek seçimlerin proje açılış etkinliği ve ihtiyaç değerlendirme ziyaretlerine etkisi
* Çalışma ziyareti (ÇZ) ve görevlendirmelerin düzenlenmesi
* Avukat eğiticilerin sayısı, eğiticiler için seçim kriterleri ve yöntemi, eğitici eğitimleri, aşamalı eğitim oturumlarına katılımcı olarak doğru kişilerin seçilmesinin önemi dahil olmak üzere eğitimle ilgili faaliyetlerin yönetimi
* Barolardaki İnsan Hakları Merkezleri (İHM) ile Türkiye Barolar Birliği (TBB) arasındaki koordinasyona dair olası zorluklar
* Proje eylem planı ve mantıksal çerçevenin gözden geçirilmesi/güncellenmesi
* Bir sonraki Yürütme Kurulu (YK) toplantı tarihinin belirlenmesi

**Öneriler / Tespitler**

***Faaliyet tarihleri:***

* Proje açılış etkinliği ve ihtiyaç değerlendirme ziyaretlerinin düzenlenmesi ile ilgili olarak, Eylül-Ekim 2018 döneminde barolarda seçim hazırlıklarının gerçekleştirileceği konusuna dikkat edilmelidir (barolarda seçimlerin iki yılda bir ve Ekim ayının ikinci ve üçüncü haftası tamamlanmış olması gerektiği belirtilmiştir). Aynı şekilde, faaliyetlerin tarihi belirlenirken Salı ve Perşembe günlerinin duruşma günü olduğu ve bu günlerde mümkün olduğunca faaliyet düzenlememeye çalışılması gerektiği hatırda tutulmalıdır.
* Cevaben, ihtiyaç değerlendirme ziyaretleri ve diğer faaliyetlerin uygun şekilde planlanabilmesi amacıyla, baroların kesin seçim tarihleri konusunda proje ekibini bilgilendirmeleri önerilmiştir. Ancak, açılış etkinliği daha çok resmi bir tören niteliğinde olduğundan ve bu tür bir etkinliğin baroların seçimlerinden sonra düzenlenmesinin çok geç olacağı nedeniyle açılış tarihinin 13 Eylül olarak kalması önerilmiştir. Bu durumun dışında, prensip olarak, proje ekibi duruşma günlerinde faaliyet düzenlememeye çalışacaktır.
* Aynı nedenlerle, ilk çalışma ziyaretinin en erken Kasım 2018’de gerçekleştirilmesi önerilmiştir ve bu faaliyetlerin projeye yararını en üst seviyede tutabilmek adına tüm çalışma ziyaretlerinin projenin ilk iki yılında tamamlanmış olması gerektiği hatırlatılmıştır.

***Baro seçimlerinin İHM’ler üzerindeki etkisi***

* Baro seçimlerinden sonra, İHM’lerin başkanlarının ve üyelerinin görevlendirilmesi Ocak-Şubat aylarını bulacaktır. Bu süreçte, bu toplantıya katılan bazı katılımcıların pozisyonunun değişmesi halinde yaşanabilecek olası koordinasyon eksikliğini önlemek için dikkatli olunmalıdır. Özellikle İnsan Hakları Komisyonu değil de Merkezi ise bu durumun yaşanması muhtemeldir. Olası aksaklıkları önlemek amacıyla, tüm pilot barolar proje hakkında önceden bilgilendirilmelidir.
* 7 pilot baro ile de hali hazırda Protokol imzalanmış olduğu ve bu Protokollerin bağlayıcılığının altı çizilmiştir. Bu nedenle, yeni İHM’ler seçildiğinde de bu Protokoller yenilenmeyecektir. Yönetimde değişiklikler olması halinde de bu barolar Protokolü uygulamakla yükümlü olmaya devam edecektir. Bu anlamda koordinasyon ve devamlılığı TBB’deki İHM sağlayacaktır.

***Avukat eğiticilerin ve katılımcıların seçilmesi***

* Eğitici eğitimine katılacak avukatlar, belirlenen kriterlere göre, barolardaki İHM’ler ile işbirliği içerisinde dikkatli bir şekilde seçilmelidir. Bu eğiticiler, kendi meslektaşlarına etkileşimli eğitim vermek için gereken beceri ve bilgiye sahip olmalıdır. Sadece akademisyen olmaları veya uygulamanın içinden gelmeleri yetmeyecektir, hem akademik hem de uygulamaya dönük bilgiyi bir araya getirecek yeteneklere sahip olmaları gerekmektedir.
* Aynı şekilde, eğitimde kazandıkları bilgi ve becerileri uygulamaya koymalarını sağlamak amacıyla meslektaşlar arası eğitimde görev alacak avukatların seçiminde de gereken özen gösterilmelidir. Aksi takdirde, projenin etkililiğinin tehlikeye girmesi riski söz konusu olacaktır. İnsan hakları davalarına bakan bu eğitimlerden yararlanacak avukatların belirlenmesi konusunda yine barolardaki İHM’ler rehberlik sağlamalıdır.
* Proje kapsamında 5,000 avukata eğitim verilmesini sağlamak amacıyla avukat eğiticilerin sayısı 50’den 150’ye çıkarılmalıdır. Buna ek olarak, eğiticilerin bilgi ve becerisini güncel tutmak ve geliştirmek adına aşamalı eğitimlerin ortasına gelindiğinde ek bir eğitici eğitimi daha yapılması planlanabilir.
* Projeye ilişkin tüm bu değişikliklerle ilgili olarak, Merkezi Finans ve İhale Birimi (MFİB) bir bildirim veya zeyilname (büyük değişiklikler için) yolu ile bilgilendirilmelidir.

***İhtiyaçların belirlenmesine ilişkin önemli konular (koordinasyon ve eğitim ile ilgili)***

* Sadece barolardaki İHM’ler ile TBB arasındaki koordinasyon değil aynı zamanda aynı baroda mevcut İHM ile diğer haklara ilişkin kurulmuş diğer komisyonlar (çocuk hakları komisyonu, mülteci komisyonu, adalete erişim komisyonu, vb.) arasındaki koordinasyona ilişkin zorluklara da önem verilmelidir.
* Baroların farklılıkları dikkate alınarak İHM’ler için de birden çok modeli temsil edecek farklı yönetmeliklerin hazırlanması olasılığı bir seçenek olarak düşünülmelidir.
* Eğitim modülleri, belirli haklar temelinde ve her bölgenin farklı eğitim ihtiyaçları dikkate alınarak tasarlanmalıdır.
* AB’nin desteklediği 20 kurumdan oluşan İnsan Hakları Eğitimi Ortak Çalışma Ağının bilgi ve deneyiminden ve diğer benzer projelerden yararlanılmalıdır, ayrıca bu ağın temsilcileri çalışma grubu toplantıları ve ihtiyaç değerlendirme ziyaretlerine davet edilebilir.

***Proje eylem planı ve mantıksal çerçevenin geliştirilmesi/güncellenmesi***

* Proje süresince kaydedilen ilerlemenin ölçülmesi için mantıksal çerçeveye temel durum verisini gösteren bir sütun eklenmelidir.
* Proje başarılarını daha doğru şekilde göstermek amacıyla bazı göstergeler geliştirilebilir. Bu amaçla, AK, TBB ile birlikte, göstergelerin belirlenmesine ilişkin bir izleme planı hazırlamalıdır.
* Proje Eylem Planında gerekli değişiklikler yapılmalıdır.
* Proje eylem planı ve mantıksal çerçevede yapılan tüm değişiklikler resmi bir yazı veya zeyilname yolu ile MFİB’e sunulmalıdır.

**Kapanış ve takip edilecek konular**

* TBB, her bir pilot baronun kesin seçim tarihi konusunda AK’yi bilgilendirecektir.
* Proje eylem planı ve mantıksal çerçevede yapılacak gerekli değişiklikler konusunda AK, TBB ile birlikte çalışacaktır.
* Proje Tanımında ve bütçede yapılacak değişiklikler Genel Koşullara uygun şekilde resmi bir yazı veya zeyilname yolu ile MFİB’e sunulmalıdır.
* Proje ekibi hazırlık dönemine ilişkin detaylı bir çalışma planı hazırlayacaktır.
* Açılış etkinliğinin tarihinin 13 Eylül olarak kalması önerilmiştir.
* Bir sonraki YK toplantısının 16 Kasım’da yapılması önerilmiştir.

**AGENDA / GÜNDEM**

**7 JUNE/ HAZİRAN 2018**

**14:00-14:15 Opening of the meeting and welcome**

**Açılış ve hoşgeldiniz**

***Co-Chair*/ Oturum Başkanı:**

* **Mr/Sn. Michael Ingledow**

***Head of the Council of Europe Programme Office in Ankara / Avrupa Konseyi Ankara Program Ofisi Başkanı***

* **Mr/Sn. İzzet Varan, Attorney-at-Law/Av.**

***Co-ordinator, Human Rights Centre, Union of Turkish Bar Associations (UTBA)/ Koordinatör, İnsan Hakları Merkezi, Türkiye Barolar Birliği (TBB)***

**14:15-14:30 Adoption of the agenda / Gündemin kabulü**

**14:30-14:45 Introduction of the Steering Committee participants / Yürütme Kurulu üyelerinin tanıtılması**

**14:45-15:00 Presentation of the project and work plan / Proje ve çalışma planı ile ilgili sunum**

**15:00-15-45 Reflections on the objectives and planned activities/ Projenin öngörülen amacı ve planlanan faaliyetler hakkında değerlendirmeler**

**15:45-16:00 Closure / Kapanış**

**Documents to be provided in meeting room / Toplantı salonunda dağıtılacak belgeler:**

**- Project Description of Action / Proje Eylem Tanımı**

**- Draft Work Plan / Taslak Çalışma Takvimi**

**PARTICIPANT LIST / KATILIMCI LİSTESİ**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **No** | **Name-Surname / *İsim-Soyisim*** | **Title / *Unvan*** | **Institution / *Kurum*** | **E-mail / *E-posta*** |
| 1 | İzzet VARAN | Koordinatör / *Co-ordinator* | Türkiye Barolar Birliği-İnsan Hakları Merkezi /  *The Union of Turkish Bar Assocations- Human Rights Center* | [izzet.varan@barobirlik.org.tr](mailto:izzet.varan@barobirlik.org.tr) |
| 2 | Murat YALKIN | Uluslararası İlişkiler ve AB Merkezi Müdürü / *Director of International Relations and EU Centre* | Türkiye Barolar Birliği /  *The Union of Turkish Bar Assocations* | murat.yalkin@barobirlik.org.tr |
| 3 | Özge GÖREL | Avukat /  *Lawyer* | Türkiye Barolar Birliği-İnsan Hakları Merkezi /  *The Union of Turkish Bar Assocations- Human Rights Center* | [ozge.gorel@barobirlik.org.tr](mailto:ozge.gorel@barobirlik.org.tr) |
| 4 | Dania BEZİRGAN | Dil Asistanı / *Language Assistant* | Türkiye Barolar Birliği /  *The Union of Turkish Bar Assocations* | [dania.bezirgan@barobirlik.org.tr](mailto:dania.bezirgan@barobirlik.org.tr) |
| 5 | Michael INGLEDOW | Ankara Program Ofisi Başkanı / *Head of Programme Office in Ankara* | Avrupa Konseyi / *Council of Europe* | [Michael.Ingledow@coe.int](mailto:Michael.Ingledow@coe.int) |
| 6 | T.Tankut SOYKAN | Proje Müdürü / *Project Manager* | Avrupa Konseyi / *Council of Europe* | [Tankut.Soykan@coe.int](mailto:Tankut.Soykan@coe.int) |
| 7 | Ekin ESENER-UYSAL | Proje Tercümanı / *Translator-Interpreter* | Avrupa Konseyi / *Council of Europe* | [Ekin.Esener-Uysal@coe.int](mailto:Ekin.Esener-Uysal@coe.int) |
| 8 | Evrim MENTEŞOĞLU | Proje Asistanı /  *Project Assistant* | Avrupa Konseyi / *Council of Europe* | [Evrim.Senol@coe.int](mailto:Evrim.Senol@coe.int) |
| 9 | Safiye ÖZKAN | İhale Yöneticisi /  *Contract manager* | Merkezi Finans ve İhale Birimi /  *Central Finance and Contracts Unit* | [Safiye.OZKAN@cfcu.gov.tr](mailto:Safiye.OZKAN@cfcu.gov.tr) |
| 10 | Beyza BAYSAL KATKAY | İhale Yöneticisi /  *Contract manager* | Merkezi Finans ve İhale Birimi /  *Central Finance and Contracts Unit* | [Beyza.Katkay@cfcu.gov.tr](mailto:Beyza.Katkay@cfcu.gov.tr) |
| 11 | Maria STOGOVA | Program Yöneticisi, Temel Haklar /  *Programme manager, Fundamental Rights* | AB Türkiye Delegasyonu / *EU Delegation* | [Maria.Stogova@eeas.europa.eu](mailto:Maria.Stogova@eeas.europa.eu) |
| 12 | Alper Hakkı YAZICI | Tetkik Hakim /  *Rapporteur Judge* | Adalet Bakanlığı-İnsan Hakları Daire Başkanlığı /  *Ministry of Justice-The Department of Human Rights* |  |
| 13 | Mustafa Aydın ERTUNÇ | Uzman /  *Expert* | Kamu Denetçiliği Kurumu /  *The Ombudsman Institution* | [Mustafa.Ertunc@ombudsman.gov.tr](mailto:Mustafa.Ertunc@ombudsman.gov.tr) |
| 14 | Emre YILDIZ | Hakim / *Judge* | Türkiye İnsan Hakları ve Eşitlik Kurumu /  *Human Rights and Equality Institution of Turkey* | [emreyildizhukuk@hotmail.com](mailto:emreyildizhukuk@hotmail.com) |
| 15 | Şefkat UTSUKARÇİ TULUN | AB Uzmanı /  *EU Affairs Expert* | Avrupa Birliği Bakanlığı /  *Ministry for EU Affairs* | [sutsukarci@ab.gov.tr](mailto:sutsukarci@ab.gov.tr) |
| 16 | İrem ÖZGÜR | AB Uzmanı /  *EU Affairs Expert* | Avrupa Birliği Bakanlığı, NIPAC Ofisi /  *Ministry for EU Affairs, NIPAC Office* | iozgur@ab.gov.tr |
| 17 | Dr. Tezcan Eralp ABAY | Genel Koordinatör/  *General Co-ordinator* | Sivil Toplum Gelistirme Merkezi / *Civil Society Development Centre* | [tezcan@stgm.org.tr](mailto:tezcan@stgm.org.tr) |
| 18 | Sercan ARAN | Başkan Yardımcısı /  *Deputy Head* | Ankara Barosu, İnsan Hakları Merkezi/  *Ankara Bar Association, Human Rights Centre* | [aransercan@gmail.com](mailto:aransercan@gmail.com) |
| 19 | Seher KIRBAŞ CANİKOĞLU | Başkan Yardımcısı /  *Deputy Head* | Ankara Barosu, İnsan Hakları Merkezi/  *Ankara Bar Association, Human Rights Centre* | [seherkirbas@gmail.com](mailto:seherkirbas@gmail.com) |
| 20 | Bedia Ayşegül TANSEN | Başkan /  *Head* | İstanbul Barosu, İnsan Hakları Merkezi/  *İstanbul Bar Association, Human Rights Centre* | [aysegul.tansen@gmail.com](mailto:aysegul.tansen@gmail.com) |
| 21 | Tuğçe Duygu KÖKSAL | Eğitim Komisyonu Başkanı /  *Head of Training Commission* | İstanbul Barosu, İnsan Hakları Merkezi/  *İstanbul Bar Association, Human Rights Centre* | [info@duygukoksalhukuk.com](mailto:info@duygukoksalhukuk.com) |
| 22 | Zişan ERGELEN | Başkan /  *Head* | Mersin Barosu, Avukat Hakları Merkezi / *Mersin Bar Association, Lawyers Rights Centre* | [zisanergelen@yahoo.com](mailto:zisanergelen@yahoo.com) |
| 23 | Nahit EREN | Yönetim Kurulu Üyesi /  *Member of the Executive Board* | Diyarbakır Barosu / *Diyarbakır Bar Association* | [nahiteren21@hotmail.com](mailto:nahiteren21@hotmail.com) |
| 24 | Cihan ÜLSEN | Yönetim Kurulu Üyesi /  *Member of the Executive Board* | Diyarbakır Barosu / *Diyarbakır Bar Association* | [cihanulsen@gmail.com](mailto:cihanulsen@gmail.com) |
| 25 | Sibel SUİÇMEZ | Başkan /  *President* | Trabzon Barosu /  *Trabzon Bar Association* | [sibelsuicmez@hotmail.com](mailto:sibelsuicmez@hotmail.com) |
| 26 | Duygu KELEŞ AYDIN | Adli Yardım Kurulu Başkanı /  *Head of Legal Aid Board* | Trabzon Barosu /  *Trabzon Bar Association* | [av.duygukeles@gmail.com](mailto:av.duygukeles@gmail.com) |
| 27 | Serol KARADUMAN | Genel Sekreter /  *General Secretary* | Ankara Barosu, İnsan Hakları Merkezi/  *Ankara Bar Association, Human Rights Centre* | [av.serolkaraduman@gmail.com](mailto:av.serolkaraduman@gmail.com) |
| 28 | Mustafa Kemal KARAHAN | Genel Sekreter /  *General Secretary* | Türkiye Barolar Birliği /  *The Union of Turkish Bar Assocations* | mkk0886gmail.com |

1. Available on <https://www.coe.int/en/web/national-implementation/turkey-strengthening-the-capacity-of-bar-associations-and-lawyers-on-european-human-rights-standards> and <https://www.coe.int/en/web/ankara/joint-projectngthening-the-capacity-of-bar-associations-and-lawyers-on-european-human-rights-standards> [↑](#footnote-ref-2)
2. Available on <https://www.coe.int/en/web/national-implementation/-/the-eu-council-of-europe-joint-project-strengthening-the-capacity-of-bar-associations-and-lawyers-on-european-human-rights-standards-held-its-kick-off> and <https://www.coe.int/en/web/ankara/-/the-eu-council-of-europe-joint-project-strengthening-the-capacity-of-bar-associations-and-lawyers-on-european-human-rights-standards-held-its-kick-off> [↑](#footnote-ref-3)
3. 7 June 2018 [↑](#footnote-ref-4)
4. Consultant selection and visibility item production. [↑](#footnote-ref-5)
5. Consultant selection and visibility item production. [↑](#footnote-ref-6)
6. As suggested by the EUD representative at the 1st SC meeting, the logistical framework will be revised in agreement with the end beneficiary, in accordance with the new format. [↑](#footnote-ref-7)