

## **Project Fiche**

### **1. Basic Information**

1.1 CRIS Number: **TR2010/0136.08**

1.2 Title: **JUSTICE FOR CHILDREN [Follow-up of Towards Good Governance, Protection and Justice for Children in Turkey (2005) and Children First (2008)]**

1.3 Sector: **36 – Political Criteria**

1.4 Location: **Turkey**

### **Implementing arrangements:**

#### **1.5 Implementing Agency (including details of the SPO):**

The Central Finance and Contracting Unit (CFCU) will be the Implementing Agency and will be responsible for all procedural aspects of the grant process, and financial management, including payment of project activities. The director of the CFCU will act as Programme Authorizing Officer (PAO) of the project.

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#### **1.6 Beneficiary:**

The Ministry of Justice is the beneficiary of the project. The Turkish Justice Academy is the co-beneficiary of the project.

Details of the Senior Programme Officer (SPO) are as follows:

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1.7 **Overall cost:** 3.750.000 €

1.8 **EU contribution:** 3.345.000 €

1.9 **Final date for contracting:** 2 years after the date of signing the financial agreement

1.10 **Final date for execution of contracts:** 2 years following the end date for contracting

1.11 **Final date for disbursements:** 1 year after the end date for the execution of contracts

**2. Overall Objective and Project Purpose**

**2.1 Overall objective:**

The overall objective is to ensure the protection of children's rights in the justice system in line with the principle of rule of law.

**2.2 Project purpose:**

The purpose of the project is to ensure the effective implementation of the Child Protection Law and full realization of all rights of the children in contact with the law through protecting

children's right to fair trial, effective the inter-sectoral collaboration in the juvenile justice system and high standards of services provided to children deprived of liberty.

### **2.3 Link with AP and NPAA:**

Project addresses the following priorities identified in Accession Partnership (AP) Documents of 2006 and 2008:

- Continue the training of judges and prosecutors on the application of the European Convention on Human Rights and the case law of the European Court of Human Rights" (AP 2006);
- Continue to develop and strengthen all law enforcement institutions and align their status and functioning with European standards, including through developing inter-agency cooperation.... Take steps to train and develop the capacity of the judicial police (AP 2006);
- Continue to strengthen all law enforcement institutions and align their status and functioning with European standards, including through developing inter-agency cooperation (AP 2008);
- Establish an independent and effective complaints system to ensure greater accountability covering all law enforcement bodies (AP 2008).

Project addresses the following 2001, 2003 and 2008 NPAA priorities:

- Work on administrative reform in the field of justice and home affairs will be accelerated (NPAA 2001);
- Coordination between competent Ministries and other public institutions will be strengthened (NPAA 2001);
- Training of Judges and Prosecutors on human rights issues (NPAA 2003);
- In order to increase the efficiency and functionality of the Judiciary, in-service training of judges, public prosecutors and auxiliary personnel by Turkish Justice Academy and by department of Training of Ministry of Justice will continue (NPAA 2008);
- Establishment of a Judicial Trainer Pool (NPAA 2008);
- Strengthening the physical and technological infrastructure will continue (NPAA 2008);
- Works on facilitating access to justice, including making legal aid effective, will continue (NPAA 2008);
- The implementation of the provisions of Criminal Procedural Code and relevant bylaws diligently in compliance with human rights will continue (NPAA 2008).

### **2.4 Link with MIPD**

Project addresses the expected results on strengthening the judiciary's impartiality and independence and ensuring its more effective functioning, including reducing the duration of trials and improving access to justice under the Transition Assistance and Institution Building Component of the Multi-Annual Indicative Planning Document (MIPD) 2009-2011.

### **2.5 Link with National Development Plan:**

Project addresses the following objectives of the Ninth National Development Plan 2007-2013:

- An effective human resource planning will be made in public institutions and organizations to enable all employees to reach a level of competence and capacity to adapt to changing conditions. With the programs to be prepared within this scope, employees will be exposed to a continuous process of education, training and development, and they will be provided with the necessary information and skills, which will enable them to perform their jobs in a productive manner.
- Efforts towards increasing the quality of judging process and main components of this process will be continued; legal and institutional regulations, which will ensure the fast, fair, reliable and proper operation of the judging process, in the framework of the rule of law and state of law requirements, will be realized.
- With the aim of resolving disputes in a fast, simple and effective manner with low costs and reducing the workload of judicial authorities as a result, it will be ensured that alternative dispute resolution methods are put in place in Turkish legal system in an effective manner.
- Arrangements that will protect the rights of those unjustly treated in the framework of contemporary criteria will be put in place and judicial assistance services will be increased to a sufficient level.
- The system of execution of sentences and its institutions will be brought up to international standards.

## **2.6 Link with national / sectoral investment plans:**

Not applicable.

## **3. Description of Project**

### **3.1 Background and justification:**

Turkey signed the UN Convention on the Rights of the Child (CRC) in 1990 and ratified it in 1995. This makes the Convention an integral and indisputable part of domestic law, taking priority over domestic laws in matters of fundamental rights and freedoms. CRC Art. 40.2 (b) asks the State parties to ensure that every child alleged as or accused of having infringed the penal law has the guarantee to have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law. CRC Art. 37 (b) further asks the State parties to ensure that the arrest, detention or imprisonment of a child is in conformity with the law and used only as a measure of last resort and for the shortest period of time. Children deprived of liberty, on the other hand, should be treated with humanity and respect for the inherent dignity of the human person, and in manner which takes into account the needs of persons of his or her age according to the Art.37 (c). Based on these principles of CRC, the Committee on the Rights of the Child has published its General Comment No.10 on “Children’s Rights in Juvenile Justice” and set similar priorities for States.

The Committee of Ministers of the Council of Europe also draws attention to the child protection and justice systems in related Recommendations including no. 87-20 and 93-2. Similarly, Parliamentary Assembly of the Council of Europe in its Opinion No.186 on the draft European convention on the exercise of children's rights refers to the position of children in court and voiced the view that children should be respected as individuals and should be granted the possibility to exercise an increasing number of rights independently, and even against opposing adults.

Since 2005, Turkey has made considerable progress in strengthening the juvenile justice system and bringing it into greater compliance with international standards. The Child Protection Law passed in 2005 to "regulate the procedures and principles with regard to protecting juveniles who are in need of protection or who are pushed to crime, and ensuring their rights and well-being (Art. 1)." adopted the following rights set in the CRC as fundamental principles (Art. 4):

- Safeguarding the interest and well-being of juveniles;
- Ensuring the participation of the juvenile and his/her family in the process via keeping them informed;
- Following a procedure that is based on human rights, fair, effective and swift;
- Employing special care appropriate to the situation of the juvenile throughout the investigation or prosecution process;
- Penalty of imprisonment and measures that restrict liberty shall be the last resort for juveniles;

In order to realize these principles, special provisions introduced by the Child Protection Law (CPL), Criminal Procedures Law (CPrL) and Law on the Enforcement of Penalties and Security Measures (LEPSM), including the following:

- For effective implementation of alternative measures for children, coordination should be ensured at district, province and central levels (CPL art. 45, Regulation on Implementation of Protective and Supportive Measures as per Child Protection Law)
- The interviews with child witnesses and victims should be audio-visually recorded and their questioning should be conducted with an audio communication technique (CPrL art. 52 and 180);
- An expert should accompany the child during questioning (CPL art. 22);
- All juvenile justice professionals are required to receive special trainings on child law, social services, child development and psychology (CPL art. 28, 31 and 32).
- Conditional release (LEPSM art. 89).

Since 2005, the Government of Turkey, and the Ministry of Justice in particular, has been making considerable efforts, and utilizing EU funding, in order to bring the juvenile justice system in conformity with the above mentioned international and national standards.

In order to develop the capacities of the juvenile justice professionals and ensure that all children in contact with the law are treated by competent authorities, a comprehensive training needs assessment of juvenile justice professionals was carried out and a training programme

has been developed for eight professional groups including judges, prosecutors and social workers within the framework of the “Towards Good Governance, Protection and Justice for Children in Turkey” Project, funded by the European Union and implemented by the Government of Turkey between 2005 and 2008 with the technical support of UNICEF. The main objective of the training programme is to ensure that all professionals have a common understanding on child rights, national and international legislation, communication, child development, inter-sectoral coordination and child specific judicial procedures. The current need for achieving this objective is to ensure institutionalization of this training programme and implementation for all professionals. One of the key results of this project is to institutionalize this training programme within the framework of the Justice Academy.

Regarding the judicial procedures and functioning of the juvenile justice system in Turkey, significant progress has been achieved, with the financial support of EU and UNICEF’s technical assistance, under the leadership of the Ministry of Justice. In order to ensure more effective implementation of the alternative measures for children foreseen in the CPL, series of workshops and trainings conducted with child court judges, prosecutors and social workers between 2005-2008. Since 2008, the focus has been on inter-agency coordination in the juvenile justice system. A coordination strategy has been developed within the framework of the “Children First: Modeling Child Protection Mechanisms at Provincial Level” Project, funded by the European Union and implemented by the Government of Turkey between 2008 and 2010 with the technical support of UNICEF. This project foresees as one of its key results to ensure full implementation of the coordination strategy as well as building on the progress achieved so far, to ensure fair trial for children in justice system (including reducing the average duration of trial, which was 414 days for child courts and 502 days for child heavy penalty courts in 2008), prevention of secondary victimization of children and putting in practice the legal arrangements to ensure that deprivation of liberty is used only as a last resort for children (including increasing the percentage of alternative measure orders given by the child courts and child heavy penalty courts – the percentage of security measure orders for 2008 was 23%, the percentage of all alternative orders is not yet available, but will be available with an amendment to be made to UYAP in 2010). Finally, in order to ensure that children deprived of their liberty are treated in a manner which takes into account their needs, the Ministry of Justice has been following a gradual strategy in improving its institutional care standards. Within the context of the EU funded “Towards Good Governance, Protection and Justice for Children in Turkey” Project, implemented with UNICEF’s technical support between 2005-2008, an in-service training programme was developed and has been institutionalized for psychosocial and other personnel working in detention centers and reformatories working with children deprived of their liberty. As a following step, within the framework of the EU funded “Children First: Modeling Child Protection Mechanisms at Provincial Level” Project, implemented with UNICEF’s technical support between 2008-2010, an effective case (inmate) management (ECM) model has been developed for all Ministry of Justice institutions. The ECM aims at further institutionalization of ARDIC, improving institutional care standards and allows for individual treatment of each inmate based on his/her needs. The next step is to ensure effective implementation of ECM in all

institutions, and establish its link with the conditional release mechanism. In light of these objectives, this project aims at development of ECM training programmes and trainers materials with the participation of Ministry of Justice personnel, organization of trainings for personnel working at institutions where ECM will be implemented, adaptation of ECM monitoring and evaluation system to UYAP and establishing the link between ECM and conditional release system through a report format and trainings in order to ensure that deprivation of liberty is used for the shortest period of time.

This Project has been developed based on these further needs identified by all the related institutions in the child protection system in Turkey during the implementation of the last EU funded Project “Children First: Modeling Child Protection Mechanisms at Provincial Level”. It has also been tailored according to the outcomes of the “4<sup>th</sup> Year Evaluation of the Child Protection Law Meeting” held in 2009 with the representatives from the Ministries of Justice, Interior, Health, Education and Labour, SHCEK, Justice Academy, Forensic Medicine Institution, Court of Cassation as well as judges, prosecutors, bar associations from Ankara and Istanbul, academicians from 7 universities and 3 NGOs.

The results foreseen in this Project, when combined with the progress achieved so far, will contribute to addressing the challenges identified in the latest Regular Report (2009) for Turkey. The project will contribute to improvement of the services provided in juvenile detention centers (p.25), to allow for proper assessment of children in the justice process and thus appropriate treatment by competent authorities (p.25) and development of the Justice Academy into a strong and independent training provider for the entire magistracy (p.69).

Both the Ministry of Justice and the Justice Academy are committed to take the progress achieved so far further and change the institutional culture and the perceptions on the juvenile justice system. This project will not only allow for making this one step but also set the vision and put light on the further steps.

### **3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact:**

The Project is expected to create catalytic effect through contributing to the improvement of the enforcement system and revision of the criminal justice system through collection of reliable data on convicts and detainees at the national level, It is also expected that the Project will contribute to the improvement of the services provided to adults in the justice system through the results achieved for children in contact with the law,

The sustainability of the Project will be ensured through contributing to the capacity development of Ministry of Justice Personnel Training Centers, establishment of a special unit for juvenile justice in the Justice Academy and strengthening the coordination between districts and thus contributing to the efficient implementation of measures foreseen in the Child Protection Law. Through these interventions, national authorities will be able to manage and roll out the models, including the provincial coordination model and case management model for children deprived of liberty, as well as the monitoring systems

nationally after the project's implementation period without further external assistance. Also, additional costs related to the establishment and maintenance of the interview rooms will be covered by national financing during and after the project implementation period.

The Project is not expected to have any cross border impact.

### **3.3 Results and measurable indicators:**

Result 1: Children's rights are protected in the justice system through realization of fair trial principles, prevention of their secondary victimization and ensuring that deprivation of their liberty is used as a measure of last resort.

#### Measurable indicators:

- The inter-sectoral coordination strategy is upscaled to at least 20 provinces.
- Duration of trial for children reduced by %10 by last quarter of 2013. (Baseline: 414 days for child courts and 502 days for child heavy penalty courts in 2008)
- Court decisions for alternative measures to deprivation of liberty increased by 20% by last quarter of 2013. (Baseline: the percentage of security measure orders for 2008 was 23%, the percentage of all alternative orders is not yet available, but will be available with an amendment to be made to UYAP in 2010)
- Number of children benefiting from protective and supportive measures increased by 20% by last quarter of 2013. (Baseline: not available yet, but will be available at the onset of the project under activity 1.2.2)
- Interview rooms for children in line with international standards are available in 160 courthouses (Baseline: none)

Result 2: A specialized and institutionalized in-service training programme is made available for juvenile justice professionals.

#### Measurable indicators:

- A specialized training programme for all juvenile justice personnel is institutionalized and put in use.
- At least 80% of the judges, prosecutors and social workers working in the juvenile justice system participated to the specialized trainings by last quarter of 2013.

Result 3: Children deprived of their liberty receive individualized quality rehabilitation services through 'efficient case (inmate) management' (ECM) system.

#### Measurable indicators:

- At least 20 selected institutions have the necessary infrastructure for the institutionalization of the ECM system
- ECM system includes %50 of the juveniles. (Baseline: ECM system not institutionalized yet, thus no children is included in the system)
- Number of disciplinary offences reduced by at least % 10. (Baseline to be established at the onset of the project under activity 3.1.5. As a proxy, 22% in Maltepe Child Detention Center)



- The rate of return to institution does not exceed 30% for children participated to personalized treatment programme (PTP) (Baseline to be established at the onset of the project under activity 3.1.5).

### **3.4 Activities:**

Activity 1.1: The coordination strategy for institutions responsible from protection of children at local and central levels upscaled.

- 1.1.1 The coordination strategy document prepared within the context of the EU funded ‘Children First’ Project is revised as per feedback received during pilot implementation and approved by the Central Coordination Committee.
- 1.1.2 A training programme is developed for provincial level and multi-sectoral trainings are conducted at least in 20 provinces with 400 members of the provincial coordination committees in order to upscale the coordination strategy.
- 1.1.3 The implementation of the coordination strategy is monitored through field visits and the reports received from provinces and final evaluation report is prepared.

Activity 1.2: Implementation of protective and supportive measures for children in contact with the law is strengthened and monitored.

- 1.2.1 An assessment is conducted and a set of recommendations is developed for the establishment of a public custody institution.
- 1.2.2 A situation analysis is conducted to determine the baseline and a set of recommendations are developed for more effective implementation of the child specific security measures and protective-supportive measures ordered for the child.
- 1.2.3 A monitoring-evaluation system is developed for the training programme developed in the framework of the EU funded ‘Children First’ Project for social workers working in the juvenile justice system.

Activity 1.3: Institutional capacity for realization of children’s right to fair trial in juvenile justice system is strengthened.

- 1.3.1 An international field visit is conducted to a European country selected based on its best practice on functioning of child prosecutor offices.
- 1.3.2 An assessment is conducted and a set of recommendations is developed for the re-structuring of the child prosecutor offices.
- 1.3.3 A software compatible with UYAP is developed to register and monitor the child specific security measures and protective-supportive measures.
- 1.3.4 Assessment meetings are conducted on the Child Protection Law with the Ministry of Justice inspectors.

Activity 1.4: Legal procedures to facilitate access to justice for children victims of violence are simplified and the institutional capacity to ensure prevention of secondary victimization

(taking testimony only once, closed circuit video conferencing, mirrored rooms, etc.) is strengthened.

- 1.4.1 Standards for interview rooms are developed.
- 1.4.2 160 interview rooms for children in contact with the law are established in 134 heavy penalty centers.
- 1.4.3 A handbook is developed and trainings are conducted for at least 100 personnel involved in taking statements.

Activity 2.1: The existing situation of juvenile justice system in Turkey is evaluated and awareness is raised.

- 2.1.1 A 3 day international symposium on juvenile justice is conducted with the participation of at least 200 professionals and international experts.
- 2.1.2 Printed and visual materials are developed to share the results of the symposium and raise awareness on juvenile justice system.

Activity 2.2: A special juvenile justice training unit is established in the Justice Academy.

- 2.2.1 The existing juvenile justice training programme is revised and adapted as per specific needs of concerned professional groups.
- 2.2.2 At least 6 trainer teams of 10 professionals with necessary knowledge, skills and attitudes are established for all concerned professional groups and training institutes to ensure the sustainability of the trainings.
- 2.2.3 Trainings are provided to 850 professionals working in the juvenile justice system.
- 2.2.4 A monitoring and evaluation system, including a regular quality updating mechanism, for the juvenile justice training programme is developed.

Activity 3.1: The ‘effective case (inmate) management’(ECM) model for children initial works of which started in previous project Children First is disseminated and institutionalized in penitentiary institutions.

- 3.1.1 A working group of 20 is formed with experts and Ministry of Justice personnel.
- 3.1.2 ECM model training programmes and trainer materials are developed.
- 3.1.3 A trainer team of at least 30 personnel is formed.
- 3.1.4 The basic education curricula of the personnel training centers is reviewed and revised in order to ensure compatibility with ECM model.
- 3.1.5 Institutional standards for implementation of ECM model are developed and a feasibility study is conducted based on these standards.
- 3.1.6 Trainings are conducted for at least 300 personnel working in 20 pilot institutions selected as per the result of the feasibility study.
- 3.1.7 4 information seminars are conducted for at least 400 Ministry of Justice personnel, central level administrators, representatives of related institutions, the Turkish Bar Association, NGOs and families.

- 3.1.8 An ARDEF (an assessment tool which was first designed in Children First project in an effort to portrait an inmate from the beginning of prison life) board consisting of at least 5 experts is established in order to ensure sustainability and reliability of the effective case management model ARDEF monitoring evaluation system.

Activity 3.2: A software compatible with UYAP is developed to monitor the implementation rate of the ECM model.

- 3.2.1 Monitoring-evaluation and audit tools are developed for controllers and inspectors.
- 3.2.2 A software is developed for the adaptation of ARDEF to UYAP.
- 3.2.3 ARDEF screens are developed in the framework of UYAP in order for the General Directorate to monitor the ECM model.
- 3.2.4 100 laptops are procured for selected penitentiary institutions and the ARDEF board in order to ensure institutionalization of the ECM model.

Activity 3.3: An effective conditional release and control mechanism is developed in order to ensure that deprivation of liberty is used for the shortest time period for children.

- 3.3.1 A research is conducted on the implementation of conditional release in European countries and Turkey.
- 3.3.2 International visits are conducted to two European Countries selected based on their best practices on functioning of conditional release systems.
- 3.3.3 Three regional seminars (venues to be selected based on the number of children deprived of liberty) are organized on the conditional release for juvenile justice professionals.
- 3.3.4 A conditional release report format is developed to be used prior to conditional release.
- 3.3.5 The conditional release report format is adapted to UYAP.
- 3.3.6 Conditional release training materials are developed for personnel of penitentiary institutions.
- 3.3.7 Conditional release training materials are included in the basic education curricula of the personnel training centers.
- 3.3.8 Training of trainers is conducted and a trainer team of at least 20 personnel is formed.
- 3.3.9 Trainings are disseminated to at least 300 personnel.

### **3.5 Conditionality and sequencing:**

There is no conditionality for the implementation of project activities. During the implementation of the project, all three components will be run in parallel sequence. The technical assistance will start simultaneously with the procurement process of the equipment as the capacity building component is not dependent on the equipment delivery.

### **3.6 Linked activities:**

The project is built on the “Towards Good Governance, Protection and Justice for Children in Turkey” Project and “Children First: Modeling Child Protection Mechanisms at Provincial Level” Project, both funded by the European Union and implemented by the Government of Turkey with the technical support of UNICEF between 2005-2008 and 2008-2010 respectively.

The overall objective of the former was to enhance the protective environment for children in contact with the law and to strengthen the system to prevent children from coming in contact with the law as outlined by the CRC. During the implementation period, a comprehensive training programme (Ardic) for professionals working with children deprived of liberty was developed and institutionalized by the Ministry of Justice. An in-service training programme was also developed for juvenile justice professionals, including judges and prosecutors, but its institutionalization could not be fully realized yet for all the related professions.

The overall objective of the second project is to strengthen the capacity of institutions for the protection of children, especially children in contact with the law or at risk of coming into contact with the law, from deprivation of their rights including liberty and education, and from violence, abuse and neglect, as foreseen in the Child Protection Law No. 5395 of July 2005. The specific purpose of the project is to establish effective, coordinated working mechanisms including monitoring and evaluation for the delivery of effective and integrated preventive and protective, child-centred protection services in twelve priority provinces selected in consideration of education participation rates and the prevalence of children working and living on the street and in conflict with the law. Within the framework of the project, an inter-agency coordination strategy for the child protection system in Turkey and a case management model for the Ministry of Justice institutions have been developed but need to be upscaled and institutionalized nationwide.

The project is also linked with the “Improved Enforcement Services in Prisons” Project submitted to the European Union by the Ministry of Justice with the aim to promote enforcement services through an individual basis system for offenders coming from different criminological backgrounds and increasing the service quality of the prison staff to European standards and to improve institutional capacity of Ministry of Justice in order to provide efficient enforcement service and also to improve the institutional capacity of Prison Staff Training Centers. These two projects will be implemented in collaboration and will be complementary in nature. Specifically, although they will be implemented separately and the training contents will be assessed differently, the Improved Enforcement Services in Prisons Project will benefit from the outputs of the sub-project on effective case (inmate) management (ECM) model for penitentiary institutions and Justice for Children Project, which is a continuation of related projects mentioned above.

### **3.7 Lessons learned:**

Implementation of the previous projects on juvenile justice has proved that multi-institutional project implementation results in significant challenges in ensuring effective coordination

among all project partners. Although this project does not involve as many partners as the previous projects, it still requires close collaboration among the three implementing partners and the lessons learned during the implementation of the previous projects will be significantly important. Effective and coordinated implementation of the project activities will be ensured through regular monitoring meetings with all project partners as well as other concerned institutions and civil society organizations. The project partners will also make every effort possible to ensure the consistent follow-up of project activities by the responsible staff.

#### 4. Indicative Budget (amounts in EUR)

			SOURCES OF FUNDING										
			TOTAL EXP.RE	TOTAL PUBLIC EXP.RE	IPA CONTRIBUTION		NATIONAL PUBLIC CONTRIBUTION					PRIVATE CONTRIBUTION	
ACTIVITIES	IB (1)	INV (1)	EUR (a)=(b)+(e)	EUR (b)=(c)+(d)	EUR (c)	% (2)	Total EUR (d)=(x)+(y)+(z)	% (2)	Central EUR (x)	Regional/ Local EUR (y)	IFIs EUR (z)	EUR (e)	% (3)
Contract 1 (direct grant)	X		3.150.000		2.835.000	90	315.000	10					
Contract 2 (supply)		X	600000		510.000	85	90.000	15					
.....													
TOTAL IB													
TOTAL INV													
<b>TOTAL PROJECT</b>			<b>3.750.000</b>		<b>3.345.000</b>		<b>405.000</b>						

NOTE: DO NOT MIX IB AND INV IN THE SAME ACTIVITY ROW. USE SEPARATE ROW

Amounts net of VAT

- (1) In the Activity row use "X" to identify whether IB or INV
- (2) Expressed in % of the **Public** Expenditure (column (b))
  - Expressed in % of the **Total** Expenditure (column (a))

Annex 16 — Template of project fiche for IPA programmes / component I – decentralised management

## 5. Implementation Schedule

Contracts	Start of Tendering	Signature of Contract	Project Completion
Contract 1 (direct grant)		First Quarter of 2011	First Quarter of 2014
Contract 2 (supply)	Second Quarter of 2011	First Quarter of 2012	First Quarter of 2013

## 6. Cross Cutting Issues

### a. Equal opportunities

During the implementation of the Project, utmost attention will be paid to equal opportunity participation to all capacity building activities and these activities will be conducted during working hours acceptable for family commitment. The trainers' teams will be gender balanced. Gender disaggregated data will be used and established wherever available. All due reports will contain information on gender mainstreaming actions taken during implementation.

### b. Environment

Not applicable.

### c. Minorities and vulnerable groups

According to the Turkish Constitutional System, the word minority encompasses only group of persons defined and recognized as such on the basis of multilateral or bilateral instruments to which Turkey is a party.

The main target group of the Project is the children in contact with the law, who very often come from vulnerable groups. Children from ethnical minorities are also present in these groups. Thus, the Project, by definition, is designed to include the vulnerable groups, including minorities. During the implementation period, children and families from all groups will be informed and awareness will be raised through information seminars regarding the Project activities.

### d. Civil society

Both the Ministry of Justice and the Turkish Justice Academy have been implementing EU funded projects to improve the protective environment for children in contact with the law since early 2000's. Close collaboration with NGOs working in the area of juvenile justice and the Turkish Bar Association has been established throughout the implementation of all the related projects, especially in the areas of strengthening inter-agency coordination and developing child related policies. Contribution of the Turkish Bar Association and NGOs was also ensured to the design of this Project fiche through a consultation meeting held in 2009 to assess the implementation of the Child Protection Law. Further consultations are planned to be held during



the detailing of the Project and preparation of the detailed workplans. Close collaboration with the Turkish Bar Association, provincial bar associations and NGOs will be a pre-requisite for the effective and coordinated implementation of the Justice for Children Project activities. .

## ANNEX 1: Logical Framework Matrix

LOGFRAME PLANNING MATRIX FOR Project Fiche		Programme name and number <b>PIS 94</b>	
<b>JUSTICE FOR CHILDREN</b>		Contracting period expires 2 years after the signature of the Financing Agreement	Disbursement period expires 3 years after the last day of the contracting deadline
		Total budget: <b>3.750.000 €</b>	IPA budget: <b>3.345.000 €</b>
<b>Overall Objective</b>	<b>Objectively Verifiable Indicators</b>	<b>Sources of Verification</b>	
Ensuring the protection of child's best interest in the justice system in line with the principle of rule of law and child rights.	<ul style="list-style-type: none"> <li>▪ Acknowledgement by the European Commission</li> </ul>	<ul style="list-style-type: none"> <li>▪ Regular progress reports</li> </ul>	
<b>Project Purpose</b>	<b>Objectively Verifiable Indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>
Ensuring the effective implementation of the Child Protection Law and full realization of all rights of the children in contact with the law through protecting children's right to fair trial, strengthening the inter-sectoral collaboration in the juvenile justice system and improving the standards of services provided to children deprived of liberty.	<ul style="list-style-type: none"> <li>▪ Duration of trial period for children reduced by %10 by last quarter of 2013.</li> <li>▪ Number of children benefiting from protective and supportive measures increased by 20% by last quarter of 2013.</li> <li>▪ At least 80% of the judges, prosecutors and social workers working in the juvenile justice system participated to the specialized trainings by last quarter of 2013.</li> <li>▪ The rate of return to institution does not exceed 30% for children participated to personalized treatment programme (PTP).</li> </ul>	<ul style="list-style-type: none"> <li>▪ Judicial records and statistics released by the Ministry of Justice</li> </ul>	<ul style="list-style-type: none"> <li>▪ Children, families, NGOs and those working with children are informed effectively</li> </ul>

<b>Results</b>	<b>Objectively Verifiable Indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>
<p>1. Children’s rights are protected in the justice system through realization of fair trial principles, prevention of their secondary victimization and ensuring that deprivation of their liberty is used as a measure of last resort.</p>	<ul style="list-style-type: none"> <li>▪ The inter-sectoral coordination strategy is upscaled to at least 20 provinces.</li> <li>▪ Duration of trial period for children reduced by %10 by last quarter of 2013.</li> <li>▪ Court decisions for alternative measures to deprivation of liberty increased by 20% by last quarter of 2013.</li> <li>▪ Number of children benefiting from protective and supportive measures increased by 20% by last quarter of 2013.</li> <li>▪ Interview rooms for children in line with international standards are available in 160 courthouses.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Judicial records and statistics released by the Ministry of Justice</li> <li>▪ Court decisions</li> <li>▪ National Judiciary Informatics System (UYAP) data</li> <li>▪ Supervision and probation reports</li> </ul>	<ul style="list-style-type: none"> <li>▪ All the courthouses can provide necessary physical conditions and human resources</li> <li>▪ Other related institutions support the project and awareness raised with support received from the Bar Association, NGOs and media.</li> <li>▪ Necessary services are in place to ensure implementation of protective and supportive measures</li> </ul>
<p>2. A specialized and institutionalized in-service training programme is made available for juvenile justice professionals.</p>	<ul style="list-style-type: none"> <li>▪ A specialized training programme for all juvenile justice personnel is institutionalized and put in use.</li> <li>▪ At least 80% of the judges, prosecutors and social workers working in the juvenile justice system participated to the specialized trainings by last quarter of 2013.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Evaluation reports of the training programme</li> <li>▪ Judicial records and statistics released by the Ministry of Justice</li> <li>▪ Justice Academy records</li> </ul>	

<p>3. Children deprived of their liberty receive individualized quality rehabilitation services through ECM system.</p>	<ul style="list-style-type: none"> <li>▪ At least 20 selected institutions have the necessary infrastructure for the institutionalization of the ECM system.</li> <li>▪ ECM includes %50 of the juveniles.</li> <li>▪ Number of disciplinary offences reduced by at least % 10.</li> <li>▪ The rate of return to institution does not exceed 30% for children participated to personalized treatment programme (PTP).</li> </ul>	<ul style="list-style-type: none"> <li>▪ Judicial records and statistics released by the Ministry of Justice</li> <li>▪ ARDEF (assessment and evaluation form) data</li> <li>▪ National Judiciary Informatics System (UYAP) data</li> </ul>	<ul style="list-style-type: none"> <li>▪ Protective and supportive after release services are provided by related sectors.</li> </ul>	
<b>Activities</b>		<b>Means</b>	<b>Costs</b>	<b>Assumptions</b>
<p>1.1 The coordination strategy for institutions responsible from protection of children at local and central levels upscaled.</p> <p>1.1.1 The coordination strategy document prepared within the context of the EU funded ‘Children First’ Project is revised as per feedback received during pilot implementation and approved by the Central Coordination Committee.</p> <p>1.1.2 A training programme is developed for provincial level and multi-sectoral trainings are conducted at least in 20 provinces with 400 members of the provincial coordination committees in order to upscale the coordination strategy.</p> <p>1.1.3 The implementation of the coordination strategy is monitored through field visits and the reports received from provinces and final evaluation report is prepared.</p>		<p>Direct grant with UNICEF</p>	<p>500.000 €</p>	<p>Other related institutions support the project and awareness raised with support received from the Bar Association, NGOs and media.</p>
<p>1.2 Implementation of protective and supportive measures for children in contact with the law is strengthened and monitored.</p> <p>1.2.1 An assessment is conducted and a set of recommendations is developed for the establishment of a public custody institution.</p> <p>1.2.2 A situation analysis is conducted to determine the baseline and a set of recommendations are developed for more effective implementation of the child specific security measures and protective-supportive measures ordered for the child.</p>		<p>Direct grant with UNICEF</p>	<p>200.000 €</p>	<p>Necessary services are in place to ensure implementation of protective and supportive measures</p>

1.2.3	A monitoring-evaluation system is developed for the training programme developed in the framework of the EU funded ‘Children First’ Project for social workers working in the juvenile justice system.			
1.3	Institutional capacity for realization of children’s right to fair trial in juvenile justice system is strengthened. 1.3.1 An international field visit is conducted to a European country selected based on its best practice on functioning of child prosecutor offices. 1.3.2 An assessment is conducted and a set of recommendations is developed for the re-structuring of the child prosecutor offices. 1.3.3 A software compatible with UYAP is developed to register and monitor the child specific security measures and protective-supportive measures. 1.3.4 Assessment meetings are conducted on the Child Protection Law with the Ministry of Justice inspectors.	Direct grant with UNICEF	200.000 €	
1.4	Legal procedures to facilitate access to justice for children victims of violence are simplified and the institutional capacity to ensure prevention of secondary victimization (taking testimony only once, closed circuit video conferencing, mirrored rooms, etc.) is strengthened. 1.4.1 Standards for interview rooms are developed 1.4.2 160 interview rooms for children in contact with the law are established in 134 heavy penalty centers. 1.4.3 A handbook is developed and trainings are conducted for at least 100 personnel involved in taking statements.	Direct grant with UNICEF Supply	100.000 € 535.000 €	All the courthouses can provide necessary physical conditions and human resources
<b>Activities</b>		<b>Means</b>	<b>Costs</b>	<b>Assumptions</b>
2.1	The existing situation of juvenile justice system in Turkey is evaluated and awareness is raised. 2.2.5 A 3 day international symposium on juvenile justice is conducted with the participation of at least 200 professionals and international experts.	Direct grant with UNICEF	100.000 €	

<p>2.2.6 Printed and visual materials are developed to share the results of the symposium and raise awareness on juvenile justice system.</p>			
<p>2.2 A special juvenile justice training unit is established in the Justice Academy.</p> <p>2.2.1 The existing juvenile justice training programme is revised and adapted as per specific needs of concerned professional groups.</p> <p>2.2.2 At least 6 trainer teams of 10 professionals with necessary knowledge, skills and attitudes are established for all concerned professional groups and training institutes to ensure the sustainability of the trainings.</p> <p>2.2.3 Trainings are provided to 850 professionals working in the juvenile justice system.</p> <p>2.2.4 A monitoring and evaluation system, including a regular quality updating mechanism, for the juvenile justice training programme is developed.</p>	<p>Direct grant with UNICEF</p>	<p>400.000 €</p>	
<p><b>Activities</b></p>	<p><b>Means</b></p>	<p><b>Costs</b></p>	<p><b>Assumptions</b></p>
<p>3.1 The ‘effective case (inmate) management’ (ECM) model for children is disseminated and institutionalized in penitentiary institutions.</p> <p>3.1.1 A working group of 20 is formed with experts and Ministry of Justice personnel.</p> <p>3.1.2 ECM model training programmes and trainer materials are developed.</p> <p>3.1.3 A trainer team of at least 30 personnel is formed.</p> <p>3.1.4 The basic education curricula of the personnel training centers is reviewed and revised in order to ensure compatibility with ECM model.</p> <p>3.1.5 Standards for implementation of ECM model are developed and a feasibility study is conducted based on these standards.</p> <p>3.1.6 Trainings are conducted for at least 300 personnel working in 20 pilot institutions selected as per the result of the feasibility study.</p>	<p>Direct grant with UNICEF</p>	<p>1.000.000 €</p>	<p>Other related institutions support the project and awareness raised with support received from the Bar Association, NGOs and media.</p>

<p>3.1.7 4 information seminars are conducted for at least 400 Ministry of Justice personnel, central level administrators, representatives of related institutions, the Turkish Bar Association, NGOs and families.</p> <p>3.1.8 An ARDEF (an assessment tool developed within the framework of Children First Project to portrait an inmate from the beginning of prison life) board consisting of at least 5 experts is established in order to ensure sustainability and reliability of the effective case management model ARDEF monitoring evaluation system.</p>			
<p>3.2 A software compatible with UYAP is developed to monitor the implementation of the ECM model.</p> <p>3.2.1 Monitoring-evaluation and audit tools are developed for controllers and inspectors.</p> <p>3.2.2 A software is developed for the adaptation of ARDEF to UYAP.</p> <p>3.2.3 ARDEF screens are developed in the framework of UYAP in order for the General Directorate to monitor the ECM model.</p> <p>3.2.4 100 laptops are procured for selected penitentiary institutions and the ARDEF board in order to ensure institutionalization of the ECM model.</p>	<p>Direct grant with UNICEF</p> <p>Supply</p>	<p>300.000 €</p> <p>65.000 €</p>	
<p>3.3 An effective conditional release and control mechanism is developed in order to ensure that deprivation of liberty is used for the shortest time period for children.</p> <p>3.3.1 A research is conducted on the implementation of conditional release in European countries and Turkey.</p> <p>3.3.2 International visits are conducted to two European Countries selected based on their best practices on functioning of conditional release systems.</p> <p>3.3.3 Three regional seminars (venues to be selected based on the number of children deprived of liberty) are organized on the conditional release for juvenile justice professionals.</p>	<p>Direct grant with UNICEF</p>	<p>350.000 €</p>	<p>Necessary services are in place to ensure implementation of protective and supportive measures</p>

<p>3.3.4 A conditional release report format is developed to be used prior to conditional release.</p> <p>3.3.5 The conditional release report format is adapted to UYAP.</p> <p>3.3.6 Conditional release training materials are developed for personnel of penitentiary institutions.</p> <p>3.3.7 Conditional release training materials are included in the basic education curricula of the personnel training centers.</p> <p>3.3.8 Training of trainers is conducted and a trainer team of at least 20 personnel is formed.</p> <p>3.3.9 Trainings are conducted to at least 300 personnel.</p>			
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**ANNEX II: Amounts (in €) contracted and disbursed by quarter for the project**

	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8
<b>Contracted</b>								
Contract 1 (direct grant)	2.835.000							
Contract 2 (supply)		510.000						
<b>Disbursed</b>								
Contract 1 (direct grant)	1.512.000			1.058.400				264.600
Contract 2 (supply)					306.000			204.000