#### Standard Summary Project Fiche – IPA decentralised National programmes

(maximum 12/<u>15</u> pages without the annexes)

#### 1. Basic information

1.1 CRIS Number: TR2010/0136.13

1.2 Title: Improved Court Expert System

1.3 ELARG Statistical code: 36 Political Criteria

1.4 Location: Turkey

#### **Implementing arrangements**:

1.5 Implementing Agency:

Mr. Muhsin Altun

Central Finance and Contracts Unit

Tel: +90 312 295 49 00 Fax: +90 312 286 70 72

E-mail:muhsin.altun@cfcu.gov.tr

Address: Eskisehir Yolu 4.Km.2.Street Halkbankasi Kampusu No: 63 C-Blok

06580

Sogutozu/Ankara

1.6 Beneficiary (including details of SPO):

Main Beneficiary : Ministry of Justice DG for Criminal Affairs

SPO : Galip Tuncay TUTAR Deputy Undersecretary of the Justice Ministry

Tel: +90 0 312 204 10 50 Fax: +90 0 312 425 34 55 E-mail: gttutar@adalet.gov.tr

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**TURKEY** 

Co-Beneficiary: Justice Academy of Turkey

Postal Address: İncek Yolu, Ahlatlıbel Yerleşkesi, Çankaya 06059 Ankara -

**TURKEY** 

Contact Person: Abdullah Yıldırım

Position: Judge

Institution: Justice Academy of Turkey

Tel: +90 0312 489 81 80 Fax: +90 312 489 81 01

#### Financing:

- 1.7 Overall cost (VAT excluded)<sup>1</sup>: 1.500.000 Euro
- 1.8 EU contribution: 1.425.000 Euro
- 1.9 Final date for contracting: 2 years after signature of financing agreement
- 1.10 Final date for execution of contracts: 2 years after the last day of the contracting deadline.
- 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:

Strengthening the impartiality, reliability and efficiency of the judiciary

#### 2.2 Project purpose:

Complete reform and standardization of the court expert system so that their contribution maximizes the efficiency, effectiveness, impartiality of the judiciary.

#### 2.3 Link with AP/NPAA / EP/ SAA

2008 AP Document provides;

-To strengthen the efficiency of the judiciary through, in particular, reinforcing its institutional capacity,

#### 2008 NPAA

Functionality and Efficiency of the Judiciary;

- In order to increase the efficiency and functionality of the Judiciary, inservice training of judges, public prosecutors and auxiliary personnel by Turkish Justice Academy and by department of Training of Ministry of Justice will continue.
- Develop and strengthen all law enforcement institutions and align their status and functioning with European standards, including through developing inter-agency cooperation and to develop the use of modern investigative techniques.

#### 2.4 Link with MIPD

"Addressing the Copenhagen political criteria by supporting those institutions directly concerned by political reforms:

The total cost of the project should be net of VAT and/or other taxes. Should this not be the case, the amount of VAT and the reasons why it should be considered eligible should be clearly indicated (see Section 7.6)

consistent interpretation of legal provisions related to human rights and fundamental freedoms; Strengthening the independence, impartiality and efficiency of the judiciary; Implementation of the Istanbul Protocol throughout the country; Training of judges in judicial cooperation on civil matters; Enhancement of opportunities for effective defence such as access to legal aid and qualified interpretation services; Strengthening of legal and judicial protection of religious freedoms; as well as of minorities and vulnerable groups, in view of addressing all types of discrimination;"

#### 2.5 Link with National Development Plan (where applicable)

5 year National Development no: 9 part 5.6.5 paragraph 321 states as follows:

"Moreover, providing judicial services in efficient and qualitative way is prevented because of not materializing rule of law with its all institutions and conditions, not following new developments sufficiently in drafting legal rules, slowly functioning of judicial process, not overcoming the quantitative and qualitative problems of judiciary regarding human resources and not meeting physical and technical infrastructural needs adequately."

## 2.6 Link with national/sectoral investment plans(where applicable) Progress report (2009)

The Progress report suggests that 'The court experts system continues to function as a parallel judiciary system without improving overall quality'.

#### Fourth Advisory Report on Effectiveness of the Judicial System (2009)

The last Advisory Report indicates that 'A specific problem in Turkey appears to be the use of court experts, court experts can of course be of great value in technical matters where about an ordinary judge will not have sufficient knowledge of his own. But in Turkey it seems not uncommon that a judge, just to feel secure and to minimize the chance of his decision being overturned in appeal, will seek for outside guidance even in cases where he himself should be expected to have the necessary expertise. It is clear that this is far from efficient: it causes, sometimes considerable, delays and it can turn out to be a costly affair.'

#### Fourth Advisory Report on Criminal Justice System

Fourth Advisory Report on Criminal Justice System highly recommends:

- · That the process on transferring forensic examinations to state hospitals or health centres in accordance be expedited.
- $\cdot$  That in cases of alleged torture or mistreatment lawyers should always be allowed to attend forensic examinations when the person to be examined so requests.
- · That the Ministry of Justice and the Ministry of Interior take all necessary steps to inform and train law enforcement officers and physicians carrying out forensic examinations on the subject about the provisions contained in the by-law on Apprehension, Detention, and Statement Taking

#### **Judicial Reform Strategy**

Under the title of "Reviewing expert witness (court expert) system", the relevant paragraph states as follows:

Widespread complaints are raised in connection with problems arising from the institution of legal expertise and court experts. In particular, there is a complaint that court experts act as if they give final judgment rather than expressing their views on issues requiring special knowledge and expertise. In addition, judges resort to court experts' views very often due to excessive workload.

Field study in civil, administrative and military judiciary in civil, criminal and administrative procedure separately, taking into account geographical regions, the number of files received, specialized court and subject-matters of disputes will be conducted. In light of the outcomes attained, revising of institution of legal expertise, application of scientific and objective criteria in determination of court experts only specialized in private and technical fields and selection and inspection of court experts.

In this scope, the goal is to set ethical principles, to prepare a legal guide for court experts and give it to TJA and to effectively draw up a list of court experts by judicial commissions.

#### 3. Description of project

#### 3.1 Background and justification:

Legal expertise system is regulated separately under the civil and criminal procedural laws of Turkey. All of the transactions ranging from the appointment of a court expert to rejection are being regulated in Criminal Procedure Code between the article 62 and 73. Court experts on civil matters are regulated under Article 275-286 of the Civil Procedure Code which are similar to the provisions of the Criminal Procedure Code.

The courts are allowed to use court experts in the issues where the solution depends on technical and special knowledge. It is not legally possible for the courts to use court experts on the issues which judges can solve with their general and legal knowledge. In this context, court experts are viewed as assistant of judges used in the issues that are needed to be solved within the framework of the procedural law. Within the Turkish legal system, a court expert should have the technological background, should have the capacity to judge the law, should be impartial and honest in addition to possessing the relevant expertise in his/her field court expert.

In practice, those who would like to be a court expert apply to court and request to be selected as a court expert. Taking into consideration these applications, the lists of court experts are established by the judicial commissions of the courts throughout Turkey each year. It is possible to select a court expert who is not in the list provided that a justification is given. The court experts recorded in the lists are required to take an oath and have no right to deny the task. A duration is given to the court expert to prepare his/her report. In case there is an unclear point in the report, the court experts might be asked to give an additional report by the request of the parties or upon the will of the judge. Likewise where the judge is not convinced from the report a different report can be asked from a different court expert. Additionally, if there is a discrepancy between the first and second report, a third one should be taken from another court expert. It should be noted that judges or prosecutors are not bound by the reports prepared by the court experts.

Currently, judicial authorities need opinions of the court experts on very different and unpredictable issues. There are 3033 registered court experts in different fields only

for İstanbul (Sultanahmet) courthouse, which is one of the 25 courthouses in İstanbul. Issues on which a court expert report is sought are mentioned below to give an overall idea on extensiveness of the issue though this is not an exhaustive list:

- textile,
- infringement of trademarks,
- industrial products,
- paternity test,
- fire, explosion,
- genetic, hereditary diseases,
- environment, water pollution, waste water,
- banking sector, credits, financial matters, accounting, credit cards, internet banking,
- embezzlement, insurance,
- labour law and labour accidents,
- taxation, misuse of power,
- cyber crimes, cd, vcd, dvd, micro casette, child pornography, voice recording,
- mobile phones, prices of computers and electronic products,
- professional diseases,
- cultural heritage values,
- licence for building,
- traffic accidents.
- cadastre works, property rights.

The court expert system has been and still is one of the most controversial issues of the Turkish judiciary. It is highly believed that the system is malfunctioning for both civil, criminal and administrative judiciary in Turkey which causes serious problems like prolonging the court proceedings, affecting adversely the impartiality and confidence in the judiciary.

The court expert system suffers from problems stemming from both the quality and competence of court experts and appointment process of them. It will not be unfair to say that some of the court experts are lacking certified professional capacity. In terms of the quality and content of reports some of them are far from being satisfactory due to the reason that the court experts do not have enough special and technical knowledge and background because the lack of education in expertise issues. Since a court expert report has an effect on the outcome of the case, it should be prepared diligently without any deficiency. The principles of reasonable trial period and the right to a fair trial are emphasized under article 6 of ECHR. The malfunctioning of court expert system is a challenge for these rights affecting negatively the efficiency and effectiveness, of the judiciary. Since reports of court experts are not standardized, courts usually receive court expert reports of poor quality and therefore need complementary second sometimes even third report which is a time consuming and exhaustive process.

In terms of the problems arising from the process itself, there is no written rules on how the service to be rendered and what qualifications the court experts need to have and last but not least no code of ethics.

Due to lack of objective criteria in the process of selection, appointment and reporting of the court experts, it has also been observed that usually same court experts are appointed in all cases by courts. This practice also puts shadow on impartiality and reliability of the judiciary.

Another criticism raised is that the court experts act as if they give the final judgment rather than expressing their views on issues requiring special knowledge and specialization. Because of excessive workload, judges resort to the expertise process so often even when it comes to matters completely interpretation of law. Unfortunately these implementations are also urged by the practices of High Courts.

This project is designed to address all these problems. It will start with a comprehensive study on court expert system to assess the gaps and needs of the current system. The study will allow new solutions to be defined during this needs assessment phase. Judges, prosecutors, authorities of relevant department of the Ministry of Justice, universities, court experts working without being affiliated to an institution, hospitals, medical faculties etc. are all the stakeholders of this project. Ministry of Justice in cooperation with Justice Academy of Turkey is in a position to gather all these stakeholders and will take lead in launching an effective study to deal with the problems of the subject matter.

Following the comprehensive study, a new system will be introduced including the guidelines, standardised reports, code of ethics and secondary legislation. It will be tested through pilot implementations.

There is no provision in the existing legislation which limits or complicates the implementation of the proposed new system. Therefore the dissemination will be performed through this secondary legislation in addition to publications and trainings throughout Turkey In an effort to implement the new system to be established throughout the country, secondary legislation will be prepared and made public by the Ministry of Justice. It is expected that the project will contribute to the whole judicial system in Turkey.

## 3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact (where applicable)

The project will contribute to the shortening of the duration and the costs of court proceedings as well as the quality of the justice. In this way, public confidence in judiciary will be enhanced.

Through pilot implementations the system shall have a chance to observe and report the positive and negative aspects of the implementations and will have chance to modify the implemented system in local areas before dissemination.

Sustainability regarding training activities will be ensured by training of trainers in the Academy within the framework of this project, so that trainers will continue to train other court experts after the completion of project. These activities will be carried out annually and regional seminars will also be held in certain periods after the completion of the project.

Necessary measures will be gradually taken to ensure that the trained court experts will be selected by the courts and prosecution offices. By this way the court experts will be encouraged to attend the trainings.

The Ministry of Justice commits itself for the adoption of the following:

- determination of qualifications of a court expert,
- setting up of objective criteria in the process of selection and appointment of court experts,
- development of guidelines,
- development of quality measures,
- development of code of conduct,
- development of standardised reporting system.

To ensure the implementation of the new system throughout the country, secondary legislation will be prepared and made public.

#### 3.3 Results and measurable indicators:

## 3.3.1- Overall quality of the expertise services raised and court expert system subjected to concrete standards and ethical rules.

- Objections against reports of court experts decreased by 10% by first quarter of 2014 in pilot provinces.
- Demands of additional court experts reports by courts, due to the lack of clarification decreased 10 % by the last quarter of 2013 in pilot provinces.
- Discrepancies between the expertise reports conducted on same issues under the same circumstances decreased 20 % by the end of the project in pilot provinces.
- Individual- based complaints lodged to the judicial authorities about the impartiality and objectivity of court expert reports and procedural objections have decreased by 20% by the end of the pilot implementations in pilot provinces.

#### 3.3.2- Awareness raised in high courts, first instance courts and related parties.

- Mistakes made in first instance courts in terms of selecting the competent court expert is reduced by 20% in 2 years time starting from the end of the project.
- Application of individual court experts to the Justice Academy increased by a hundred percent.

#### 3.4 Activities

## 3.4.1 Comprehensive Study on the Court Expert System for Civil, Criminal and Administrative Judiciary

At least 3 working groups will be established to review the present system, identification of shortcomings and deficits in different jurisdictions (criminal, civil and administrative) in addition to elaboration of the existing legal structure. To this end, pilot courts will be selected among the ones where different expertise fields were being used with high rates. All expertise fields will be determined in different jurisdictions in order to design standardised reporting format for expertise areas. Expert fields will be grouped under main categories. Surveys will be conducted for the baseline data to check the indicators.

- 3.4.1.1 Working groups including sitting judges and prosecutors from pilot courthouses, court experts from various fields of expertise, representatives of Ministry of Justice, MS experts, court experts from the other stakeholders like universities, bar associations will be established to review the present system in order to identify problems in different jurisdictions (civil, criminal and administrative judiciary).
- 3.4.1.2 Study visits of 5 days (for each) will be organized for the working group participants (at least 30) to three EU member states in order to observe the best practices of court expert system.
- 3.4.1.3 Workshops will be organized in order to discuss, compare and share the results of analyses obtained from study visits and activities of working groups with the participation of relevant stakeholders. A comprehensive assessment will be prepared taking into consideration the thoughts of relevant stakeholders including universities.

#### 3.4.2 Development of Quality Measures For Court Experts

Following the results of the assessment report prepared in the first phase, quality measures will be developed by the project.

- 3.4.2.1 Qualifications will be determined for court experts from various fields
- 3.4.2.2 Objective criteria will be set up for the selection and appointment process of court experts.
- 3.4.2.3 Guide(line)s will be prepared for court experts in order to ensure standardisation and harmonization of the implementation.
- 3.4.2.4 Quality (standardisation) measures will be set for individual court experts and institutions
- 3.4.2.5 A code of conduct will be drafted for court experts
- 3.4.2.6 Standardized reporting format will be drafted for main categories of expertise which were determined after need analyses as mentioned under 3.4.1.

#### 3.4.3 Pilot Implementation

- 3.4.3.1. Five seminars will be organised for the professional organisations providing court experts to the pilot provinces on the new system.
- 3.4.3.2 Five seminars will be organised for the judges and prosecutors of the pilot courthouses on the implementation of objective criteria for the selection and appointment process of court experts and standardization of court expert reports.
- 3.4.3.3 A curriculum on code of ethics, standardized reports, guidelines and basic legal knowledge for court experts will be drafted together with the MS experts.
- 3.4.3.4 100 trainers will be trained within the framework of curriculum designed under activity 3.4.3.3 in the academy
- 3.4.3.5 Since the total number of court experts listed under the pilot courthouses is unknown at this stage at least 300 court experts will be trained by trainers in line with curriculum.
- 3.4.3.6 Following the results of the pilot implementation, secondary legislation will be drafted for dissemination of the system to whole country.

## 3.4.4 Awareness raising activities / Dissemination of the results of the project and publication of the rules and standards

- 3.4.4.1 An international seminar will be held at the Justice Academy with the participation of the judges and prosecutors from high courts and first instance courts where pilot implementations were held, universities having forensic branches, court experts from professional chambers and relevant stakeholders.
- 3.4.4.2. The outcomes of the seminar will be published. The book will be distributed to all courthouses and relevant stakeholders and will be made accessible to all court experts through the website of Ministry of Justice.
- 3.4.4.3. The Code of conduct will be disseminated through publications, distributed to all professional chambers and relevant stakeholders and made available on-line on the websites of the courthouses throughout Turkey.
- 3.4.4.4 Reporting formats, guidelines and determined objective criteria for selection standards of court experts will also be publicized through publications, distributed to all professional chambers and relevant stakeholders and made available on-line on the websites of the courthouses throughout Turkey.
- 3.4.4.5 For the dissemination of the new system; in line with the curriculum designed, training activities will start for the rest of the court experts by the Justice Academy.

#### 3.5 Conditionality and sequencing:

NA

#### 3.6 Linked activities NA

#### 3.7 Lessons learned

One of the lessons learned in this area is that projects addressing the political criteria should not be defined with overly ambitious objectives. Thus, this project has been designed so as to focus on standardization of court expert reports as well training of court experts in this area and ethical rules.

In addition, these training activities should be undertaken in a more professional and institutionalized manner in which the Academy should involve. For that purpose, the Academy should be able to deliver training for judges and prosecutors through well-structured trainers/experts pool. Thus it is of great importance to train trainer/experts on particular issues in order to enable the Academy to have the above mentioned training pool. Sustainability plans to be attained in this way.

Full contribution of beneficiary country personnel in the project must be provided, and the workshops and other activities must be held out of the facilities where they are in charge. This would prevent the lack of concentration stemming from the unexpected interruptions of their daily occupations.

Since the project will be run through a twinning covenant, the project team shall have a very good cooperative approach. Particularly, the resident twinning advisor and his counterpart should work in close collaboration and mutual understanding.

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

|                              |     |         |                        | SOURCES O                 | F FU                | NDING                                 |                              |                                  |                    |            |   |   |   |
|------------------------------|-----|---------|------------------------|---------------------------|---------------------|---------------------------------------|------------------------------|----------------------------------|--------------------|------------|---|---|---|
|                              |     |         | TOTAL<br>EXP.RE        | TOTAL<br>PUBLIC<br>EXP.RE | IPA<br>CONTRIBUTION |                                       | NATIONAL PUBLIC CONTRIBUTION |                                  |                    |            | PRIVATE CONTRIBUTION (Council of Europe) 5% |   |   |
| ACTIVITIES IB IN V (1 ) (1 ) |     | ٧       | EUR<br>(a)=(b)+(<br>e) | EUR<br>(b)=(c)+(d<br>)    | EUR<br>(c)          | % Total % Central (2) EUR (2) (x) (x) |                              | Regional<br>/Local<br>EUR<br>(y) | IFIs<br>EUR<br>(z) | EUR<br>(e) | %<br>(3)                                    |   |   |
| Activity 1                   |     |         |                        |                           |                     |                                       | , , ,                        |                                  |                    |            |   |   |   |
| Twinning contract            | Х   |         | 1500000                | 1500000                   | 1425000             | 95                                    | 75000                        | 5                                | 75000              | 0          | 0   | 0 | 0 |
| TOTAL IB                     |     | 1500000 | 1500000                | 1425000                   |                     | 75000                                 |                              | 75000                            | 0                  | 0          | 0   | 0 |   |
| TOTAL INV                    |     |         |                        |                           |                     |                                       |                              |                                  |                    |            |   |   |   |
| TOTAL PRO                    | JEC | T       | 1500000                | 1500000                   | 1425000             |                                       | 75000                        |                                  | 75000              |            |   |   |   |

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))

(3) Expressed in % of the Total Expenditure (column (a))

For Twinning contracts joint cofinancing will be provided to cover 5% of the costs of the Twinning contract. Additional parallel cofinancing will be provided in order to cover costs of activities not eligible for IPA support in line with the Twinning Manual.

#### **5.** Indicative Implementation Schedule (periods broken down per quarter)

| Contracts         | Start     | of | Signature | of | Project Completion |
|-------------------|-----------|----|-----------|----|--------------------|
|                   | Tendering |    | contract  |    |                    |
| Twinning          | IQ 2011   |    | IVQ 2011  |    | IVQ 2013           |
| Contract (2 Year) |           |    |           |    |                    |

All projects should in principle be ready for tendering in the 1<sup>ST</sup> Quarter following the signature of the FA

#### 6. Cross cutting issues (where applicable)

#### 6.1 Equal Opportunity

Participation in his project will be open to both males and females involved in the sector. Records of professionals' participation in all project related activities will reflect this and will be kept with the project documentation. All the staff of the pilot execution offices will involve the activities of the project equally.

#### 6.2 Environment

NA

#### 6.3 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. This project has no negative impact on minority and vulnerable groups.

#### 6.4 Civil Society

Turkey Bars Association has been informed about the preparation of the project. Although the project preparation team could not find the opportunity to work on the project fiche together with the representative of the Association, having received information about the content of the project, the representative gave a very positive reaction to the purpose and the activities. It is worth mentioning that the Association would very much like to contribute to the project especially in the implementation phase.

#### **ANNEXES**

- 1-
- Log frame in Standard Format Amounts contracted and Disbursed per Quarter over the full duration of Programme 2-

**ANNEX 1: Logical framework matrix in standard format** 

| LOGFRAME PLANNING N  | MATRIX FOR Project Fiche   | Programme name and number PIS 45  |  |  |  |
|--|--|---|--|--|--|
| Improving the Functioning of   | f Court Expert System in Turkey  | Contracting period expired 2 years after the signature of financing agreement | Disbursement period expires 1 year after the end date for the execution of the contracts |  |  |
|  |  | Total budget : 1.500.000 €  | IPA budget: 1.425.000 €  |  |  |
|  |  |   |  |  |  |
| Overall objective  | Objectively verifiable indicators  | Sources of Verification   |  |  |  |
| Strengthening the impartiality, reliability and efficiency of the judiciary.                             | Positive assessment on the efficiency of the judiciary in the Regular Report issued in the last quarter of 2013.  Substantial decrease in criticism in FIL documents by 2014 |   |  |  |  |
| Project purpose  | Objectively verifiable indicators  | Sources of Verification   | Assumptions  |  |  |
| Completed reform and standardisation of the court expert system so that their contribution maximizes the | J J J  | reports.  |  |  |  |
| efficiency, effectiveness, and impartiality of the   | Decrease by %10 in average duration of trials in the pilot   | Statistical data gathered by the Ministry of Justice.                         |  |  |  |
| judiciary.   | courthouses.   | Project Reports   |  |  |  |
|  | At least 300 court experts trained by the end of project   |   |  |  |  |
|  | Seminars held to increase awareness  |   |  |  |  |

| Results | <b>Objectively</b> veri | fiable Sources of Verification | Assumptions |
|---------|-------------------------|--------------------------------|-------------|
|         | indicators              |                                |             |

| 1-Overall quality of the     |
|------------------------------|
| expertise services raised    |
| and court expert             |
| system subjected to concrete |
| standards and ethical rules. |

- Objections against reports of court experts decreased by 10% by first quarter of 2014 in pilot provinces.
- Demands of additional court experts reports by courts, due to the lack of clarification decreased 10 % by the last quarter of 2013 in pilot provinces.
- Discrepancies between the expertise reports conducted on same issues under the same circumstances decreased 20 % by the end of the project in pilot provinces.
- Individual-based complaints lodged to the judicial authorities about the impartiality and objectivity of court expert reports and procedural objections have decreased by 20% by the end of the pilot implementations in pilot provinces.

# 2- Awareness raised in high courts, first instance courts and related parties

- Mistakes made in first instance courts in terms of selecting the competent court expert is reduced by 20% in 2 years time starting from the end of the project.
- Application of individual court experts to the Justice Academy increased by a hundred percent.

- -Project reports
- -Monitoring and Progress reports
- -Quarterly Reports to Steering Committee
- -Peer Based Mission Reports (Advisory Reports)
- -Surveys conducted among the relevant stakeholders and public.

-Full commitment of the involved authorities (Turkish Justice Academy)

| Twinning | 4 =00 000 0 |  |
|----------|-------------|--|
| 1g       | 1.500.000 € |  |
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| administrative judiciary).   |  |  |
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| 3.4.1.2. Study visits of 5 days (for each) will be organised for the working group participants (at least 30) to three EU member states in order to observe the best practices of court expert system.   |  |  |
| 3.4.1.3. Workshops will be organized in order to discuss, compare and share the results of analyses obtained from study visits and activities of working groups with the participation of relevant stakeholders. A comprehensive assessment will be prepared taking into consideration |  |  |
| the thoughts of relevant stakeholders including universities.  3.4.2 Development of Quality Measures For Court Experts   |  |  |
| Following the results of the assessment report prepared in the first phase, quality measures will be developed by the project.   |  |  |
| 3.4.2.1 Qualifications will be determined for court experts from various fields  |  |  |
| 3.4.2.2 Objective criteria will be set up for the selection and appointment process of court experts.  |  |  |
| 3.4.2.3 Guide(line)s will be prepared for court experts in order to ensure standardisation and harmonization of the implementation.  |  |  |

|  | <br> |  |
|--|------|--|
| 3.4.2.4 Quality (standardisation) measures will be set for individual court experts and institutions   |      |  |
| 3.4.2.5 A code of conduct will be drafted for court experts  |      |  |
| 3.4.2.6 Standardized reporting format will be drafted for main categories of expertise which were determined after need analyses as mentioned under 3.4.1.   |      |  |
| 3.4.3 Pilot Implementation   |      |  |
| 3.4.3.1. Five seminars will be organised for the professional organisations providing court experts to the pilot provinces on the new system.  |      |  |
| 3.4.3.2. Five seminars will be organised for the judges and prosecutors of the pilot courthouses on the implementation of objective criteria for the selection and appointment process of court experts and standardisation of court expert reports. |      |  |
| 3.4.3.3. A curriculum on code of ethics, standardized reports, guidelines and basic legal knowledge for court experts will be drafted together with the MS experts.  |      |  |
| 3.4.3.4 100 trainers will be trained within the framework of curriculum designed under activity 3.4.3.3 in the academy   |      |  |
| 3.4.3.5 Since the total number of court  |      |  |

experts listed under the pilot courthouses is unknown at this stage at least 300 court experts will be trained by trainers in line with curriculum. 3.4.3.6 Following the results of the pilot implementation, secondary legislation will be drafted for dissemination of the system to whole country. 3.4.4 Awareness raising activities Dissemination of the results of the project and publication of the rules and standards 3.4.4.1 An international seminar will be held at the Justice Academy with the participation of the judges and prosecutors from high courts and first instance courts where pilot implementations were held. universities having forensic branches. court experts from professional chambers and relevant stakeholders. 3.4.4.2. The outcomes of the seminar will be published. The book will be distributed to all courthouses and relevant stakeholders and will be made accessible to all court experts through the website of Ministry of Justice. 3.4.4.3. The Code of conduct will be disseminated through publications. distributed to all professional chambers and relevant stakeholders and made available on-line on the websites of the courthouses throughout Turkey.

| 3.4.4.4 Reporting formats, guidelines and determined objective criteria for selection standards of court experts will also be publicized through publications distributed to all professional chambers and relevant stakeholders and made available on-line on the websites of the courthouses throughout Turkey. |  |  |
|---|--|--|
| 3.4.4.5 For the dissemination of the new system; in line with the curriculum designed, training activities will start for the rest of the court experts by the Justice Academy.   |  |  |

ANNEX II: amounts (in €) Contracted and disbursed by quarter for the project (IPA contribution only)

| Contracted               | 4Q/2011      | 1Q/201<br>2  | 2Q/201<br>2 | 3Q/201<br>2 | 4Q/2012 | 1Q/201<br>3 | 2Q/201<br>3 | 3Q/2013 | 4Q/201<br>3 | 1Q/2<br>014 | 2Q/2014 | 3Q/20<br>14    |
|--------------------------|--------------|--------------|-------------|-------------|---------|-------------|-------------|---------|-------------|-------------|---------|----------------|
| Twinning<br>Contract 1.1 | 142.500<br>€ |              |             |             |         |             |             |         |             |             |         |                |
| Cumulated                | 142.500<br>€ |              |             |             |         |             |             |         |             |             |         |                |
| Disbursed                |              | 570.00<br>0€ |             |             | 262500  |             |             | 225000  |             |             | 225000  | 142.50<br>0€   |
| Cumulated                |              | 570.00<br>0€ |             |             | 832500  |             |             | 1057500 |             |             | 1282500 | 1.425.<br>000€ |