

United Nations Development Programme
Country: Turkey
Project Document

Project Title: Project for Strengthening Transparency and Code of Ethics for Enhanced Public Confidence in Court of Cassation (CoC)

Expected UNDCS Outcome(s)¹:

Outcome 2.1 By 2020, central and local administrations and other actors more effectively protect and promote human rights, and adopt transparent, accountable, pluralistic and gender sensitive governance systems, with the full participation of civil society, including the most vulnerable.

Expected CP Output(s)²:

Output 2.1.1. Transparent and efficient judicial system providing better access to justice and redress for all, especially groups facing vulnerabilities

Expected Output(s) of the Project:

1. Enhancement of institutional capacity for the adoption of code of ethics by the Court of Cassation
2. Development of required policies and implementation measures for strengthened transparency in judicial processes
3. Raising public awareness and trust in the functioning of Court of Cassation

Brief Description

The Project at hand targets developing and implementing strategies in the Court of Cassation for “disseminating code of ethics”, “strengthening transparency” and “increasing trust in the judiciary” in line with universal values, good practices and lessons learned in other countries. The Project will thereby address the awareness and capacity development needs of the CoC and the Turkish judiciary for enhanced transparency, public trust and ethics.

Implementing Partner: Court of Cassation of Turkey

¹ UN Development Cooperation Strategy (2016-2020)

² UNDP Country Program Document (2016-2020)

Programme Period: 2011-2015

Start date: 1 March 2016
End Date: 31 December 2017

Management Arrangement: NIM

Total resources required USD 1,000,000
Total CoC Contribution USD 1,000,000

GMS Total USD 28,740.6
GMS (CoC %3) USD 28,740.6

Kerem DİVANLIOĞLU

Elçi

Çok Taraflı Ekonomik İşler
Genel Müdür Yardımcısı

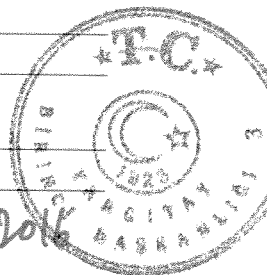
Agreed by Ministry of Foreign Affairs (MFA).

Agreed by Court of Cassation (CoC)

Agreed by UNDP Turkey:



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5 February 2016



I. SITUATION ANALYSIS

I.A. Background and Justification

It is globally recognized that there are strong links between establishing democratic governance, securing human rights and access to justice for all. This recognition has led to the acceleration of justice reforms worldwide as one of the essential prerequisites of sustainable human development. In line with this perspective, for a global organization founded on the principles of peace, freedom, human rights and rule of law, access to justice for all is a vital part of the UNDP's mandate to strengthen democratic governance and reduce poverty. Within the broader context of justice sector reform, UNDP's specific niche lies in supporting justice and related systems so that they work for all, particularly for the disadvantaged.

In the context of Turkey, judicial reform is one of the highest priority issues and as a candidate country for the EU accession, in recent years the Government of Turkey (GoT) has undertaken comprehensive constitutional and legal amendments. Turkey's strong commitment to judicial reforms is expressed in various national policy framework documents and these efforts mostly take the form of comprehensive legal and constitutional arrangements. However, there has been some challenges for its full-fledged formulation and implementation mainly due to the lack of consensus oriented policy making, limited institutional capacities and public awareness.

UNDP Turkey, in view of its global experience and technical expertise, has been associated with the judicial reform process in Turkey through a series of projects on access to justice and strengthening the rule of law. The strong partnership between the UNDP and the Court of Cassation in Turkey started in late 2009 with the aim of improving the institutional and administrative capacity of the high courts in Turkey to conform to the international standards. Since then, two comprehensive Programs have been implemented, the Project at hand is grounded on the results achieved and a framework was developed for the long term partnership of the UNDP and Court of Cassation of Turkey. The results of the UNDP and Court of Cassation joint Project for ***"Support to the Institutional Administration of the Presidency of the Court of Cassation in line with the International Standards"*** have identified a list of priority areas for programming, as given below:

1. Contributing to the judicial reform processes around the globe and also in Turkey through the continuation of knowledge and experience sharing platforms on the functioning of high courts
2. Increasing the public confidence in the judicial proceedings through transparency and ethics
3. Taking necessary measures for the adoption and effective implementation of code of ethics among the court members, the rapporteur judges, public prosecutors and personnel.

The Project at hand therefore builds on these three identified areas of need and aims to enhance the level of public confidence on the judicial activities through strengthening the measures for transparency and adoption of code of ethics. The Project also will benefit continuously from the extended expertise and experience of the UNDP Bureau for Policy and Programme Support, Council of Europe, European Commission and UN Special Rapporteur on Independence of Judges and Lawyers in the field of judicial reform during the implementation period.

I.A.1. The relevance of the Project with the National Development Plans and Policy Documents on Judicial Reform in Turkey

There are different elements involved in judicial reform surfaced and debated in Turkey since 2009: Judicial independence and impartiality, positioning of the high judiciary; transparency and ethics; relationships of the judiciary with the other state organs and institutions. Therefore, the reform process has two aspects. One of them is to review the issues of “independence”, “impartiality” and “legitimacy” in terms of the whole system and the position of the judiciary, and secondly to ensure that international norms are applied to these concepts. **The Project at hand, addresses the current needs for enhancing transparency, ethics and thereby public trust in the high judiciary in line with the international norms and standards.**

The Judicial Reform Strategy and Action Plan, which were developed in 2009 set the overall framework for the Government policies for reforms in the judicial field. Accordingly, the following targets were determined and put into practice:

- Strengthening judicial independence
- Developing judicial impartiality
- **Increasing efficiency and effectiveness in judiciary**
- **Increasing Professionalism in the judiciary**
- Improving judicial management system
- **Increasing trust in the judiciary**
- **Facilitating Access to justice**
- Ensuring effective implementation of measures to prevent disputes and improving alternative dispute resolution mechanisms
- Improving penal system
- Maintaining legislation works for the EU harmonisation

The referred Strategy was **updated in April 2015** in line with the evolving needs of the judiciary and the lessons learned. Effectiveness and efficiency of criminal and civil justice system have direct relevance with the quality of trial. The most important benchmarks of determination of quality in justice systems are the Council of Europe’s Guiding Principles. Based on these principles, judicial quality is described as right decisions, low appeal ratios, timely ruling (trial in a reasonable period of time), technical legal error at low level, and implementation of the principles of fair trial. **Therefore, the problems addressed by the Project at hand, its objectives and the results to be attained are compatible with the “responsibility of judiciary power” and “transparency” adopted in the Judicial Reform Strategy³.** Quality of judicial rulings and proper use of budget resources are also significant in terms of “*ensuring public’s trust in the judiciary*”.

In addition, “*designation of the ethical principles required to be obeyed by all judicial members*” was elaborated in detail under the title of “**TARGET 2.2**” of the Judicial Reform Strategy by making a reference to the *Bangalore Principles Judicial Conduct*” and “*Budapest Principles*” concerning judges. In that sense, the Project at hand is in full compliance with the Judicial Reform Strategy in respect of its aim for disseminating ethical principles.

³See Judicial Reform Strategy, April 2015,p.9,10.

Furthermore below are other related targets foreseen in the Judicial Reform Strategy and they are relevant with the objectives of the Project.

- Conducting judiciary services trust and satisfaction surveys at regular intervals⁴,
- Institutionalising judiciary-media relations⁵,
- Disclosure of high courts' rulings in order to strengthen transparency⁶

Complementing the targets of the updated Judicial Reform Strategy, **10th Development Plan (2014-2018)**, which was adopted at the 127th Session dated 01.07.2013 of the General Board of the Turkish Grand National Assembly reiterated the need for continuum of the reforms in the judiciary. In 187th paragraph of the Development Plan, it was stated that there was still need for preparing "*ethical principles of judicial members in the light of universal criteria*" and acceleration of trial processes. Moreover, in 188th paragraph of the same Plan, functioning of trial process in a rapid, fair, effective, safe and accurate manner in line with requirements of universal law norms, state of law and supremacy of law is the main objective of judicial system. It is also essential to pursue economic effectiveness in the structure and functioning of justice and judiciary. What's more, 188th paragraph of the same Plan reads as follows: "*A well-functioning and effective justice system is extremely important in increasing predictability in economics and rendering investment environment more appropriate.*" Also a purpose behind judicial politics was designated. It is apparent that "*disseminating code of ethics*", "*strengthening transparency*" and "*increasing trust in the judiciary*" in the Court of Cassation are compatible with the targets foreseen in the referred Plan.

I.A.2. Detailed Analysis of the Issues to be addressed by the Project

Judicial Ethics

In Article 1(3) of the Law no.5176 on The Establishment Council Of Ethics For Public Service And Making Amendments On Some Laws (Ethics Law) which specifies the establishment, duty and working procedures and principles of the "Council of Ethics for Public Service" to determine ethical codes of conduct for public officials, which are transparency, impartiality, integrity, responsibility, pursuing the public interest, it is stipulated that the provisions of this law shall not be applied to the "*judicial members*". Therefore, personnel of the Court of Cassation apart from members, judges and public prosecutors, fall into the scope of the said Law. To put it more clearly, Ethics Law does not cover members, judges and prosecutors of the Court of Cassation and there is not any positive regulation regarding ethical codes of conduct required to be observed by judicial members in our country.

Nevertheless, existence of ethical codes of conduct required to be observed by judicial members and mechanisms which will inspect conformity to these principles has started to gain acceptance as a universal requirement in the world. Bangalore principles concerning ethical principles required to be obeyed by judges and Budapest principles concerning prosecutors are concrete indicators of this universal requirement.

In other respects, Council of Ethics for Public Officials (the Council) was established within the Prime Ministry by Article 2 of the Ethics Law. In Article 29 of the Regulation on Ethical Codes of Conduct for Public Officials and Procedures and Principles for

⁴ See Judicial Reform Strategy, April 2015,p.10.

⁵ See Judicial Reform Strategy, April 2015,p.18.

⁶ See Judicial Reform Strategy, April 2015,p.20.

Application issued under Article 7 of the same Law and published in the Official Journal dated 13.4.2005 and numbered 25785, it was foreseen to establish an Ethics Council consisting of 3 members from the institution by a senior manager of the institution or organisation with a view to embedding and developing ethical culture, making recommendations and providing guidance on the problems encountered by personnel with respect to ethical codes of conduct of the personnel. In Article 2 of the same Article of the Regulation, it was stated that senior manager of the institution and organisation shall determine for what period members of the council of ethics will serve and other issues. To put it more clearly, Ethics Law and the provisions of the Regulation issues under this Law will be applied to the personnel (others apart from member of Court of Cassation, judge and prosecutor). However, a "Personnel Ethics Council" which is appropriate for the aforementioned positive regulations up to today has not been established.

As explained above, ethical codes required to be obeyed by members of the Court of Cassation and judges and prosecutors serving in the Court of Cassation and establishment of follow-up and supervision mechanism concerning these principles are mandatory. Furthermore, it is an obligation to conduct the same study for the personnel of the Court of Cassation (albeit in a different way) and evaluate the issue in a holistic perspective.

In the scope of the joint initiative of the UNDP and Court of Cassation, the code of ethics for the members of the Court of Cassation and judges and prosecutors as well as the personnel were drafted but have not been adopted by the Court yet. Relying on the results of this first study, the Project will develop measures for the adoption of the referred codes of ethics and establishment of possible oversights mechanisms.

Transparency

Like any other institution using public funding, the Court of Cassation has also a responsibility relating to qualitative and efficient performance of services provided by itself and at the same time a liability to disclose publicly accurately and by suitable means to what extent this responsibility has been fulfilled. Apart from this general responsibility, it is necessary to answer proper questions posed by addressees of judicial service performed more privately about functioning of work processes and time management. There is no doubt that it will also be beneficial to evaluate other reasonable requests and provide explanations to jobholders.

Strengthening transparency of the Court of Cassation necessitates, particularly, the predictability respecting in what period the legal remedy review in terms of those served will be concluded. Besides that, provision of access to all decisions and existence of an effective unit are also the factors enhancing transparency.

The International Summit of High Courts with a theme of "***Transparency in the Judiciary***" took place in November 2013 in partnership with the UNDP Turkey and Court of Cassation with the aim of highlighting the importance of transparency in the judiciary and determining the needs in this field in the framework of international practices and the best experiences. "***Istanbul Principles on Transparency in the Judiciary***", which was developed during the summit and approved by the Presidents of 20 High Courts in Asian-Pacific region and international community representatives. "***Istanbul Principles***" is the first comprehensive set of principles issued in the field of transparency in the judiciary and it was also promoted by the UN Special Rapporteur on the Independence of Judges and Prosecutors in her reports. In brief, "***Istanbul Principles***

on Transparency in the Judiciary” included the following elements concerning transparency in the judiciary:

- Judicial proceedings must, as a general rule, be conducted in public.
- The judicial system should ensure easy access to court premises and to information.
- The judiciary should facilitate access to the judicial system.
- The judiciary should provide translation and interpretation facilities to court users free of charge.
- The judiciary should ensure transparency in the assignment of cases.
- The judiciary should ensure transparency in the delivery of justice.
- The judiciary should have supervisory powers over executive detention.
- The judiciary should ensure that judicial decisions of the superior/appellate courts are regularly published.
- The judiciary must encourage programmes for informing students about judicial process.
- The judiciary should initiate and /or support appropriate outreach programmes designed to educate the public on the role of the justice system.
- The judiciary should afford access and appropriate assistance to the media to enable it to perform its legitimate function of informing the public about judicial proceedings, including decisions.
- The judiciary should assess public satisfaction with the delivery of justice, and thereby seek to promote the quality of justice.
- There should be transparency in the appointment process of judges.
- The judiciary should respond to complaints of unethical conduct of judges in a transparent manner.
- There should be transparency in the disciplinary process of judges.

While there are ongoing efforts for the approval of the said principles by other high courts and their acceptance at international level, various steps have been taken to increase transparency within the Court of Cassation in line with “*Istanbul Principles*”. In this framework, **Court of Cassation Press Office** was established on March 2015 in order to inform written and visual media in a more rapid and accurate manner. In this office, press members may obtain news related to judiciary and at the same time prepare and transmit relevant news to their headquarters.

Technological developments accelerated the transition period to information society and rendered individuals more sensitive to incidents and events. While the press office is an important step in enhancing trust in the judiciary and high courts in Turkey, its effective functioning is equally important. The establishment of a **Public Relations Office** is also considered as an important factor in developing the communication capacity of the Court of Cassation with the public at large. In the event that such an office is established and operated effectively, it may be possible to eliminate or prevent current or potential prejudices about the functioning of the judiciary.

Within this framework, building on the results of the previous cooperation between the UNDP and Court of Cassation, the Project at hand will continue the efforts to adopt the *Istanbul Principles of Transparency in Judiciary* by Turkey and abroad. In that respect, an inclusive and sustainable approach to develop a strategy on transparency

Increasing Trust in the Court of Cassation

Effective solution of problems addressed under the above-mentioned titles of “*ethics*” and “*transparency*” must be evaluated as important steps regarding increasing trust in the Court of Cassation. Specifically, during this period when comprehensive reform studies have started to be conducted on the structure and functioning of the Court of Cassation, it is beyond doubt that respect for transparency and the society’s right of information and enhancement of ethical values will be reciprocated positively in the conscience of society.

Trust in the decision of courts is important along with the quality of decisions rendered by courts, also including high courts. It is clear that the quality of decisions rendered in an environment where trust in justice cannot be ensured will not be sufficient to ensure social peace and security. For these reasons, there must be no room for doubt that the Court of Cassation founded upon the values of “*ethics*” and “*transparency*” will also increase respect and trust for itself in society along with other support factors.

I.A.3. Link of the Project to the United Nations and Council of Europe Framework Documents

Article 14 of the *International Covenant on Civil and Political Rights*, which guarantees public trial and disclosure of rulings, stresses the importance of transparency in justice systems. Transparency principles also require explicit fulfilment of judicial processes. According to this Article, everyone shall be entitled to a fair trial and public hearing by a competent, independent and impartial tribunal established by law. It is required that the hearings are opened to public and media and also ensure public and media’s access to the documents from court’s web site, or clerk’s office (record office), including reasoned decisions. Although public trial clause is not necessarily valid for all stages of an appeal case partially conducted on the basis of written presentations, the procedure of Court of Cassation where appeal cases are generally examined at closed sessions should be revised in the light of international standards.

The United Nations Human Rights Committee, General Comment no. 32 stresses that trial must in principle conducted orally and publicly and provides guidance on the scope of rights and obligations in the Convention. With the exception of moral justifications, public order, national security or other special conditions where public Access is not in the interest of justice, public trial must be guaranteed so as to ensure transparency of trial and assurances for individuals.

The Committee also stressed that access to courts and equality before court is not only obligatory for the nationals of states party to *the Convention* but also for all people regardless of their nationality, status or not having a state. Besides, it is forbidden to make discrimination without a legal basis and objective or plausible reasons. Each discrimination based on race, colour, sex, language, religion, political or other opinions, national or social origin, assets, birth or other status constitutes violation of the Convention.

Transparency of financial resources allocated to the judiciary must also be clear. According to *the United Nations Basic Principles on the Independence of Judiciary*, it is the duty of each member state to allocate sufficient resources to ensure the judiciary to perform its duties properly. Thus, it is compulsory that the judiciary have appropriate equipment and sufficient financial resource so as to secure the justice and institute supremacy of law. At each level, court must have sufficient budget and the authority to manage its own resources to be able to perform its duties autonomously and independently from any external intervention. States must allocate a clearly-determined

part of their budgets to the judiciary. In return, the judiciary must also manage its own financial resources in a transparent manner.

Transparency, at the same time, is also the indispensable basis of appointment and disciplinary proceedings concerning judges so as to prevent unjust interventions and accordingly strengthen judicial independence. According to *the United Nations Basic Principles on the Independence of Judiciary*, judges must be elected on the basis of integrity and competence and each election method in the judiciary must provide assurance against judicial appointments with inappropriate purposes. Additionally, the *Human Rights Committee* stressed that “*Independent and impartial judicial system entails the adoption of laws determining open procedures and objective criteria for personal rights, professional seniority, promotion, suspension from office and dismissal, and requires disciplinary sanctions.*”

Transparency in the judiciary has an institutional and individual dimension. According to *Bangalore Principles Judicial Conduct Bangalore*, a judge under constant supervision of public must behave in compliance with dignity and pride of judicial duty. Public trust in the judicial system and judge’s moral authority and integrity are the most important factors in a modern democratic society. In this sense, judicial members must be open to supervision and subject themselves to control and adjustment mechanisms in line with transparency, integrity and responsibility. Members of high court must have the highest ethics and integrity standards and ensure inter-institutional transparency, Application of judicial ethical principles is highly important. Ethics training must be provided so as to raise awareness of all public officials about ethical conduct and professional standards and the results in case of disobedience.

In line with the UN framework documents on transparency, *Council of Europe Committee of Ministers, Recommendation no. 2010(12)* also points out the relation between transparency in the judiciary and public trust in the judiciary and stresses that judges who are a part of the society where they provide service cannot effectively administer justice without public’s trust. At this point, judges must be informed about the expectations of society from judicial system and their complaints about its functioning. Permanent mechanisms established by judicial councils or other independent authorities to receive feedback will contribute to this.

In the Conference on European Supreme Court’s Presidents which convened in Slovenia under the auspices of Council of Europe on October 1999, a communiqué entitled “*Supreme Courts: Introduction, Visibility and Transparency*” was drawn up. This communiqué accepts the “*requirement of meeting the prospects of contemporary society regarding justice*” and the importance for courts to show “*clarity and sensitivity*”. Also in the communiqué, it was stated that judges must be open to public access “*based on clear and articulable reasons*” and appointments must be transparent. Furthermore, it was noted that Supreme Courts must engage in democratic debates in society so as to ensure that justice issues in state of law must be known better and it was underlined that the relation between judiciary and the press is an important factor in the educational role of Supreme Courts.

I.A.4. The UNDP Involvement

The Project at hand is built on the results of the joint initiatives of the UNDP Turkey and the Court of Cassation since 2010. Mainly the following results have been achieved in the scope of the Initiation Plan and Project for Support to the Institutional Administration of the Presidency of the Court of Cassation in line with the International Standards:

The *Report on the Comparative Analysis on the Functioning of High Courts* which addressed fundamental issues concerning the functioning of high courts including but not limited to quality, education, diversity, judicial powers, transparency and structural safeguards was developed and provided policy options for a possible restructuring of high courts in Turkey. 25 country experiences in referred fields are reviewed in comparison with Turkey through the Survey study and the Strategic Plan of the Court of Cassation as well as the results of structured interviews with the relevant justice actors and stakeholders were taken into consideration in forming the policy options. Two options have been considered in the referred report. One is to leave unchanged the current system in which the Turkish judiciary is divided into four branches, namely, the constitutional judiciary, the general judiciary, the administrative judiciary and the military judiciary. The other is to change the structure of the judiciary to facilitate integration between the different branches.

Complementing the initial findings of the Comparative Analysis on the Functioning of High Courts, *the International Summit of the High Courts*, which was co-organized by the Court of Cassation and UNDP Turkey was conducted on 1-3 November 2010 in order to share knowledge and experiences among the high courts around the world. The Summit hosted the participation of chief justices of 19 countries as well as high level representatives of the international community such as the Special Rapporteur of the UN Secretary General on the Independence of Judges and Lawyers, the European Commission for Efficiency of the Justice (CEPEJ), the Consultative Council of European Prosecutors (CCEJ) and the Consultative Council of European Judges (CCEJ). As a result of the Summit, guiding principles for reforms, restructuring and improvement of functioning of the judicial system was drafted to contribute to the judicial reform process of Turkey.

Code of judicial conduct for judges, prosecutors and court personnel based on the Bangalore Principles of Judicial Conduct, its Commentary and its Implementation Measures was developed by a group of experts and in close consultation with the ad-hoc ethics committee established by the Court of Cassation. The efforts for its adoption and capacity development of the staff in this regards will be taken by the Project at hand.

The capacity needs and gaps of the *current work processes* in the Court of Cassation and in selected courts of first instance were assessed in order to obtain accurate and scientific data and in light thereof, submit recommendations for expediting the processes for timely dispensation of justice. The results of the assessment were compiled in a Report and the Court of Cassation referred to its recommendations in developing its standard operational procedures.

Second International Summit of High Courts was organized with the theme of judicial transparency in 2013. 13 countries in Asia Pacific Region as well as international community representatives participated to the Summit and as a result “Istanbul Principles on Transparency on Judicial Processes” was approved by 20 Chief Justices who participated to the Summit. The set of principles are first of its kind that was developed on transparency and thereby referred by Special Representative of UN Secretary General on Independence of Judges and Lawyers. The Project at hand will address its adoption at the national as well as international level by different high courts.

II. STRATEGY AND OBJECTIVES

Well-functioning judicial system is one of the fundamental conditions for the rule of law. Even the notions such as democracy and human rights can realize its main function only through a well-functioning judicial system. In the face of the requirement of addressing solution offers regarding increasing efficiency and effectiveness of judiciary with a holistic view, it is a must to address the needs and take action for “*developing transparency*”, “*disseminating ethical principles*” and “*increasing trust in the judiciary*” in addition to other structural reforms. Otherwise, there is a risk for the other studies conducted in the scope of judicial reforms not to attain the desired results. Thus, this Project is an integral part and original content of the values to be enhanced within the Court of Cassation, reflections of these values in society and other studies conducted in the scope of judicial reform process.

Specific objectives of the Project at hand are as follows:

1. Developing and implementing strategies in the Court of Cassation for “*disseminating code of ethics*”, “*strengthening transparency*” and “*increasing trust in the judiciary*” in line with universal values, good practices and lessons learned in other countries,
2. Increasing trust on materialisation and implementation of code of ethics for members, rapporteur judges, prosecutors and the personnel of the Court of Cassation, providing training and establishing the infrastructure of secondary legislation,
3. Conducting studies to support “*increasing trust in the Court of Cassation*” in a way to complement the two objectives explained above.

In the Court of Cassation, in line with the international principles, good practice examples in other countries and their experiences, capacity needs at institutional and individual level will be defined in order to ensure of “*strengthening transparency*”, “*disseminating ethical principles*” and “*increasing trust in the Court of Cassation*”. Moreover, the Project will carry out activities which will strengthen communication and coordination with other judicial institutions and public in a way to support the initiatives of the Court of Cassation in the field of transparency.

The expected outputs and activities of the Project are detailed below.

Output I: Enhanced institutional capacity for the adoption of code of ethics by the Court of Cassation

Addressing and evaluating ethical principles of rapporteur judges and prosecutors of the Court of Cassation working in the Court of Cassation - different from those of judges and prosecutors working in the local courts - must be considered as an obligation arising from the nature and conditions of the duties they perform. In that respect, the Court of Cassation developed code of conduct for its member judges, prosecutors and personnel in 2013 in cooperation with the UNDP Turkey. The referred codes, which were initially drafted by a group of international experts were fine-tuned by an ad-hoc ethics committee in the Court that were composed of judges and prosecutors. The Project at hand will built on this result and aim to take further actions for its adoption and wider dissemination within the CoC and the public at large to contribute to the enhanced public trust.

These actions include the establishment of an *Personnel Ethics Commission* to embed ethics culture into the CoC, provide recommendations and guidance about problems

encountered on ethical codes of conduct of the personnel and evaluate ethical practices in line with Article 2 of Ethics Law and Article 29 of the Regulation on Ethical Codes of Conduct of Public Officials and Application Procedures and Principles issued. Besides, an ***Ethics Advisory Supreme Board*** will be established for members of the CoC and rapporteur judges and prosecutors. Ethical rules will be determined and disseminated for the professionals mentioned in guidance, follow-up and supervision of this board.

Within this framework, the following activities will be carried within the scope of the Project at hand:

1. Organize workshops to discuss the draft code of conduct developed for judges, prosecutors and personnel of the CoC. In total, 4 two-days workshop are planned with broad participation of members, rapporteur judges, prosecutors and personnel of the CoC to further discuss the draft codes and make changes if required. Following the workshops, the code of conduct for members and rapporteur judges, prosecutors and personnel will be finalized.
2. Desk review of different country practices on implementation of code of conduct and organize two technical visits to the selected countries to experience different the structures of ethics advisory supreme boards and personnel ethics commissions. The countries where the technical visits to be conducted will be determined during the inception phase of the Project and UNDP, higher representatives of the CoC as well as one representative from Ministry of Development will attend. The referred visits will contribute to the design of the similar structures to be established within the CoC in the scope of the Project
3. Develop a comprehensive comparative assessment report on implementation measures for judicial ethics. Following the desk review of different country experiences and technical visits, an assessment report will be developed comparing different country experiences and possible options for structuring and functions of Ethics Advisory Supreme Board and Personnel Ethics Commissions to be established under the CoC.
4. Develop tailor-made training modules on ethics for personnel, member, rapporteur judges and prosecutors of the Court of Cassation by a group of local and international experts. The referred training modules will be developed in line with the needs explored during the workshops that are organized at the beginning of the Project and different country experiences. The modules will be formulated in a way that the judges, prosecutors and personnel would have some practical tools to implement the code of conduct in their practices.
5. Deliver tailor-made training of trainers (ToT) programs on ethics for personnel, member, rapporteur judges and prosecutors of the Court of Cassation by a group of local and international experts. The referred ToT will target the selected members, rapporteur judges, prosecutors and personnel of the CoC (40 in total) who will be the resource persons and trainers of ethics within the CoC. In addition to the fundamental issues of ethics, they will be also trained on certain aspects of adult training.

6. Develop and disseminate guidelines on ethics for the use of members, rapporteur judges, prosecutors and personnel of the CoC. The referred guidelines will include practical information and guidelines for adoption and mainstream of ethics in the CoC.
7. Organize 8 one-day knowledge sharing programs on ethics targeting 400 selected personnel, rapporteur judge, member and prosecutor of the CoC. The staff who was trained a trainers in the scope of the Project will act as facilitators and share the experience and knowledge and its expected that the code of conduct will be introduced to the personnel, rapporteur judge, member and prosecutors.
8. Organize a national public conference to introduce the code of ethics of the CoC to the public at large.
9. Develop and widely disseminate visibility materials (including posters) on code of ethics to the public at large mainly the court users as a means of enhancing public trust to the Court of Cassation.

The Project will ensure gender mainstreaming in design and implementation of the activities specifically for review of other country experiences for adoption of code of ethics, development of guidelines, design of training modules as well as the development of visibility materials.

Output II: Required policies and implementation measures to strengthen transparency in judicial processes

Experience suggests that increased public knowledge about the law and court processes promote not only judicial transparency but also public confidence. Recent outreach approaches have included town hall meetings, the production of radio and television programmes, and the dissemination of awareness-raising materials such as court user guides in the form of short pamphlets providing basic information on arrest, detention and bail, criminal and civil procedures, and useful contacts for crime victims, witnesses and other users.

Within the scope of the Project at hand, strengthening the capacity of the Court of Cassation and re-structuring of the units working in this field will be supported in line with other country experiences, international principles and standards. In particular, structuring and functioning of public-media relations will be addressed, contribution will be made to the determination of strategies specific for the Court of Cassation on the issues such as facilitation of access to high courts, making judicial process to public, receiving feedback from service beneficiaries and development of legal aid programmes.

Based on “*Istanbul Principles*” issued as a result of Summit of High Courts themed on transparency in the judiciary, ***Strategy of Increasing Transparency and Trust in the Judiciary*** will be developed in the scope of the Project at hand. The said strategy is expected to include the following issues:

- Structuring and functioning of the unit of relations with public and media in the Court of Cassation.
- Developing methods which will further facilitate access to high courts, opening judicial process to public and ensure feedback from beneficiaries and development of legal aid programs.

The referred strategy will also address the impact and accessibility of the transparency policies on disadvantaged groups including women. In that respect, the Project will adopt a gender sensitive approach in implementation of the Project activities for enhancing transparency in the CoC.

Within this perspective, the following activities will be carried out under Output II of the Project:

1. Conduct comparative country analysis which will examine the measures taken in the field of public relations, legal arrangements and structuring in countries where transparency in high judiciary and public trust are at high level,
2. Organize an international conference during which country examples which have become prominent on the basis of the findings of country analysis study and which may be used in the context of Turkey will be discussed,
3. Conduct studies which may enable evaluation of the level of confidence in activities of transparency in the Court of Cassation and public relations,
4. Develop a Draft Strategy on Transparency in High Judiciary and Increasing Trust based on the results of comparative studies and satisfaction assessment and discuss it during a consultation meeting with the relevant stakeholders(judicial institutions, NGO's and universities),
5. Finalize Strategy and action plan based on the findings of consultation meeting

Output II: Raised confidence on the functioning of the Court of Cassation

In the event that ethical principles are disseminated and transparency is enhanced, it is obvious that trust in the Court of Cassation will be increased. Nevertheless, more efforts on increasing public trust in the Court of Cassation, supporting ethical principles and transparency in this way are needed.

It is possible to increase trust in the Court of Cassation by determining work processes more clearly and especially by making progress in time management. Specifically, maintaining relations with professional organisations and NGOs as well as public institutions in a balanced and refined manner may serve this purpose. Besides, it is also equally important to enhance the “*visibility*” of the Court of Cassation in the eyes of the public.

Within this framework, it is targeted to engage in closer cooperation with relevant institutions and organisations concerning sharing of judiciary's problems and establishment of a joint strategy of the whole judiciary, and declare to the public its results. Thus, ***Communication Strategy of the Court of Cassation*** will be developed. With the Communication Strategy of the Court of Cassation, it is aimed to maintain better relations with high courts, Ministry of Justice, Bars Association, universities, NGO's, media and other related stakeholders in Turkey. Thus, it is aimed to create a prejudice-free environment, increased trust in public and ownership in respect of judicial activities in Turkey. The referred Communication Strategy will also have a special focus on accessibility of the Court decision by the disadvantaged groups including women. Besides, the visibility materials for the court users will also be designed in a gender sensitive approach.

The following activities of the Project to achieve these objectives are as follows:

1. Organize a consultation meeting with the justice institutions on discuss the needs and possible solutions for enhancing trust to the judiciary
2. Develop communication strategy and action plan for the Court of Cassation in line with the results of the consultation meeting and interviews to be made with relevant actors
3. Develop visibility materials on the functioning of the CoC including brochures and introductory film

III. MANAGEMENT ARRANGEMENTS

The Project will be nationally implemented under the leadership of the Court of Cassation of Turkey (CoC), with the UNDP Turkey providing technical assistance and implementation support services.

The following project diagram represents the expected key relationships governing the project:



Project Steering Committee: The PSC will be established as the overall authority for the Project and responsible for its initiation, direction, review and eventual closure. It will be composed of the representatives of the Court of Cassation, UNDP and MoD.

Within the confines of the Project, the PSC is the highest authority. The PSC plays a critical role in project monitoring and evaluations by quality assuring these processes and

products, and using evaluations for performance improvement and learning. It ensures that required resources are committed and arbitrates on any conflicts within the project or negotiates a solution to any problems with external bodies. Based on the approved Annual Work Plan, the PSC can also consider and approve the quarterly plans (if applicable) and also approve any essential deviations from the original plans.

In order to ensure ultimate accountability for the project results, PSC decisions will be made in accordance to standards that shall ensure management for development results, best value money, fairness, integrity, transparency and effective international competition.

The PSC represents at managerial level the interests of the following roles and the respective organizations:

- **An Executive**: individual representing the project ownership to chair the group.
 - o *A Representative of the Court of Cassation will fill this role and will be the National Project Director.*
- **Beneficiary**: individual or group of individuals representing the interests of those who will ultimately benefit from the project. The Senior Beneficiary's primary function within the PSC is to ensure the realization of project results from the perspective of project beneficiaries.
 - o *Court of Cassation will fill the Beneficiary role on this project.*
- **Supplier**: individual or group representing the interests of the parties concerned which provide funding for specific cost sharing projects and/or technical expertise to the project. The Supplier's primary function within the PSC is to provide guidance regarding the technical feasibility of the project.
 - o *The Supplier on this project will be UNDP.*
- **The Project Assurance** role supports the PSC by carrying out project oversight functions.
 - o *A UNDP Inclusive Democratic Governance Portfolio Manager will hold the Project Assurance role.*
- **Project Manager**: The Project Manager (PM) has the authority to run the project on a day-to-day basis on behalf of the Implementing Partner within the constraints laid down by the Board. The Project Manager's prime responsibility is to ensure that the project produces the results specified in the project document, to the required standard of quality and within the specified constraints of time and cost.
 - o *The relevant UNDP Cluster Lead will serve the role of Project Manager*
- **Project Support**: The Project Support role provides project administration, procurement, finance, human resources and other technical support to the Project Manager as required by the needs of the individual project or Project Manager.
 - o *The UNDP Programme Service Center, Portfolio Administrator and a Project Associate will hold the role of project support*

- **Expertise**: Depending on the requirements, both short term international and national consultants will be recruited.
- **Audit**: The project will undergo annual audit by a certified auditor according to UNDP rules and regulations.

UNDP will provide its relevant knowledge and expertise in facilitating the capacity building and technical know-how activities. UNDP will be the responsible for coordinating the activities with the relevant stakeholders.

The Project activities will be implemented in line with UNDP financial rules and regulations and report to the national designated agency on quarterly expenditures through the Combined Delivery Report.

IV. **MONITORING FRAMEWORK AND EVALUATION**

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

Within the annual cycle

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

Annually

- **Annual Review Report.** An Annual Review Report shall be prepared by the Project Manager and shared with the Project Board and the Outcome Board. As minimum requirement, the Annual Review Report shall consist of the Atlas standard format for the QPR covering the whole year with updated information for each above element of the QPR as well as a summary of results achieved against pre-defined annual targets at the output level.
- **Annual Project Review.** Based on the above report, an annual project review shall be conducted during the fourth quarter of the year or soon after, to assess the performance of the project and appraise the Annual Work Plan (AWP) for the following year. In the last year, this review will be a final assessment. This review

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

V. LEGAL CONTEXT

This document together with CPAP signed with Government and UNDP through the legal framework of Revised Standard Agreement signed on 21 October 1965 constitute the instrument envisaged in Supplemental Provisions to the Project Document, attached hereto.

Consistent with Article III of Standard Basic Assistance Agreement, the responsibility for the safety and security of the executing agency and its personnel and property, and of UNDP's property in the executing agency's custody, rests with the executing agency.

The executing agency shall:

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

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

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

Results and Resources Framework

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

UNDCS Outcome: By 2020, central and local administrations and other actors more effectively protect and promote human rights, and adopt transparent, accountable, pluralistic and gender sensitive governance systems, with the full participation of civil society, including the most vulnerable

CP Output 2.1.1 Transparent and efficient judicial system providing better access to justice and redress for all, especially groups facing vulnerabilities

Intended Outcome as stated in UNDP Strategic Plan 2014-2017 and Integrated Results to Resources Framework (IRRF):

Outcome 3: Countries will have strengthened institutions to progressively deliver universal access to basic services

Output 3.4. Functions, financing and capacity of rule of law institutions will enable, including to improve access to justice and redress

Project title and ID (ATLAS Award ID): Project for Strengthening Transparency and Code of Ethics for Enhanced Public Confidence in Court of Cassation (CoC)

INTENDED OUTPUTS	INDICATIVE ACTIVITIES	RESPONSIBLE PARTIES	INPUTS
<p>Output 1: Enhanced institutional capacity for adoption of code of ethics by the Court of Cassation</p> <p><u>Indicator:</u></p> <p>Establishment of an Ethics Advisory Board and an Personnel Ethics Committee within CoC become functional by 2017</p> <p>Number of the news items referring to the efforts of the CoC on enhancing ethics</p> <p>Ethics Principles of the Court of Cassation constituted a basis to ethical principles for judges and prosecutors in first instance courts.</p> <p>Number of references to the code of judicial conduct for CoC in international and national policy documents</p>	<ol style="list-style-type: none"> 1. Organize workshops to discuss the draft code of conduct developed for judges, prosecutors and personnel 2. Desk review of different country practices on implementation of code of conduct and organize two technical visits to the selected countries 3. Develop a comprehensive comparative assessment report on implementation measures for judicial ethics 4. Develop tailor-made training modules on ethics for personnel, member, rapporteur judges and prosecutors 5. Deliver tailor-made training of trainers (ToT) programs on ethics for personnel, member, rapporteur judges and prosecutors 6. Develop and disseminate guidelines on ethics for the use of members, rapporteur judges, prosecutors and personnel of CoC 	<p>CoC</p> <p>UNDP</p>	<p>International Consultant</p> <p>Local Consultant</p> <p>Travel and Accommodation</p> <p>Organizational Expenses</p> <p>Interpretation and Translation</p> <p>Printing and Dissemination</p>

<p><u>Baseline:</u></p> <p>Code of ethics for CoC personnel, judges, members and prosecutors drafted (2013)</p>	<p>7. Organize 8 one-day training programs on ethics targeting 400 selected personnel, rapporteur judge, member and prosecutor of CoC.</p> <p>8. Organize a national public conference to introduce the code of ethics of the CoC to the public at large.</p> <p>9. Develop and widely disseminate visibility materials (including posters) on code of ethics</p>		
<p><i>Output II: Required policies and implementation measures for strengthened transparency in judicial processes</i></p> <p><u>Indicator:</u></p> <p>%20 of the measures in Strategy implemented by the end of 2018</p> <p>Gradual increase in number of news items referring to the efforts of the CoC on increasing transparency and ethics by 2018</p> <p>At least 30 country practices reviewed on structuring and functioning of public/media relations in the judicial systems around the globe</p> <p>At least 20 more high courts recognized Istanbul Principles on Transparency in Judicial Processes by end-2018</p>	<p>1. Conduct comparative country analysis,</p> <p>2. Organize an international conference</p> <p>3. Conduct studies which may enable evaluation of the level of satisfaction</p> <p>4. Develop a Draft Strategy on Transparency in High Judiciary and Increasing Trust and organize a consultation meeting with the relevant stakeholders</p> <p>5. Finalize Strategy and action plan based on the findings of consultation meeting</p>	<p>CoC UNDP</p>	<p>Local Consultant</p> <p>International Consultant</p> <p>Travel and Accommodation</p> <p>Interpretation / translation Services</p> <p>Printing and Dissemination Expenses</p> <p>Organizational Expenses</p> <p>Professional Services</p>

<p><u>Baseline:</u></p> <p>Assessment by CoC on the needs for enhancing transparency in judiciary (2014)</p>			
<p><i>Outcome III: Raised public awareness and trust on the functioning of Court of Cassation</i></p> <p><u>Indicator:</u></p> <p>Smooth relationships between the CoC, other relevant institutions and citizenry creating an environment free from bias</p> <p>Establishment of a public relations unit within the CoC in line with the principles of transparency</p> <p><u>Baseline:</u></p> <p>No baseline</p>	<p>1. Organize a consultation meeting with the justice institutions</p> <p>2. Develop communication strategy and action plan for Court of Cassation</p> <p>3. Develop visibility materials on the functioning of CoC including brochures and introductory film</p>	<p>CoC UNDP</p>	<p>Local Consultant</p> <p>International Consultant</p> <p>Printing and Dissemination</p> <p>Professional Services</p> <p>Organizational Expenses</p>

Annual Work Plan

Year: 2016

EXPECTED OUTPUTS	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	PLANNED BUDGET		
		Q1	Q2	Q3	Q4		Funding Source	Budget Description	Amount (USD)
Output I: Enhanced institutional capacity for adoption of code of ethics by the Court of Cassation	Organize workshops to discuss the draft code of conduct developed for judges, prosecutors and personnel	X				CoC UNDP	CoC	International Consultant (89 w/days- \$ 600 daily)	\$ 53,400
								Travel & accommodation	\$ 280,520
								Local Consultant (65 w/days- \$ 300 daily)	\$ 19,500
								Interpretation	\$ 25,600
		X	X					Organizational Expenses (covering food & beverages, printing, hall rent, etc.)	\$ 58,700
	Develop a comprehensive comparative assessment report on implementation measures for judicial ethics.		X					Written Translation	\$ 5,000

EXPECTED OUTPUTS	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	PLANNED BUDGET		
		Q1	Q2	Q3	Q4		Funding Source	Budget Description	Amount (USD)
Output 1 - Enhanced institutional capacity for adoption of code of ethics by the Court of Cassation	Develop and disseminate guidelines on ethics for the use of members, rapporteur judges, prosecutors and personnel of CoC.	X				CoC UNDP	CoC	International Consultant (35 w/days- \$ 600 daily)	\$ 21,000
	Organize 8 one-day training programs on ethics	X						Local Consultant (25 w/days- \$ 300 daily)	\$ 7,500
								Translation	\$ 1,000
	Organize a national public conference to introduce the code of ethics of the CoC to the public at large.		X					Publication & Printing	\$ 20,000
	Develop and widely disseminate visibility materials (including posters) on code of ethics		X					Organizational Expenses (covering food & beverages; printing, hall rent, etc.)	\$ 22,000
Output II: Required policies and implementation measures for strengthened transparency in judicial processes	Conduct comparative country analysis on transparency in judicial processes					CoC UNDP	CoC	International Consultant (59 w/days- \$ 600 daily)	\$ 35,400
				X				Local Consultant (24 w/days- \$ 300 daily)	\$ 7,200
								Translation	\$ 3,000
								Interpretation	\$ 3,200
								Travel and Accommodation	\$ 190,700

Output III: Raised public awareness and trust on the functioning of Court of Cassation	Conduct studies which may enable evaluation of the level of satisfaction on the services provided by CoC Develop a Draft Strategy on Transparency in High Judiciary and Increasing Trust and organize a consultation meeting with the relevant stakeholders Finalize Strategy and action plan based on the findings of consultation meeting									Organizational Expenses (covering food & beverages; printing, hall rent, etc.)	\$ 38,400
			X							Professional Services (Survey)	\$ 50,000
	Organize a consultation meeting with the justice institutions on discuss the needs and possible solutions for enhancing trust to the judiciary									International Consultant (25 w/days- \$ 600 daily)	\$ 15,000
										Local Consultant (15 w/days- \$ 300 daily)	\$ 4,500
						X				Travel and Accommodation	\$ 1,800
										Interpretation	\$ 1,600
										Professional Services (Film Production)	\$ 15,000
	Develop communication strategy and action plan for Court of Cassation in line with the results of the consultation meeting and interviews to be made with relevant actors Develop visibility materials on the functioning of CoC including brochures and introductory film									Organizational Expenses (covering food & beverages; printing, hall rent, etc.)	\$ 14,000
										Printing	\$ 15,000

<i>Project Staff Costs</i>			X	X	X	X	X		CoC		\$ 24,000
<i>General Services & Support Cost</i>	<i>Management</i>	Overheads: General Management							CoC		\$ 14,739
(%3)	<i>Cost</i>	Services									
TOTAL											\$ 506,039

ANNEXES

ANNEX I: PAYMENT SCHEDULE BY COURT OF CASSATION

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

Payment Schedule by CoC:

1st Installment upon the signature of the Project Document (March 2016): USD 75,000
2nd Instalment (July 2016): USD 425,000
3rd Installment upon the approval of 1st Annual Progress Report (March 2017):USD 500,000

To the following Bank Account of UNDP:

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

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

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

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

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

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

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

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

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

The contribution shall be charged:

- (a) [3%]cost recovery for the provision of general management support (GMS) by UNDP headquarters and country offices

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

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

ANNEX II- BUDGET DETAILS PER ACTIVITY

YEAR 2016

Project for Strengthening Transparency and Code of Ethics for Enhanced Public Confidence in Court of Cassation (CoC)						
Output 1 - Enhanced institutional capacity for adoption of code of ethics by the Court of Cassation						
Activity 1.1. 1. Organize workshops to discuss the draft code of conduct developed for judges, prosecutors and personnel						
		Fee (USD)	# days /unit	#people		
Fee	International consultant	600	15	1	=	9000
Fee	Local Consultant	300	15	1	=	4500
Interpretation		400	8	2	=	6400
Travel (Round trip)	International consultant	1500	2	1	=	3000
Meeting costs(meeting hall rent,food, stationery, printing costs, etc.)	4 two-days workshop	50	2	177	=	17700
Accommodation (48 personnel, 48 Members, 48 rapporteur judge, 20 prosecutor, 2 UNDP, 5 CoC + 2 consultants)	4 two-days workshop	120	3	177		63720
Travel	Bus	1000	1	1		1000
SUBTOTAL						105320
Activity 1.2 -Desk review of different country practices on implementation of code of conduct and organize two technical visits to the selected countries						
		Fee (USD)	# days /unit	#people		
Fee	International Consultant	600	14	1	=	8400
Interpretation		400	14	2	=	11200
Travel (round trip)		2500	2	15	=	75000
Accommodation		500	14	15	=	105000
Food/beverages		100	14	15	=	21000

SUBTOTAL						220600
Activity 1.3. Develop a comprehensive comparative assessment report on implementation measures for judicial ethics.						
			Fee (USD)	# days /unit	#people	
		International Consultant	600	10	1	6000
		International documents/reports/legislation	10	200	1	2000
		Written Translation				8000
SUBTOTAL						
Activity 1.4. Develop tailor-made training modules on ethics for personnel, member, rapporteur judges and prosecutors have some practical tools to implement the code of conduct in their practices.						
			Fee (USD)	# days /unit	#people	
		International Consultant	600	30	1	18000
		Local Consultant	300	10	1	3000
		Training modules	10	300	1	3000
		Written Translation				24000
SUBTOTAL						
Activity 1.5. Deliver tailor-made training of trainers (ToT) programs on ethics for personnel, member, rapporteur judges and prosecutors.						
			Fee (USD)	# days /unit	#people	
		International Consultant	600	20	1	12000
		Local Consultant	300	20	1	6000
		Adult Training Expert	300	20	1	6000
		2 five days ToT	400	10	2	8000
		International Consultant	1500	2	1	3000
		Travel	100	10	1	1000
		Accommodation	120	6	40	28800
		Meeting costs(meeting hall rent,food, stationery, printing costs, etc.)	100	5	40	20000
		SUBTOTAL				84800

SUBTOTAL						2000
Activity 1.9. Develop and widely disseminate visibility materials (including posters) on code of ethics						
	Design and publication	Visibility materials	Fee (USD)	# days /unit	#people	5000
	SUBTOTAL					5000
Output II: Required policies and implementation measures for strengthened transparency in judicial processes						
Activity 2.1 Conduct comparative country analysis on transparency in judicial processes						
			Fee (USD)	# days /unit	#people	6000
	Fee	International Consultant	600	10	1	
	Written translation	International documents/reports/legislation	10	300	1	3000
	SUBTOTAL					9000
Activity 2.2 Organize an international conference						
			Fee (USD)	# days /unit	#people	
	Fee	International Consultant	600	10	1	6000
	Interpretation		400	2	2	1600
		(International consultant + participants coming from other countries)				
	Travel		1500	1	26	39000
	Accommodation (25 foreigners+ 100 other participants)		400	3	125	150000

	Meeting costs(meeting hall rent,food, stationery, printing costs, etc.)		120	2	125		300000
	SUBTOTAL						226600
Activity 2.3. Conduct studies which may enable evaluation of the level of satisfaction on the services provided by CoC							
			Fee (USD)	# days /unit	#people		
	Fee	International Consultant	600	20	1		12000
	Fee	Local Consultant	300	10	1		3000
	Professional services	Satisfactory Survey	50000	1	1		50000
	SUBTOTAL						65000
Activity 2.4. Develop a Draft Strategy on Transparency in High Judiciary and Increasing Trust and organize a consultation meeting with the relevant stakeholders							
			Fee (USD)	# days /unit	#people		
	Fee	International Consultant	600	4	1		2400
	Fee	Local Consultant	300	4	1		1200
	Interpretation	2 one-day consultation meeting	400	2	2		1600
	Travel	International Consultant	1500	1	1		1500
	Accommodation	International Consultant	100	2	1		200
	Meeting costs(meeting hall rent,food, stationery, printing costs, etc.)	1 two-days consultation meeting	60	2	70		8400
	SUBTOTAL						15300
Activity 2.5. Finalize Strategy and action plan based on the findings of consultation meeting							
			Fee (USD)	# days /unit	#people		
	Fee	International Consultant	600	15	1		9000
	Fee	Local Consultant	300	10	1		3000
	SUBTOTAL						12000
Output III: Raised public awareness and trust on the functioning of Court of Cassation							