

Template for Management Response and Action Plan

Name of Evaluation Report:	Final Evaluation of the project 'Promoting Alternative Dispute Resolution (ADR) in Turkey'		
Date of Evaluation Report:	28 October 2024	Date of Action Plan:	

Overall management response to the evaluation:

This evaluation report summarises and analyses the key elements of the project implementation which concerned its relevance, effectiveness, efficiency and sustainability, with recommendations to be considered when designing possible follow-up projects. The project team, Head of Türkiye Unit and the Deputy Head of the Council of Europe office in Türkiye reviewed the recommendations outlined in the evaluation report and generally accepted them. Many of these recommendations have already been incorporated into the ongoing projects, demonstrating the commitment to continuous improvement and responsiveness to feedback.

The accepted recommendations align closely with the insights received from the project teams, partners and individual meetings with national stakeholders conducted in the framework of different projects.

However, while most recommendations have been embraced, one has been rejected, and three – partially accepted based on the rationale provided below. These decisions were made after careful deliberation and consideration of their potential impact on project outcomes and sustainability and taking into consideration specificity of implementation of projects in Türkiye.

Overall, this evaluation process has served as a valuable tool for assessing project performance, identifying areas for enhancement, and informing strategic decision-making moving forward.

[FOR DECENTRALISED EVALUATIONS] Dissemination plan for the evaluation: please briefly explain how the report will be shared (internally, other CoE entities, donors, beneficiaries etc.), methods (email, events, website etc.), resources, timeframe and person responsible.

The report was shared internally, including with the donor and beneficiaries by email and was published on the CoE's DIO website. The Management response was prepared in close collaboration with the Council of Europe Ankara office.

Management Decision ¹	Entity in Charge	Planned Actions ² (determined by Entity)	Justification ³ for Non-Acceptance	Target Date for Action	Person Responsible for Action
Recommendation 1: Include and/or further target some key beneficiary groups (applicable to all components unless otherwise noted). Selection of participants was noted as a key factor in project effectiveness, so ensuring inclusion of important beneficiaries could support the effectiveness of future efforts concerning awareness-raising and capacity-building. Such groups include: ➤ Inclusion of bar associations in order to support the project's awareness-raising objectives. ➤ Future interventions under Component 1 to focus on public institutions and the larger public in general, pointing out that rather than having the primary goal be the number of files, the focus should be on creating a society that can negotiate. ➤ Further cooperation with Justice Academy, for example, through online trainings for judges and prosecutors, since there are budgetary restrictions for face-to-face seminars. ➤ Focus on increasing the capacity and awareness of judges and prosecutors. ➤ Additional focus on Mediation Centres and Conciliation Bureaus.					
☐ Accepted ☒ Partially accepted ☐ Rejected	COE Directorate General Human Rights and Rule of Law (DGI), Cooperation Programmes Division and Ankara Office	The Project team has been engaging representatives of the indicated groups, where relevant and to the extent possible. In particular, co-operation with the UTBA to engage lawyers took place in a number of occasions. Limitations on stronger engagement of other state actors were due to the nature of co-operation with the main project partner – the Ministry of Justice, for which it was important to own the results (which was also beneficial for the Project). Still, it is acknowledged by the CoE a comprehensive engagement of various actors might increase the overall awareness on ADR mechanisms. It could		Continuously	Head of Türkiye Unit

¹ The management decision is in relation to the Recommendation (Accepted, Partially accepted, Rejected).

² For implementing accepted recommendations.

³ For recommendations that are partially accepted or rejected.

Management Decision ¹	Entity in Charge	Planned Actions ² (determined by Entity)	Justification ³ for Non-Acceptance	Target Date for Action	Person Responsible for Action
		also be an occasion to streamline the approaches applied by different projects implemented by the Co-operation Programmes Division in Türkiye by working with the same partners from different angles.			
Recommendation 2: To increase effectiveness of Component 2, further workshops/trainings for lawyers be provided and/or increased and disseminated to effectively instil ADR. Evaluation findings conveyed that the resistance of lawyers was high in early years and, although improved, their support is still not sufficient. Furthermore, it is important to consider many beneficiaries' perspective that young lawyers tend to be more resistant, while senior lawyers are more open. To address this need, the CoE should potentially prioritise in-person trainings.					
☒ Accepted ☐ Partially accepted ☐ Rejected	COE Directorate General Human Rights and Rule of Law (DGI), Cooperation Programmes Division and Ankara Office	The recommendation has been accepted and will be considered in case a new project for either strengthening the ADR or dedicated to support of lawyers in Türkiye is developed. In -person trainings have already been given a priority once all Covid-19 -related restrictions were lifted.		Continuously	Head of Türkiye Unit
Recommendation 3: In order to improve overall effectiveness in the area of gender equality, a few actions could be taken by the Council of Europe in the context of future interventions, including: ➤ The preparation of a report from a gender equality perspective on the topic of problems of family courts, which would include family court judges from different regions. ➤ A road map to be developed regarding gender equality in family mediation work. ➤ Women Rights Centres of Bar Associations should be closely involved in family mediation work, since these are the most competent structures and not all Bar Associations have these competencies. Among these associations, it should be noted that Diyarbakır, Ankara, İstanbul, and İzmir were highlighted by beneficiaries as the best ones with gender equality perspective.					
☐ Accepted ☒ Partially accepted ☐ Rejected	COE Directorate General Human	Efforts will be made where relevant, to conduct thorough needs assessments to ascertain partners' understanding of		Continuously	Head of Türkiye Unit

Management Decision ¹	Entity in Charge	Planned Actions ² (determined by Entity)	Justification ³ for Non-Acceptance	Target Date for Action	Person Responsible for Action
	Rights and Rule of Law (DGI), Cooperation Programmes Division and Ankara Office	gender mainstreaming principles, and these aspects could be added to the ToR of the consultants involved in need assessment. As regards family courts, one should know that these institutions were not the key focus of the Project and were included in activities as the ones engaging mediation. A separate project on support to family courts has been implemented by the Türkiye Unit, and consideration will be given on ensuring more synergies between the projects. A similar comment to the recommendation on the preparation of the gender equality roadmap in family mediation – the evaluated project looked into the general system of availability of ADR in Türkiye, while such a roadmap could be a useful exercise in the framework of a separate project. The inclusion of Women Rights Centres of Bar Associations will be duly considered in the development of further projects.			

Management Decision ¹	Entity in Charge	Planned Actions ² (determined by Entity)	Justification ³ for Non-Acceptance	Target Date for Action	Person Responsible for Action
Recommendation 4: Concerning the logframe and indicator design for monitoring effectiveness, the evaluation findings under the relevance criteria suggest that project indicators should be designed with greater clarity and applicability to collect data and measure progress across project implementation, as even the project team shared that some indicators were confusing for them.					
☒ Accepted ☐ Partially accepted ☐ Rejected	COE Directorate General Human Rights and Rule of Law (DGI), Cooperation Programmes Division and Ankara Office	The CoE accepts the recommendations and will put every effort to ensure the indicators are clear and applicable for data collection. More coordination will be secured between DGI, DPC and the donors to ensure the common approach to the definition of indicators, with the CoE's Project Management Methodology serving as the guiding principles.		Continuously	Head of Türkiye Unit
Recommendation 5: To improve analysis of project efficiency, it is suggested that project financial reporting includes more sub-allocations within broad budget categories, e.g. 'other costs, services', since this category covered half of the total budget spent and committed. More detailed breakdown in the reporting of spending in this category would facilitate more detailed analysis of resource allocations.					
☒ Accepted ☐ Partially accepted ☐ Rejected	COE Directorate General Human Rights and Rule of Law (DGI), Cooperation Programmes Division and Ankara Office	N/A			
Recommendation 6: The inclusion of budget allocations categorised by project component within the project financial reporting could also increase possibilities for efficiency analysis for future projects. It therefore is suggested that the budget information monitored and shared with the evaluation team is aligned as much as possible to the project structure, e.g. division by component.					
☒ Accepted ☐ Partially accepted	COE Directorate	N/A			Head of Türkiye Unit

Management Decision ¹	Entity in Charge	Planned Actions ² (determined by Entity)	Justification ³ for Non-Acceptance	Target Date for Action	Person Responsible for Action
☐ Rejected	General Human Rights and Rule of Law (DGI), Cooperation Programmes Division and Ankara Office				
Recommendation 7: To improve efficiency, as there were many changes in the DoA (especially under Component 2), both the clarity and frequency of communication between the CoE and beneficiaries should be improved.					
☐ Accepted ☐ Partially accepted ☒ Rejected	General Human Rights and Rule of Law (DGI), Cooperation Programmes Division and Ankara Office		All changes to the DoA and/or workplan were communicated to the beneficiaries within the appropriate timeframe; as a matter of fact, such changes required the approval of the Project Steering Committee and were subject to discussions at Management Meetings, which were held on a regular basis and included		

Management Decision ¹	Entity in Charge	Planned Actions ² (determined by Entity)	Justification ³ for Non-Acceptance	Target Date for Action	Person Responsible for Action
			representatives of all the key beneficiaries; changes to the DoA also had to be approved by the CFCU and the donor (EUD) and had to be pre-approved by the Ministry of Justice.		
Recommendation 8: To enhance project sustainability, the CoE should consider supporting the MoJ in the development of a sustainability strategy to support the Ministry in their future work and mitigate risks from frequent staff turnovers in public institutions. Such a strategy should also facilitate the exploration of funding opportunities from different donors (with the conclusion of the IPA funds) and continuation projects of 1-2 years duration in new areas of ADR.					
☐ Accepted ☒ Partially accepted ☐ Rejected	General Human Rights and Rule of Law (DGI), Cooperation Programmes Division and Ankara Office	The recommendation is partially accepted: it will be considered when developing a follow-up project in support to the ADR in Türkiye, provided that the MoJ supports the initiative to develop such a strategy and indicate it as their need. At the same time, ensuring the smooth functioning of the MoJ, including the reduction of staff turnover in it and other public institutions, clearly goes beyond the scope of the project; such support can be only be seen as a potential area for a separate project aiming and strengthening public administration, something that is on the borderline of the mandate of Co-operation Programmes Division in DGI.		Continuously	Head of Türkiye Unit