

EXTERNAL EVALUATION OF THE PROJECT: “Improving the Effectiveness of Family Courts: Better Protection of the Rights of Family Members” in Türkiye

FINAL EVALUATION REPORT

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List of acronyms

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CoE	Council of Europe
CSO	Civil Society Organisations
DG1	Directorate General of Human Rights and Rule of Law
ECHR	European Convention on Human Rights
ECTHR	European Court of Human Rights
EU	European Union
JAT	Justice Academy of Türkiye
EUD	European Union Delegation
PSC	Project Steering Committee
ToR	Terms of Reference

1 Executive Summary

This evaluation report relates to the Council of Europe (CoE) and European Union's project, "Improving the Effectiveness of Family Courts: Better Protection of the Rights of Family Members in Türkiye", Implemented over a 42-month period from March 2021 to September 2024, with a total budget of **2.223.000 Euros**, co-funded by the European Union (89.97%) and the Council of Europe (10.03%). The project is designed to improve the functioning of family courts in line with European standards and to protect the rights of women, children, and vulnerable groups, with a focus on improving the effectiveness of family courts, enhancing the capacities of judges and prosecutors, fostering collaboration among stakeholders, and raising public awareness of family court proceedings.

The evaluation team used the evaluation criteria : relevance, effectiveness, efficiency, and sustainability. It then refined evaluation questions (EQ) underlined in the ToR, and structured them in an evaluation matrix with corresponding sub-questions, indicators and data sources and prioritized themes described below.

The evaluation uses a mixed-methods approach and combines **qualitative** data collection methods (document review, interviews and Group Discussions) and **quantitative** data collection methods (survey) to answer the evaluation questions. In agreement with the Project team, the evaluation team prioritised its assessment on the progress of Project's results achieved and changes observed in four areas of the Project, each sector encompassed under one of the 4 Projects outcomes.

These sector areas were: 1) the divorce procedures and the framework on the alimony and compensation determination by the family courts, 2) the capacity development and training programmes of the judges, prosecutors, experts and court staff working in the family courts, 3) the collaboration among stakeholders of the family justice system and the establishment of a collaboration mechanism and 4) the establishment and functionality of the pilot law clinic conducted in Izmir.

Within the budget and timeframe conditions provided, the evaluation team conducted interviews with 23 stakeholders (21 national and 2 international), a small focus group discussion and an online survey for professionals trained by the Project to which 134 persons responded out of the 550 participants reached out by the Justice Academy of Türkiye (JAT).

The evaluation concluded that the Project was highly relevant to its target groups (ministries, judges, prosecutors, judicial staff, legal and social professionals), addressing critical gaps in family law and judicial proceedings, particularly relevant for Türkiye. It aligned well with recent legal reforms, concerning judicial support granted for victims of violence and legislative measures supporting women's rights, children's well-being, and gender equality. The Project addressed relevant topics for target justice institutions, focusing on their training in divorce proceedings, custody, adoption, alimony, and child welfare, as well as alternative dispute resolution methods like family mediation and handing of victims of domestic violence cases.

Survey responses showed that the topics of gender equality, child rights, divorce justification, and combating violence against women were of highest interest to justice professionals. The law clinic initiative was also crucial in providing students with practical experience in family law, emphasizing women's rights and domestic violence laws. While the Project primarily engaged justice stakeholders and CSOs, it aimed to improve judicial decisions regarding vulnerable groups like women and children, and raised awareness on their legal rights.

Institutional partners were deeply engaged in the Project through steering committees, consultations, workshops, and training needs assessments. These partners contributed to various phases of the Project, from selecting pilot family courts to reviewing research and developing training materials. However, civil society organizations (CSOs) felt underrepresented, despite their involvement in some consultations and events, where the Project team could involve them depending on their willingness to join the activities. The Project was well-aligned with international and European standards and national justice strategies and emphasized gender equality, human rights, and inclusivity in all its activities ensuring that male and female perspectives were considered. While some justice professionals debated the adaptability of European legal concepts, most found value in learning about related international standards on gender equality and gender roles.

Overall, the project was well-received by participants, who appreciated the opportunity to attend multi-stakeholder consultations, workshops, and training sessions, and declared, in majority, having gained substantial knowledge and skills from capacity-building activities. The project raised awareness of key issues in family law, allowing stakeholders to better understand challenges, particularly in aligning Turkish legal practices with international best practices, for instance around issues like alimony and fault-based divorce. Senior justice stakeholders, despite their experience, also learned from international practices and gained insights into European legislation, particularly regarding gender discrimination and the European Court of Human Rights (ECtHR) decisions.

The project demonstrated positive impacts on legal practices, especially in the use of alternative dispute resolution mechanisms, aiming to promote more amicable divorce processes in divorce and alimony cases. Judges began to consider the best interest of the child more seriously, and the quality of social review reports improved. More careful handling cases was observed, especially regarding the protection of women and children's rights, with more participants reporting greater confidence in applying international standards and improving court practices and fewer - having integrated new knowledge into their daily work. Survey respondents rated the training materials positively, though some experts and candidates were more critical, especially of the child interviewing techniques training materials which they considered too theoretical. The project also created valuable opportunities for networking and collaboration among justice professionals, allowing experienced judges to mentor younger ones and fostering better communication between various justice sector institutions. Study visits to European countries exposed Turkish justice officials to international best practices, though the impact of these visits on long-term legislative change remains uncertain. Moreover, the project successfully increased understanding of national and international family law, improved gender sensitivity, and encouraged some progress in family court practices. However, challenges remain in fully applying these new practices, as significant structural, cultural, economic, and legal constraints limit the ability to implement European models in the Turkish legal system.

The assessment of the project shows that partner representatives held mixed views on its efficiency. Half of them cited significant delays in planning, organizing, and delivering activities, namely some trainings and the dissemination of materials (the delay in reviewing training manuals led to a compressed training schedule). Meanwhile, the other half regarded the project as well-coordinated and responsive, with strong problem-solving mechanisms in place. The evaluation team found that while the allocated human resources were sufficient to manage the project, the workload was heavy, as many deliverables required revisions due to partner requests. Major delays were identified in the execution of the legal framework review, the pilot implementation of family law guidelines, and the establishment of a law clinic, which

were set back by 6 months or more. These delays were largely attributed to external factors that occurred in 2023 (earthquake, elections), and disagreements with the Union of Turkish Bar Associations. However, steps were taken to extend the project timeline by nine months to September 2024, so as to complete all planned activities.

Training sessions faced challenges due to limited preparation time and shortened durations, namely budget constraints, particularly due to inflation, limited choices in training facilities and accommodations. Despite this, 15 in-service training sessions and three pre-service training sessions were delivered between April and June 2024. Although some logistical complaints were raised, such as the quality of accommodations and transport, the project managed to stay within its financial limits and adhere to its objectives by treating equally all participants and trainers. Despite these challenges, the project succeeded in maintaining strong communication with partner institutions, regularly collecting feedback and addressing participant concerns. Risks were carefully managed through dialogue and negotiation.

Key justice partners interviewed expressed strong commitment to continuing the use of services and tools delivered by the Project, especially in family law training, following the expansion of their pool of trainers, supported by guidebooks and materials developed by the Project. The partners also aim to continue addressing gaps in laws and procedures, focusing on issues like domestic violence and pursuing interactive collaboration on finding solutions with other justice institutions to foster inter-institutional cooperation and communication among justice professionals. Despite a short remaining period for its implementation and monitoring, the digital platform " Family Law Training Platform (FLTP), hosted by the Justice Academy, is seen as crucial for expanding, certifying, and continuing training for legal professionals, also planned to raise awareness to a larger audience. Although changes in practice will take time, partners are committed to applying international standards and best practices to help disadvantaged women and children, some stating they had already starting to apply lessons learned to improve legal reasoning and heightened their confidence in dealing with vulnerable groups.

A sustainability strategy and handover plan are expected one month before the projects' end, but time to execute this transition seems limited. EU funding will not be available for a second phase, making it essential for the Project team to consolidate gains and transfer ownership of key actions to partners.

Justice partners suggested future interventions should further tailor activities to the Turkish legal system, expand to other regions, extend training duration, include specific training for senior experts and court staff, and formalise guidelines on divorce and domestic violence case management within the Court of Cassation's rules. They also recommended involving youth and women's organizations and replicating the law clinic model in other universities. Although, there were still uncertainties around who will monitor the quality of judgments and whether family courts have the resources to maintain progress, the Family Justice Council recently endorsed and established under the Ministry of justice aims to sustain the efforts of the Project improving the family justice system. The Council is not yet fully operational, and its role and membership need to be clarified, so that it could operate as an independent and interdisciplinary body.

Recommendations for the Project emphasise the need for a proper handover to key partner institutions such as the Ministry of Justice (MoJ), the Ministry of Family Affairs, and the judiciary, to ensure ownership of the project's results and the continuation of crucial actions aimed at improving family court proceedings. This includes fostering ongoing cooperation and information sharing. Additionally, it is recommended to build on the expertise gained by senior justice officials, experts, and trainers and to highlight the importance of expanding these training efforts to more justice professionals across other regions, ensuring broader awareness and engagement. In the future, the Council of Europe should also

continue to encourage partners to consistently apply European standards for fundamental human rights protection in their daily work, particularly within family justice and social services, to advocate for legislative and policy reforms in Türkiye's family court system, guided by European best practices, while remaining sensitive to the nation's social, economic, and cultural context.

2 Introduction

This report presents the outcomes of the Evaluation of the Council of Europe (CoE) and European Union Project: “Improving the Effectiveness of Family Courts: Better Protection of the Rights of Family Members in Türkiye” (hereinafter “the Project”), prepared by Sylvie Nicole for Camille Massey Unlimited, with inputs from Pinar Sayan. The quality of the evaluation methodology and of this report was ensured by Camille Massey.

The evaluation was commissioned by the Directorate General of Human Rights and Rule of Law (DG1) under the Framework Contract 2021/FC/01 “for the provision of consultancy services on evaluation/evaluation-related assignments”.

CONTEXT AND BACKGROUND OF THE PROJECT

The Council of Europe operates around a “dynamic triangle” of action, including:

- **Standard setting:** activities aimed at the preparation and adoption of norms (legally binding or not) such as Conventions, protocols, recommendations, conclusions, guidelines or policy recommendations.
- **Monitoring:** activities aimed at assessing compliance by States with Council of Europe’s standards, through various monitoring mechanisms, in particular specialised monitoring bodies as foreseen by the respective Conventions or Council of Europe institutions;
- **Cooperation:** projects aiming to support the member States in their efforts to implement the standards, considering the monitoring results.

Within this triangle, the Project is directly connected to the CoE’s objective of **making the implementation of European Convention on Human Rights (ECHR) a reality at national level** and is part of the cooperation activities.¹

The Project is being implemented over a period 42 months, from 20 March 2021 to 19 September 2024, after a no cost extension request of nine months. It is managed under a contribution agreement with the European Union Delegation (EUD) to Türkiye, with a total budget of **2.223.000 Euros**, co-funded by the European Union (89.97%) and the Council of Europe (10.03%).

In line with the EU Judiciary Annual Action Programme (2016) under the instrument for Pre-Accession Assistance (IPA II) 2014-2020, **the Project’s overall objective** is “to ensure the rule of law and fundamental rights in Türkiye in line with international and European standards”. **The specific objective** of the Project

¹ In accordance with the Committee of Ministers Recommendation (2004) 4, the 2010 Interlaken Declaration, the 2012 Brighton Declaration and the 2015 Brussels declaration

is to improve the effectiveness of family courts in protecting the rights of women, children, and other family members.

The Project's intended results, in cooperation with key national actors, are: 1) Effectiveness and functioning of the family courts and office of public prosecutors is enhanced, 2) Capacities of judges, public prosecutors and experts are enhanced regarding key human rights and family law issues, 3) Collaboration mechanisms among stakeholders are improved and, 4) Awareness of public regarding family court proceedings is increased.

The main targets groups of the Project are judges and prosecutors, candidate judges and prosecutors, experts (psychologists, pedagogues and social workers), auxiliary staff (clerks, bailiffs and other staff) working in family courts, academia and students of law faculties.

The end beneficiaries of the Project are the family members, namely women, children, and vulnerable groups, court users, Civil Society Organisations (CSO) active in the defence of women and children rights and lawyers from national-level union and local bar associations.

PURPOSE, OBJECTIVES AND SCOPE OF THE EVALUATION

This is an end-of-project evaluation commissioned by the CoE. Its purposes, as outlined in the Terms of Reference (ToRs), include:

- Assess the progress of the Project's outputs and outcomes against the intervention logic and indicators of the project,
- Assess the performance of the Project against the criteria of relevance, effectiveness, efficiency and sustainability,
- Identify lessons learned from the project implementation to inform potential future interventions in the same sector,
- Provide directions or recommendations for any future follow-up Project.

This evaluation is, therefore, **summative** as it seeks to offer a comprehensive analysis of the response delivered by the Council of Europe's support in the field of family justice and the protection of the rights of individuals and communities, namely the rights of women, children and other family members. This assignment is also intended to be **formative** to facilitate the identification of lessons learned, good practices and recommendations to inform the preparation and prioritisation of follow-up activities.

The scope of the evaluation covers the Project activities implemented since its start on 20 March 2021 until end May 2024, although the Project is running until 19 September 2024. The evaluation has considered the geographic coverage of the Project, which was implemented in seven regions of the country. The evaluation is also user-focused, which means that its purpose is defined in view of its usefulness to the main users, namely the Council of Europe as co-funding and Implementing Partner (the Project team and the Human Rights Implementation Department – Cooperation Division of the Council of Europe) and the main donor (EU).

Other evaluation audiences include other key partner institutions of the Project in Türkiye: the Justice Academy of Türkiye (main national partner), the Ministry of Justice, Family Courts, Regional Courts of Justice (Appellate Courts), the Court of Cassation, the Council of Judges and Prosecutors, the Ministry of Family and Social Services, the Union of Turkish Bar Associations, Law Faculties, and Civil Society Organisations.

EVALUATION APPROACH

The evaluation team used the evaluation criteria formulated in the ToR and proposed refined evaluation questions (EQ), structured in an evaluation matrix with corresponding sub-questions, indicators and data sources (see the Evaluation Matrix in Annex 6).

The evaluation team mainstreamed the principles of the human rights-based approach (HRBA) and gender dimension (including gender disaggregated data) under each evaluation criteria to ensure these principles are integrated in each phase of the evaluation process. The main EQ and sub-questions are as follow:

Evaluation questions	Sub-questions
Relevance: 1. To what extent do the activities carried out reflect the Policy and programmatic objectives of the Council of Europe and meet the needs of the targeted institutions and of the final beneficiaries (in particular vulnerable groups)? 2. To what extent was the project ownership ensured by institutional project partners, including their compliance to international and European standards?	Sub-question 1a: To what extent has the project addressed the capacity and needs of the justice institutions targeted? Sub-question 1b: How has the project responded to the needs of the end beneficiaries (namely women, children and other vulnerable groups)? Sub-question 2 a: How have institutional partners demonstrated commitment (ownership) towards project activities and why? Sub-question 2 b: To what extent was the project in line with Council of Europe Conventions and strategies, as well as national strategic documents, national jurisprudence and international standards? Sub-question 2 c: To what extent has the HRBA and gender equality aspects been mainstreamed in Project design?
Effectiveness: 3. To what extent and how has the Project achieved its expected results? 4. To what extent has a human rights-based approach and the gender dimension been adopted and mainstreamed in the Project implementation?	Sub-Question 3.a: To what extent has the project contributed to the improvement, observed or perceived, in the institutional and operational capacity gaps of partner institutions and organisations? Sub-Question 3.b: What were the factors (positive and negative) that have contributed to the achievements / non achievement of the results? Sub-Question 4.a: How has the Project integrated a human-rights-based approach at implementation level? Sub-Question 4.b: How have gender-sensitive measures effectively been mainstreamed throughout project management, activities and results?
Efficiency: 5. To what extent could alternative working methods have led to the achievement of comparable or better results with fewer resources?	Sub-question 5.a: How well have the project resources been utilised against the delivery of project outputs and within the planned timeframe? Sub-question 5.b: Are budget components gender responsive or some dedicated to human rights and gender equality aspects? Sub-question 5.c: Are budget components gender responsive or some dedicated to human rights and gender equality aspects?

Sustainability: 6. To what extent are the beneficiary institutions and organisations expected to continue using the outcomes of the Project and how can the sustainability of its results be ensured?

7. Which outcomes from the intervention are likely to be maintained in the short-term (3-5 years) after the end of the Project, namely those addressing the most disadvantaged groups?

Sub-question 6.a: How have the project team and justice stakeholders planned for the continuity of outcomes beyond the end of the project?

Sub-question 7.a: What are the mechanisms or methods in place that ensure sustained collaboration between the stakeholders?

EVALUATION METHODOLOGY

The evaluation uses a mixed-methods approach: it combines **qualitative** data collection methods (document review, interviews and Group Discussions) and **quantitative** data collection methods (survey) to answer the evaluation questions.

It draws on the following data:

- **Interviews** with 21 representatives of key justice partner institutions referred above, 2 representatives of international partners (EU Delegation and UNICEF).
- **Group Discussion** with 3 participants of a pilot law clinic run in Izmir.
- **An online survey** on training courses delivered to trainers (senior judges or professionals working in the family justice system), family court judges and prosecutors (mid-level career), candidate judges and prosecutors, experts and auxiliary staff. The survey was filled out by 134 professionals working in the family justice system out of 550 trained by the Project: this represents a response rate of 25 %. This makes the survey results statistically significant for most survey questions' results (the responses' percentage points used by the evaluation team are significantly superior to the margin of error of the survey; results that were within the margin of error were not considered). Women are over-represented in the survey as they constitute 71 % of respondents against 29% of men. Professional categories are represented broadly in line with the composition of the Project's immediate audience.

In agreement with the Project team, the evaluation sought to be utility-oriented and optimised its efficiency, through the sampling of specific project activities. For this reason, this evaluation considered the Project's overall ability to deliver on its objectives, and in complement it analysed more deeply the changes induced by four components under each Project Result, from which conclusions the Council of Europe is likely to draw most learning. Hence, while the evaluation team reviewed the overall relevance of the project in view of the actors and context (EQ 1-2) and considered the overall efficiency of the project's processes (EQ 5), evaluation experts focused their assessment of the progress of Project's results achieved and changes observed (EQ 3-4) and their sustainability (EQ 6-7) on the following priorities:

- 1) Under Result 1: the progress achieved on the implementation of the divorce procedures and the framework on the alimony and compensation determination by the family courts,
- 2) Under Result 2: the results obtained on the capacity development and training programmes of the judges, prosecutors, experts and court staff working in the family courts
- 3) Under Result 3: the achievements made in relation to the collaboration among stakeholders of the family justice system and the establishment of a collaboration mechanism,
- 4) Under result 4: the achievements attained on the establishment and functionality of the pilot law clinic conducted in Izmir.

CHALLENGES, LIMITATIONS, AND REMEDIES

This evaluation was conducted under limited financial resources (overall budget of 14 000 EUR) and in a restricted timeframe (3 months). To respond to this limitation, the evaluation approach was adjusted, with a focus on key and representative activity sets of the project. The team composition was also adapted to the challenge, with one international and one national consultant complementing each other. The team also adapted the data collection phase accordingly, with a small purposive sample of interviewees complemented by a survey for generalisation, and quick mobilisation for data collection: the team conducted one week of interviews in Ankara and the rest online with beneficiaries located in Istanbul and Izmir. The main challenge of the evaluation was therefore to provide with the resources available a comprehensive evaluation within the short time frame as:

- The contacts of informants for interviews were provided by the Project team one month after the inception meeting (further delays were incurred to access the Focus Group Discussion with participants to the law clinic), which delayed the planning of interviews, subsequently postponed the data collection process.
- Due to the evaluation's launch date and issues with access to informants, the data collection phase took place during the start of the holiday period in Türkiye: Eid in mid-June and start of the court recess or during the exams of the law faculties (for the law clinic).
- The response rate to the survey by the different professionals trained was lower than expected. Out of the 550 participants contacted by the Council of Europe and the Justice Academy of Türkiye (JAT), who attended the training sessions organised under Outcome 2, 134 responses were received. While responses to most survey questions are statistically significant, this was not always the case for their disaggregation by respondent categories, especially as some sub-groups were under-represented among respondents (see findings). Hence, the analysis of these groups' responses provides only indicative trends.

LESSONS LEARNED FROM THE EVALUATION PROCESS

Whenever evaluations are implemented under limited timeframe and budgets, sufficient consideration should be given to prior preparation: preparation by the commissioning CoE project encompasses substantive and logistical support, translation of documents, interpretation support, communication management with beneficiaries and survey/focus group participants. This would help maintain methodologically appropriate sequencing in data collection and processing, irrespective of the tight timeframe. Although the Project team was very supportive during the evaluation process, their time was also limited as they are still managing the Project and had to finalise ongoing activities before the end of the Project in September. More generally, project documents, timelines, and budgets, should give due considerations to whether or not an evaluation is wanted, and if yes, to dedicate sufficient resources and time for more manageable evaluations, all in consultation with the donor, when the latter requires an evaluation.

3 Findings

3.1 Relevance

Sub-question 1a: To what extent has the project addressed the capacity and needs of the justice institutions targeted?

Sub-question 1b: How has the project responded to the needs of the end beneficiaries (namely women, children and other vulnerable groups)?

Finding 1: Overall, the Project was very relevant for target groups and end beneficiaries. The Project fitted well within active debates and discussions among the justice institutions and other related professionals targeted, on gaps in family law matters and proceedings, as it aimed to harmonise procedural practice courts in family law matters. Moreover, the Project responded adequately to the needs of the family members, namely the most vulnerable groups (women and children).

Overall, the Project focus on family law matters and family justice system has met the needs of the ministries, judges, prosecutors, judicial and legal professionals, experts and court staff involved, to a high extent.

First, the Project aligned with the most recent legal, judicial and policy reforms adopted in Türkiye in the sector area, from its inception along its implementation²:

- The establishment and functioning of 360 family courts, as of March 2022, in every province and district of more than one hundred thousand people.
- The entry into force in April 2021 of the regulation on Judicial Support and Victims' services with specialised units created in courthouses across the country.
- Turkey' 11th National Development Plan (2019-2023) encompassing, among other priorities, the support to women's rights, women's empowerment, gender equality, children's rights and well-being, prevention of all forms of discrimination and violence against women.
- The Judicial Reform Strategy Document (2019-2023), which relates to the whole justice system, aims among others, to facilitate access to justice services, through a human oriented approach to service and protection, to improve the functioning of the courts, mechanism for cooperation between stakeholders, practices related to women's rights, judicial resolution of disputes arising from family law; to strengthen the skills of judges, prosecutors and courts experts on issues as gender, domestic violence and child welfare as well as to increase public knowledge about family court proceedings.
- The 4th National Action Plan on Combating Violence Against Women (2021-2025) of the Ministry of Family and social Affairs, which aims to improve the effective implementation of measures foreseen under the legislative amendments and easing access to justice by the victims.
- The successive 4th, 5th, 6th, 7th and 8th judiciary reform packages passed by the Parliament between July 2021 and March 2024.

The EU Instrument for Pre-Accession (IPA) II, under its rule of law and fundamental rights sector, aimed "to increase awareness on human rights, women's rights and gender-based violence among members of the judiciary" and "to support the improvement of access to justice, especially for women and disadvantage groups, and alternative dispute resolution in both criminal and civil cases". The Project directly corresponds to the priorities of this sector. At the time of its design, it further addressed issues and concerns raised in the EU revised indicative strategy paper for Turkey for the period – IPA II - (2014-2020), in relation to the discrimination against women and gender-based violence, "due to the weak

² See CoE Inception Report October 2021 and annual progress reports from 2021 to 2023, in sections on context, reforms and progress in the family justice area and on relevance of the action.

implementation of legislation and the low quality of services available” as well as “the lack of strong political commitment to gender equality”, which led to women having less access to, and ownership of judicial processes.

RELEVANCE AND INTERESTS OF TOPICS BY KEY JUSTICE PARTNERS AND TARGET GROUPS TRAINED

All interviewed representatives of key justice partner institutions found the project highly relevant and tailored to the needs of the target groups and beneficiaries, reflecting the reform agenda in the family justice sector in Turkey. These key partners noted that the Project was relevant for different reasons:

- The training of judges and prosecutors, candidate judges and prosecutors in family law matters was timely in view of the above-mentioned reform efforts.
- It responded to the need to identify and discuss the gaps in the divorce procedures and in the determination of the compensation and alimony procedure.
- It responded to a concern regarding the length of divorce proceedings, namely in fault-based divorce cases.
- It addressed judicial professionals’ identified need to learn more about the procedures of divorce, adoption, custody, and contact concerning children.
- It fed into the efforts to ease the inspection of the regional courts of appeal over family courts.
- It aimed to enhance effective compliance of human rights during the trial and due representation by lawyers of people ignoring their rights, namely, to improve the representation of children in divorce proceedings.
- It offered an opportunity to promote the implementation of alternative dispute resolution mechanisms such as mediation practices in ongoing divorce proceedings, which are identified as an avenue to reduce the workload of courts, which is recognised as a challenge, whereas, at the same time, protecting the rights and well-being of parties and their children.
- It provided new avenues in response to well-identified gaps in the defence of the rights of the victims under the law on domestic violence, namely for courts to take appropriate protection measures that meet the specific needs and rights of the victims.
- It offered a way to disseminate knowledge on the Court of Cassation jurisprudence in handling family law cases, namely in determining the alimony in divorce proceedings.
- It was viewed as necessary for the trainings of recently graduated psychologists with no experience on effective listening techniques of children.
- It gave judges and prosecutors an opportunity to learn more about the services provided in Violence Prevention and Monitoring Centres and issue more preventive and protective measures as well as judicial remedies tailored to the needs and rights of the victims of violence.
- It responded to a need to ensure uniformity of procedures and practice in family courts and to increase information on family law matters.
- It modelled ways to better assist citizens on family law issues.

Justice partners interviewed and respondents to the survey on the capacity-building activities recorded most relevant interest on subject matters they were consulted or trained on. However, other topics of interest were selected outside of the topics target groups were trained on, for instance general approach to the child in family courts as well as gender equality and prohibition of gender-based discrimination in family members’ access to justice.

The survey responses on the Survey **question 3 “ Which were the most interested and useful topics for you”** revealed the preference from all target groups for the topic on gender equality and prohibition of

gender-based discrimination in family's members access to justice (30,6%), followed by the assessment of the reasons for divorce (24,6%), justification of family law decisions (23, 8%), custody and establishment of contact and visitation rights (23,1%), general approach to the child in family court cases (23,1%), non-discrimination and equality principle in the ECHR (22,4%) and the legal framework on combating violence against women (international / CoE standards, national legal framework and rules of procedural law).

The law clinic was also very relevant for students in terms of career planning. They were eager to gain significant practical experience about family courts and family law, beyond the theoretical knowledge they receive at university, and the project gave them this opportunity, namely on women's rights, Law No. 6284 on domestic violence, divorce laws, international conventions, international court decisions and access to legal aid.

RELEVANCE FOR END BENEFICIARIES

Although represented indirectly in Project activities through the Union of Turkish Bar Associations, lawyers, academics and Civil Society Organisations, citizens who are parties (litigants) to cases in family courts were represented at 38% among six target groups, in the research conducted by the Project on improving the effectiveness of family courts, published in May 2022. Citizens responded to a court user satisfaction survey and provided their opinions on the functioning of the family justice system, the services delivered by the family courts and problems faced in family law matters.

Justice partners interviewed emphasised the relevance of the Project for addressing the needs of end beneficiaries, by:

- providing raising awareness, information and guidance on legal services and judicial assistance to vulnerable family members, namely children and women;
- raising awareness to family judges for undertaking equitable decisions for women and children; discussing on women's access to justice, women's rights and identifying those most at risks;
- discussing on the best interests of the child and living conditions of the parents.

However, according to some stakeholders, linkages with the social and economic conditions of women were not sufficiently addressed during the consultations. The assessment reports (developed under R1) are focusing on a gender analysis of the Turkish legal framework and of the legal issues affecting women access to the different procedures under concern. Therefore, socio-economic issues of the women were broadly underlined in the framework of access to justice and rights of SGBV victims, but did not lead to an in-depth analysis of their economic situation, which was not mandated under this programme. The project team could have eventually conducted a political economy analysis to better inform the family courts of all economic, financial and social criteria to be taken into account when assessing women's socio-economic status. The Project had also limited opportunities to reflect its relevance for end beneficiaries as they were not directly involved and/or outreached by the Project but were only indirectly represented through Bar lawyers and CSOs.

Sub-question 2a: How have institutional partners demonstrated commitment (ownership) towards project activities and why?

Finding 2: The Project registered a very positive engagement of institutional partners in all activities. However, Civil Society Organisations felt and were considered under-represented despite their involvement in few events and consultation processes.

The Project closely associated and engaged key justice partner institutions in various phases of the implementation, through regular meetings of the Project Steering Committees (PSC), and in each outcome, through surveys, consultations on documents produced, advice and interventions in the different activities and events organise.

First, justice stakeholders were engaged in the selection of the pilot family courts where the Project activities take place, in the review of research studies or assessment reports on issues faced by the family justice system. They participated in several consultation workshops and round tables organised to discuss challenges identified, measures and recommendations to improve the system or policies where gaps and needs had been identified.

The JAT and justice partners were also involved in the development of guidelines and handbooks following the roundtables organised, as well as in the training need assessment to improve the curricula, methodology and materials of the training to be delivered on five selected topics (see more details under the Effectiveness criteria and evaluation questions). The project has also run a consultation process to set up the coordination mechanism and involved the relevant justice partners in the organisation of the open days and law clinic.

Overall, representatives of key justice partner institutions felt that their opinions were considered by the Project team, except CSOs who felt their views and needs were not sufficiently reflected throughout project activities and that they were not invited to participate and make presentations in many meetings and events. Representatives of the Union of the Turkish Bar Associations also emphasized, including during the 5th PSC meeting, that many associations and lawyers working in the field of women's and children's rights, should have been more engaged by the Project to share their experiences and opinions on family law issues.

Although CSOs were invited to participate in some PSC meetings and other project activities such as focus groups on assessment reports, workshops on public awareness, the International Symposium, their involvement was limited by several factors. First, the three CSOs involved in the PSC had to be approved by the JAT, which constituted a major barrier for other CSOs to be involved in the management of the Project. The CSOs which were identified participated only at the beginning of the Project. Second, it was difficult for the Project team to include CSOs in capacity building activities dedicated to the Judiciary and justice institutions, due to the prioritisation of these institutions viewed as the most relevant project stakeholders, and also for confidentiality reasons.

The Project team indicated that CSOs involved also did not respond to some invitations. The evaluation team could observe that the distrust between independent CSOs and State institutions remains high on family law issues and women's rights. The Project addressed "politically" sensitive issues that CSOs felt disempowered to discuss with state institutions, for instance on violence against women. They however provided their feedback when requested and found it relevant to receive information on the work of the family courts.

Sub-question 2b: To what extent was the project in line with Council of Europe Conventions and strategies, as well as national strategic documents, and international standards?

Sub-question 2c: To what extent have the HRBA and gender equality aspects been mainstreamed in Project design?

Finding 3: The Project has duly aligned its design with relevant international standards, Council of Europe Conventions and national justice sector strategies inspired from these instruments. The Project has also suitably mainstreamed ECHR standards, including human rights-based and gender equality principles in all planned activities to ensure their compliance by institutional partners.

As outlined under finding 1, the Project's objective and results are fully aligned with recent legislative and policy reforms taking place in the framework of the EU accession process, such as the fight against domestic violence and the protection of victim's rights. The jurisprudence of the Court of Cassation was also largely considered.

Türkiye is a party to various relevant international and European instruments relevant to family justice, including the European Convention on Human Rights (ECHR), which makes the judgements of the European Court of Human Rights (ECtHR) applicable in Türkiye. Türkiye is also party to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and has a commitment to the Council of Europe's Committee of Ministers' standards. These instruments and related standards are relevant for Türkiye.

Justice partners interviewed underlined that international conventions are legally binding in view of Article 90 of the Turkish Constitution, setting forth that international agreements on fundamental rights and freedoms prevail in case of conflicts with national legislation regarding the same matter. Despite Türkiye's withdrawal, in March 2021, from the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), judges, justice and social professionals are still observing its approach through the application of Law No. 6284 ("Law on Protecting Family and Preventing Violence against Woman"), which aligns with other international conventions.

Justice partners institutions and training participants found relevant the reference to ECtHR case law supporting the principles of equality and anti-discrimination as examples of best practices in Project consultations and capacity building activities. However, most stakeholders interviewed expressed mixed opinions and concerns about the relevance and adaptability of some European concepts and practices in the Turkish legal, policy and procedural framework, due to the difference of societal environment (see more details under Effectiveness and Sustainability criteria).

For instance, the abolition of the divorce on the grounds of the fault and the connected adaptation of the alimony and compensation for women in divorce proceedings is not accepted by all parties due to the potential threats or discrimination that could endanger women's protection rights and living conditions, as they are often unemployed and are very dependent on their husbands' incomes or likely to be victims of domestic violence during the divorce proceedings. This situation made the approach to Result 1 of the Project (the divorce procedures and the framework on the alimony and compensation determination by the family courts), and the aligned thematic focus of Result 2 (capacity development and training programmes of the judges, prosecutors, experts and court staff of the family courts) particularly relevant.

Human rights, gender mainstreaming and inclusiveness are inherent to the Project's overall and specific objectives and were therefore duly mainstreamed into Projects' outputs and activities from the design phase. The project engaged an expert to draft a gender mainstreaming strategy and gender analysis. First project activities, namely the baseline, gap and needs studies conducted during the inception phase,

focused on ensuring a balanced representation of male and female participants in the surveys and consultations on gap analysis. Indicators outlined in the logical framework matrix of the Description of Action are also gender-sensitive and include disaggregation of data by sex, age, urban/rural, disability.

Even though the concepts of gender roles and gender equality are new for many justice partners, and there has been a lot of debate about the terminology to be used in the Project's documents, a majority of stakeholders interviewed and trained found relevant all references to the CEDAW, the Istanbul Convention, the Children's Rights Convention, and they reported to have learnt new elements about them.

Quotes:

"Our legislation is compatible with international standards. There is a problem in the application. Lack of political will brings bureaucratic resistance".

"There is no problem with the legislation. International conventions are already norms above the law".

"All international standards, ECtHR decisions, gender discrimination issues are included. And it helped a lot."

3.2 Effectiveness

As described under the methodology, the assessment of the effectiveness criteria chiefly focused on the progress of results achieved and changes observed under the following components:

- 5) Under Result 1 (R1): the implementation of the divorce procedures and the framework on the alimony and compensation determination by the family courts,
- 6) Under Result 2: the results obtained on the capacity development and training programmes of the judges, prosecutors, experts and court staff of the family courts, with a focus on topics related to the themes selected under R1
- 7) Under Result 3: the collaboration among stakeholders of the family justice system and the collaboration mechanism,
- 8) Under result 4: the establishment and functionality of the pilot law clinic in Izmir.

Sub-Question 3.a: To what extent has the project contributed to the improvement (observed or perceived) of the institutional and operational capacities of partner institutions and organisations?

Finding 4: A large majority of key justice partners and training participants reported increased awareness, knowledge and skills on the topics delivered. There are indications that some stakeholders started to apply this knowledge in their practice. However, the opportunities for implementing some tools and techniques learnt are restricted by an uncomplete legal and procedural framework and societal resistance to change.

Overall, interviewed and surveyed participants were satisfied with the Project and very appreciative of the multi-stakeholders' consultations, workshops or trainings they attended.

A majority of participants have gained substantial knowledge and skills from the various capacity building activities organised by the Project on the five themes selected for each target group (see below). These topics derived from assessment studies, roundtable discussions with justice partner institutions, and training needs analysis. Each theme was intended to improve the effectiveness of family court procedures or the expertise of judicial, legal and other professionals working in the family justice system, all focusing on the protection of the rights of the family members in family law cases.

INCREASE IN LEVEL OF UNDERSTANDING, KNOWLEDGE AND SKILLS ON FAMILY LAW MATTERS

As for key focal justice stakeholders interviewed, who are senior judges, heads of ministerial /judicial support and court staff units, and lawyers representing the Union of Turkish Bar Associations, most were involved as trainers or advisers on family law matters discussed or provided their inputs on training materials, assessment reports and handbooks produced.

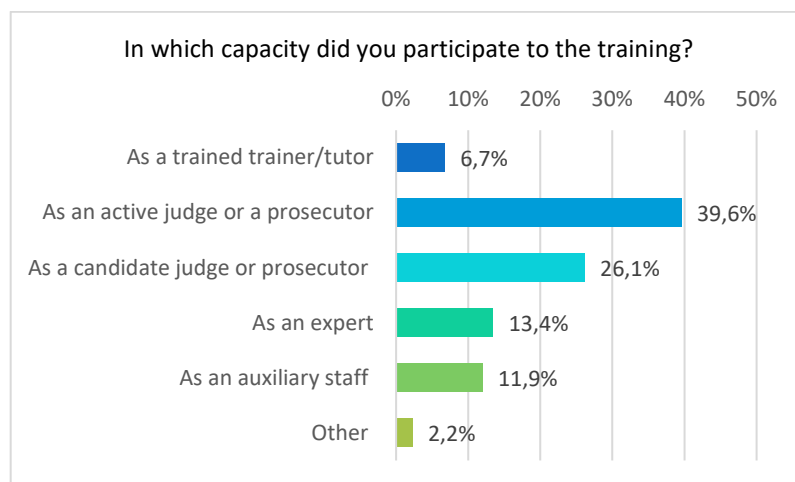
They responded that the Project principally raised awareness on the problems identified in family law cases. Discussions around these gaps as well as trainings of trainers and study visits, allowed them to develop a better understanding of the way other justice and legal institutions confront these problems, and on how to develop training and guidance materials to improve the handling of family law cases.

The Project contributed moderately to reinforce the institutional or personal capacities of key partners on national family law matters as they already have a high level of knowledge and seniority experience, so there was a limited margin of progression for them. However, they stated that they significantly learnt from international legislations and European practices (especially during the study visits for those involved) and improved their knowledge on the interpretation of ECtHR decisions and on gender discrimination, which corroborates the findings outlined above under the Relevance criterion.

As for the training participants, the evaluation surveyed five different categories of justice actors, legal and social sector professionals who received training by the Project on specific topics targeted their needs:

- **Trainees who received training of trainers (ToT):** 3 ToT for judges and prosecutors and 1 ToT for experts and auxiliary staff in order to cascade down the trainings to their peers afterwards. 57 participants all benefited from a module on training methodology for adults and were split into four groups to be trained on modules prepared for each target group described below.
- **Active family court judges and prosecutors:** mid-level judges working in family courts who received in-service trainings on "Family Law Cases and Protection of the Rights of Family Members in Divorce Proceedings" as well as on "Effective Protection of Women's Rights and Effective Implementation of the Law No.6284".
- **Candidate judges and prosecutors** who received pre-service trainings on "Drafting Reasoned Judgments in Family Law Cases".
- **Experts or judicial support workers** who received in-service trainings in "Effective Child Interviewing Techniques in Family Law Cases".
- **Auxiliary staff in family courts** who received in-service trainings in "Communication, Working with Vulnerable Groups and Time Management Skills in Family Courts".

The Project team reported to the evaluation team that the CoE and the JAT reached out to **550 persons** to invite them to take this evaluation's survey. Out of this number, **134 respondents** filled in the survey. Their representation per professional category is distributed as shown in the graphic below based on question 4 of the survey:



More than a third of the respondents were active family court judges and prosecutors (39,5%), while a fourth were candidate judges and prosecutors (26,1%), 13,4% were experts, 11,9% were family court staff and 6,7% trainers trained. The in-service and pre-service trainings were delivered between April and June 2024 in four towns and the disaggregated number for each category is not yet documented at the time of report drafting because the activity was not yet finished, except for the 57 trainers trained. It is therefore impossible at this stage to analyse if the number of survey respondents per category is proportional to the number of professionals trained.

However, based on interviews with the Project team, and in view of evaluations of similar Projects conducted before, the survey results' breakdown is broadly coherent with the distribution of project-trained professionals, meaning that no professional category seems grossly over- or under-represented. In gender terms, however, women are over-represented in the survey as they constitute 71% of respondents against 29% of men. This could reveal particularly high interest in the project's topic among female legal professionals targeted by the project.

In examining the attendance, 73,8 % respondents stated having attended one training; 10,4 % attended 2 trainings; 8,9% attended 3 trainings or plus. Trainers reported having attended multiple trainings, but also a few of all other professions. 3,7% are not sure of the number they attended and 3 % responded not having received trainings under the Project (3 candidate judges / prosecutors and one auxiliary staff) – a somewhat paradoxical result, given that the survey was *a priori* circulated to participants. These figures are coherent with responses provided on the types and topics of training attended, under question 2 of the survey, as reported in the table below:

% of respondents having attended	Topics of training course attended (multiple choice applicable)
10,4 %	Training of trainers
24,6 %	Family Law Cases and Protection of the Rights of Family Members in Divorce Proceedings
16,4%	Effective Protection of Women's Rights and Effective Implementation of the Law No:6284
16,4 %	Drafting Reasoned Judgments in Family Law Cases

10,4 %	Effective Child Interviewing Techniques in Family Law Cases
13,43 %	Communication, Working with Vulnerable Groups and Time Management Skills in Family Courts

Although the proportion of trainers trained is slightly higher under this question, this is justified by the fact that more justice professionals reported themselves under this category here, although few (5 persons) identified themselves in another capacity under Question 4.

60 % of active family court judges responding to the survey attended the training on the Protection of the Rights of Family Members in Divorce Proceedings while the remaining 40 % of judges and prosecutors' respondents attended the topic on protection of Women's Rights and Effective Implementation of the Law No 6284.

Although the percentage of experts and auxiliary staff who attended their respective in-service training is slightly different under this question, the number of persons reported for each training topic is coherent with the respective roles they identified under question 4.

The only difference lies between the number of candidate judges and prosecutors who responded to the survey and the reduced number attending the topic on Drafting Reasoned Judgments in Family Law Cases. Under this question, more than half of these candidates preferred to identify themselves as attending pre-service courses and not the specific topic designed for them.

The professional categories of active judges and prosecutors and experts were proportionally represented, in terms of percentage. However, the % of women representing the category of candidate judge or prosecutor is higher by 10%, and the % of men representing the court staff category is higher by 14%.

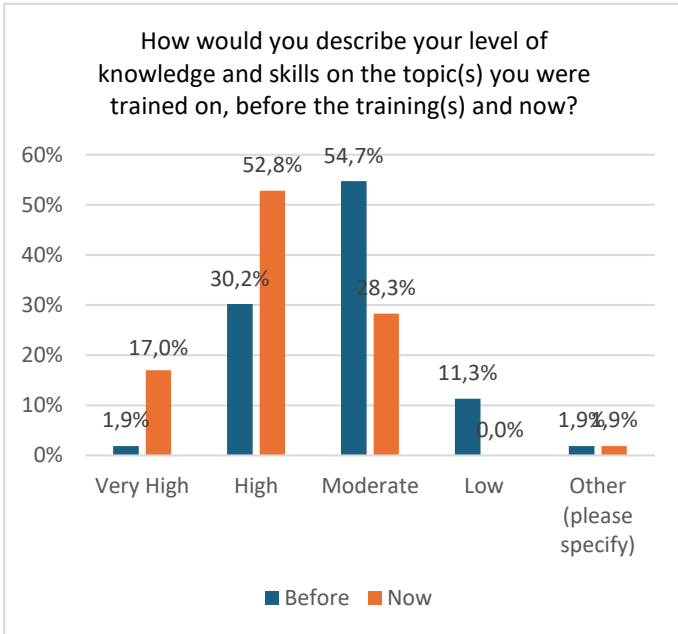
Trainers trained by the Project: the Project manifestly helped trainers gain knowledge and skills as trainers, which about a half have put in practice since then.

4 out of the 9 respondents in this category reported to have significantly increased their knowledge and skills in relation to the delivery of training programmes before the ToT, while 2 maintained this level and the other participants moved from a low or moderate level to a high level of knowledge and skills.

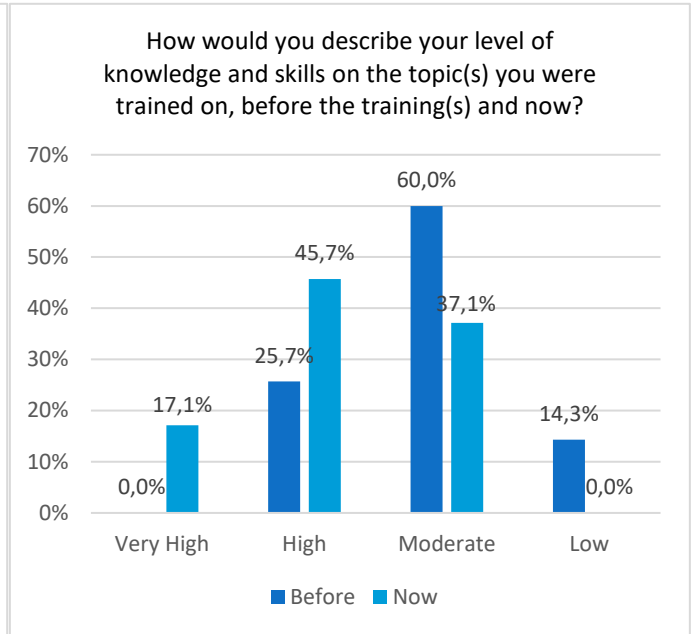
8 of them reported to have used the training techniques learnt during the ToT: for the design and planning of the trainings and to actively engage participants. The ToT also helped 7 of them feel more confident as a trainer, while 5 and 4 of them have stated to have used the techniques to organise group works or practical exercises on the topics respectively.

The survey also provided a comprehensive picture on the increase of knowledge and skills gained by each category of professionals trained, as graphically represented below (Questions 8, 9, 10 and 11 of the survey). The results show a transfer from self-reported “moderate” and, to a lesser extent, “high” levels of knowledge and skills, to “high” and, to a lesser extent “very high” level, and the disappearance of a pre-existing small portion of self-assessed “low” level of knowledge and skills. This is classical for projects which train generally highly educated professionals on specialised topics, and it is a testimony to both the adequacy of the training provided, and its overall effectiveness, with a few nuances and room for further improvement.

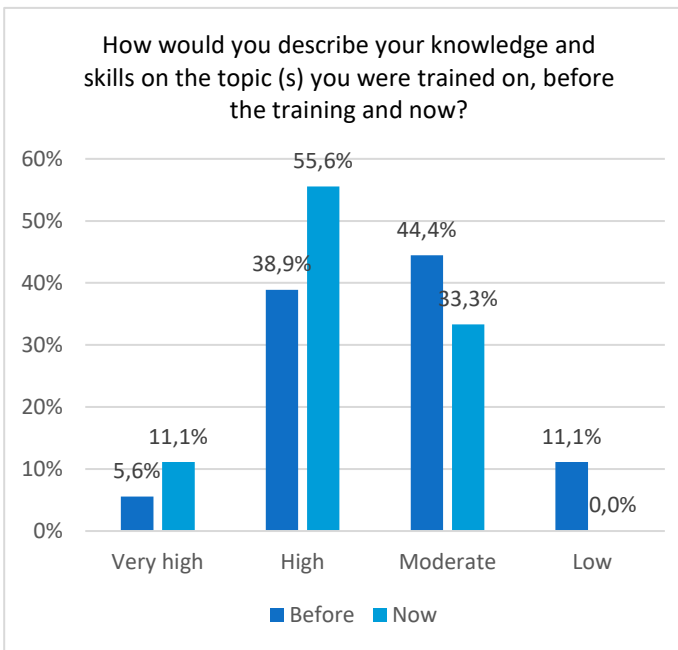
Active judges and prosecutors:



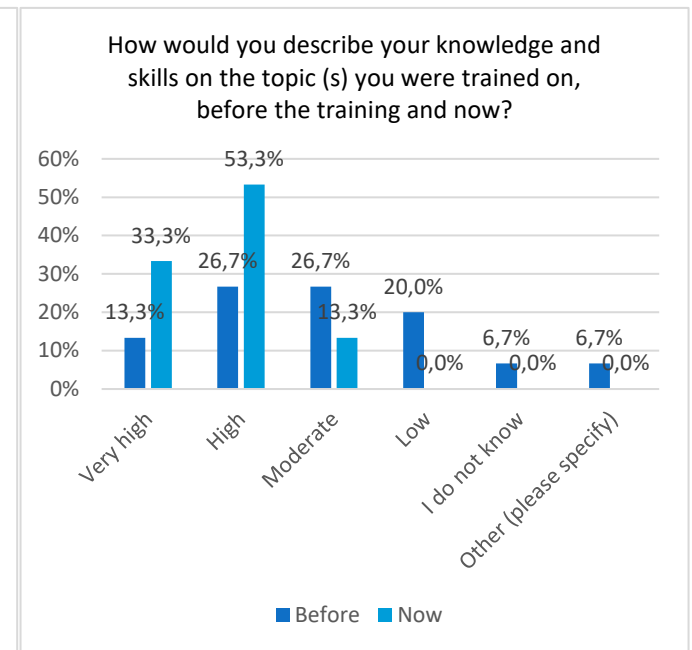
Candidate judges and prosecutors:



Experts:



Auxiliary staff:



There are some discernible different perceptions over the progress made by each professional category:

- Active family court judges and prosecutors noted a significant margin of progress with 15% having gained a very high level of knowledge and skills after the training compared to 2% before training; 22% increase for those reporting having a “high” level of knowledge and skills, and a decrease of 26% for those considering having a “moderate” level of knowledge and skills on the training delivered. The 11,3% participants who estimated having a “low” level of knowledge and skills on the topics before the training, did not report any more this level after the trainings.
- Candidate judges and prosecutors recorded a respective increase of 17% and 20% in their level of knowledge and skills assessed as “very high and “high”, although they reported their level moderate at 60% and low at 14,2% before the training. However, 37% from the initial 60% believe that their level of knowledge and skills is still moderate, which could be explained by their still relatively low level of practical experience. During the interviews, justice partners reported that candidate judges and prosecutors were expecting the training to be more focused on practical solutions, which could also explain the rate obtained.
- The experts’ respondents rated their level of knowledge and skills as 16% higher between before the training and now, and 5% as very much higher. There has been a 10% decrease for those having described their level of knowledge and skills as “moderate” although 33% of these experts recorded still having a moderate level of knowledge and skills in their sector areas.

Justice partners interviewed reported that the training for experts on effective hearing techniques with the child was already part of the Ministry of Justice training, which was considered more detailed and comprehensive than the training delivered by the Project. The latter was therefore perceived by some respondents as inadequate as it did not bring any new information, knowledge and techniques. Stakeholders stated that experience sharing sessions or work on case studies would have been more useful in this area. The Project team reported its awareness of the MoJ training at the outset, and points out that CoE case studies in the training materials differently so that participants could practice difficult situations.

- The Family court staff perceived having increased their more knowledge and skills by 20 % to 30 %, compared to their initial level rated as very high for 13,3 %, high and moderate for 26, 6 %, and low for 20%. None of them consider having a low level of knowledge and skills now.

The participants to the law clinic, during our focus group discussion, acknowledged that students, despite their good command of pertinent legal issues , had noticeably increased their knowledge through their two-week preparatory training, mostly on women's rights, application of the Law 6284, divorce laws, international agreements (namely CEDAW and the children's rights convention) and international court decisions. Students also reported they had improved their practice skills, specifically on protective measures to be taken in cases of domestic violence and gained experience on how to deliver legal information and orientation to victims and vulnerable groups coming to the courts. However, the three interviewed students mentioned they would have preferred the presence of bar association lawyers, during the law clinic, to better guide them through the legal aid process and to contribute to the visibility of the law clinic. The Project Team reported that one lawyer was assigned to guide the students and an information-sharing session with the local bar association was also arranged, yet this seemed not to have happened at least in these three surveyed cases.

KNOWLEDGE APPLIED/CHANGES IN SKILLS AND ATTITUDES

Key justice stakeholders interviewed noted the positive influence of the Project on improved practices already observed in family courts or among practitioners targeted by the project, for instance:

- Higher efficiency observed with first instance judgements on divorce submitted to appeal courts.
- Decisions on the determination of alimony and compensation have been more evidence-based in line with Court of Cassation decisions. Although the German tool presented as best practice (Düsseldorf table) was useful to learn about, a majority of partners interviewed believe it is not transferable to the Turkish system, as it does not apply to the socio-economic status of family in Türkiye. However, other senior representatives take it into account to guide and apply a tailored model, which is less technical, and that can ensure standardisation of decisions. The project team informed the evaluators that this tool was further applied in practice during the pilot implementation, which occurred after the evaluation data collection phase, and thus could not be verified and included in this report.
- The best interest of the child is more taken into consideration by family court judges in divorce cases and declarations of children start to be taken although lawyers indicate the principle still needs to be applied in practice and controlled by inspection.
- The social review reports are becoming more complete.
- Decisions are based on more robust legal reasoning, a language which is more understandable to the parties and which is less sexist.
- The courts' role in applying family mediation during divorce procedures and after divorce (and its limitations) was clarified. Lawyers are encouraged to promote alternative dispute resolution mechanisms in family law procedures to reduce the conflict caused by the litigation, help shorten the process and protect the relations of the spouses and children.
- The Project provided an avenue to open the debate and explicitly discuss issues such as the long duration of proceedings due to fault-based divorce cases and its problematic consequences on the determination of the compensation and alimony provision and the decision on child custodial arrangements (even if no consensus was reached).
- Joint custody decisions have increased and are considered more favourably based on consultations with parents, other family members, and considering factual elements in the best interests of the child. Although the matter is not regulated by Turkish legislation, international agreements are utilised to guide the process. However, there is no mechanism nor legal provision in Türkiye to enforce joint custody rulings.

The Pilot Law Clinic was too limited, in terms of time and geographic coverage, to observe changes. However, all participants of the Focus Group Discussion agreed it was a more effective learning method for students to be introduced to the legal aid process and to have direct contacts with citizens and victims.

The survey also evidenced how training participants have started to use and/or integrate the training knowledge into their practices. These responses, corroborated by the interviews of senior representatives, show not only a higher level of technical knowledge but also skills being deployed in daily

work. They also reveal some changes in the attitudes among (some of) the training participants. This indicates that for a significant number of participants, the project has played a transformative role, at least at individual level.

When asked about their personal gains from the trainings:

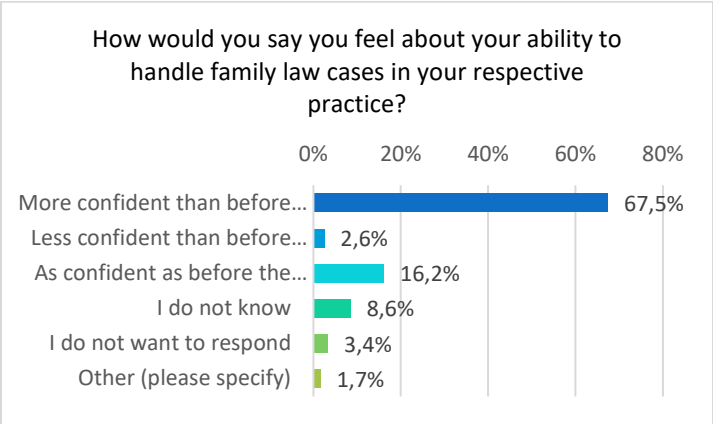
- 73,4 % of survey respondents agree or strongly agree that the trainings increased their ability to improve their work, while 24,8 % somewhat agree
- 70 % agree or strongly agree the trainings made them aware of their own gaps in their practice, while 28,2, % somewhat agree
- 69,2 % agree or strongly agree that since the trainings, they are more careful about the way they handle family law cases or speak to certain categories of people, while 25,6% somewhat agree or do not agree
- 59, 7 % agree or strongly agree that they interpret better legislation national legislation, and the jurisprudence of the Court of Cassation related to family law and justice, while 29% somewhat agree or do not agree and 7,7 % do not know
- 58 % state that they are more careful in applying international standards, relevant principle of the Council of Europe and the case law of the ECtHR, while 27,3 % somewhat agree or do not agree and 10,3 % do not know
- 73,5% respond they have been able to apply the training to their practice and 23,1 % stated they have not been able to use it yet.

These results are more or less similar for each professional category, except for 60, 5% of candidate judges and prosecutors stating that they have not been able to apply the trainings to their practice yet. This is coherent if they have not started practicing yet.

As reflected in the graphic below, 49,6 % responded the training helped them a little to support them in their professional practice, while 44,4% found it helped them a lot. These results can be justified by the fact trainings were organised from April to June 2024, with a short timeframe from the survey. Hence, most training participants might not have had the opportunity to fully absorb and implement the knowledge taught, even if they were able to apply the trainings to their practices.



67,5 % survey respondents have registered more confidence in their ability to handle family law cases since the training, against 2,6% who are less confident than before the training and 16,2% as confident as before the training.



Quotes:

“The Project helped me look at cases from a broader perspective, broadening my interpretation of solutions based on correct applications at international level, and thinking in an alternative manner”.

“Despite my seniority, I learned a lot, especially from international legislation and different practices”.

“During the trainings, I saw that there were subjects that I was familiar with, as well as subjects that we did not know at all, or that even if I knew a subject, I did not look at it from that point of view”

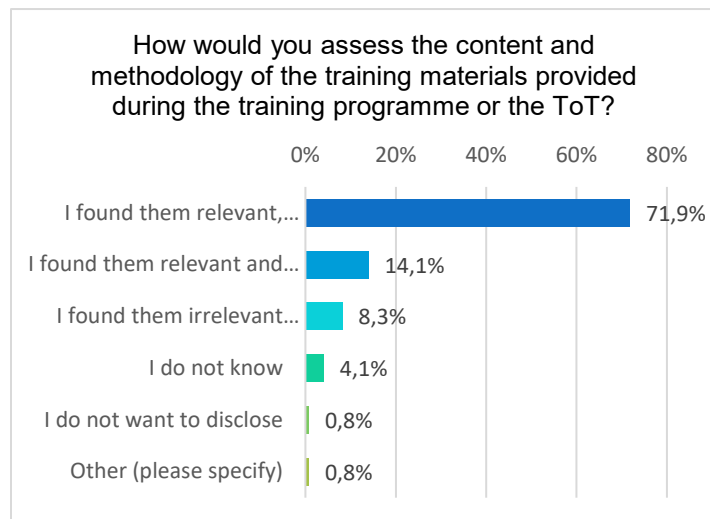
“It somehow reflects on my professional and academic life”

“While conducting the hearing process, we try to use time management and witness process training information as much as conditions allow.”

Partners interviewed and training participants

SATISFACTION WITH THE QUALITY OF THE TRAINING MATERIAL

Survey respondents are overall satisfied with the quality of the content and methodology of the training material, rating them at 72% as relevant, interesting and practically applicable in their work. 14 % of respondent found them relevant and interesting but not applicable to their work and 8,3 % found them irrelevant and not interesting.



When examining these results by professional category, half of the experts and 15 % of candidate judges and prosecutors were more critical about the training materials they received, which is coherent to what was reported by their hierarchy in interviews.

Although suggestions were made in parts of the content training on “Effective Child Interviewing Techniques in Family Law Cases”, those were only partially reflected by the Project team and the booklet remains theoretical. Learning techniques (such as regulating emotions of the child) are not sufficiently explained, leading the trainers to add from experience and knowledge during the training.

When asked whether they have reverted to the training materials distributed to them, 15,7% survey respondents declared they have done it a lot, 31,4 % have referred to them sometimes, 18,2% have done it once or twice, 27, 3% not at all and 5% prefer not to disclose. These results are more or less reflected in the same way by all categories of professionals.

Sub-Question 3.b: What were the factors (positive and negative) that have contributed to the achievements / non achievement of the Project’s results?

Finding 6: The Project has striven to advocate for a more consistent application of the Council of Europe conventions and principles, enabling to address key challenges of the family courts related to the rights of the family members. However, the integration of European concepts, related legislation and policy amendments, remain challenging to align with the Turkish legal system for cultural and societal reasons.

Representatives of justice partner institutions emphasized that the Project created an active, useful and participatory atmosphere by supporting opportunities for discussion, interaction, communication and

networking around family law issues. Senior judges and experts found it useful to share their experiences with their younger peers during training and the senior ones learned from the challenges younger ones encounter in their practices. The Project strengthened the communication between the different professional groups. Beyond the training sessions, trainers try to respond to questions received from the training participants as much as they can through a WhatsApp group, showing that project participants create informal platforms to make the most of the networking achieved.

The Project came at a good moment, while family law issues discussed in the society were addressed by the Project and coincided with the ongoing work of the Ministry of Justice and the Ministry of Family and Social Services in their respective fields. This led to important suggestions for legislative and policy reforms, in line with expectations of most citizens participating in the research and survey mentioned under the Relevance section, aiming to strengthen the effectiveness of the family courts and ensure access to justice and protection of the family members, namely women and children.

Study visits to Germany, Switzerland, France, UK, and Ireland exposed the justice partner institutions to practices and solutions which, in these countries, have addressed problems still encountered in Türkiye in the family justice and law area. Although they aimed to promote legislative amendments and to create family law cooperation networks between European and Turkish justice sector institutions, there is no indication at this stage that practices and recommendations identified during study visits have had a positive effect or influence on the Family Court system. The recommendations of the study visits will only be translated into draft laws on a longer-term period.

The inter-institutional visits allowed ministries and judges to be more familiar with each other's mandate and existing structures in place, namely, to better coordinate in the framework of Law No. 6284.

Quotes:

"My knowledge increased, my approach changed, and I developed a different understanding. It somehow reflects on my professional and academic life"

"The reactions to the issue of removing the fault from divorce proceedings, between the first meetings to the last meeting, have evolved visibly".

"The contact with judges from different provinces, first instance, and the Court of Cassation was eye-opening."

Representatives from Key Partner Institutions

Hampering factors to the effectiveness of the Project's results

Key justice institutions overall agreed that the Project exposed them to a lot of good practice examples on international and European standards (namely during county visits to Europe) that could solve the current issues faced in family law and serve as a basis for propositions on legislative and policy amendments. The Project team compiled a roadmap providing a set of recommendations on possible changes to introduce in the legal framework on family court proceedings. However, most justice partner institutions believe these changes are not yet possible to undertake and adopt in Türkiye, given the current economic, social and cultural context.

Most justice sector partners declared that the application of criteria suggested to determine the alimony for the spouse and the child maintenance (such as those used by the Düsseldorf Table in Germany for the

child maintenance scheme) would create problems now, due to the insufficient social and economic structures in place in the country allowing for its transferability, and while considering existing social and economic inequalities between men and women. Although the aim of regulating the duration and amount of the spousal maintenance is to promote fairness, justice partners state that the society is not ready for a transition to a new system of alimony, mostly for the spouse maintenance, as it will disadvantage the position of the woman, who is in a weaker economic situation. This view is contested by the project team, which argues that the Dusseldorf table in frames of this project is related to the child maintenance scheme rather than spouse maintenance. However, the two were conflated by the respondents, most likely reflecting the media/political debate on the issue and denoting the political sensitivity to the matter. Based on experiences with comparable project evaluations, the evaluation team understands that such criticisms should be interpreted in light of a charged political context, whereby respondents feel an obligation to position themselves vis a vis a sensitive national debate, and as representatives of State officials. In this project, this situation highlighted the need for the project team to clearly communicate which aspects of a tool (in this case the child rights-focused aspects the Dusseldorf table) developed in different contexts are most immediately useable in the targeted country. Interviews with the CoE staff show that this was clearly communicated, though perhaps not strongly enough from the perspective of the duty bearers.

Similarly, most partners interviewed have reservations on the abolishment of the principle of the fault in divorce proceedings: they pointed that it would require women to be less dependent from their husband and to have easier access to employment opportunities. The reasons why women resist divorce are mostly economic. Women associations mostly oppose the removal of the fault and the limitation of the alimony as they fear these measures will have negative repercussions over the protection of women and children. However, it is to be noted that the legislative amendment proposals supported by the Project remove the link between the fault and the alimony, and favour the granting of the alimony based on existing financial needs and gender inequalities.

Although women and children among justice users were the main end beneficiaries of the Project, their voices could not be heard directly, Their voices were however considered during the court user satisfaction surveys and focus groups conducted under the Baseline Study. During the Project implementation, the justice partners could only evaluate their problems from the perspective of judges, lawyers and academics. CSOs that represented them also have lawyers as managers.

Quotes:

“Divorce proceedings should be separated from financial matters. Fault is a difficult topic. Yes, it can be abolished but cultural codes are also important, and you cannot abolish it in Turkey.”

“Unless the law is repealed, a decision must be made based on fault.”

“The Düsseldorf Table is a very good tool, but in order to implement correctly in Turkey, it must be transferred to the social and economic system, where informal employment prevails, and a majority of people live on a minimum wage. Its implementation would therefore create problems at the moment.”

“Abandoning the principle of the fault in divorce proceedings should not be discussed without considering women empowerment, and the possible victimisation of women, who can experience violence during proceedings regarding alimony and custody.”

“Women's and children's rights have always been problematic. As long as we do not give social awareness, no matter how much the laws improve, problems will always continue.”

Representatives from Key justice partner institutions

Sub-Question 4.a How has the Project integrated a human-rights-based approach at implementation level?

Sub-Question 4.b How have gender-sensitive measures effectively been mainstreamed throughout project management, activities and results?

Finding 7: The human rights-based approach and the gender dimension were effectively reflected and mainstreamed throughout the project activities and results. However, justice partner institutions refuted the term of gender equality in training and guidance documents, which reveals partial reluctance from justice professionals and led the Project team to review and adapt all materials accordingly.

Fundamental rights and gender equality, as inherent to the objectives and results of the Project, have continuously guided Project activities and are reflected and incorporated in all deliverables: assessment studies and reports, handbooks, guidelines, training materials, action plans and awareness raising activities. This rendered the Project gender responsive and potentially gender transformational, as it has been trying to correct gender inequalities in the family justice system and to address the root causes of these inequalities (e.g. unequal access to justice).

The international and regional standards as well as the principles established by the Council of Europe and the ECtHR case law have been systematically integrated in all activities and project documents. Some interviewees found it useful to have international practices explained comparatively. This comparative analysis is also included in the assessment reports under A1.2, A1.3, A1.4 and A1.5.

The majority of justice partners, during their interviews, outlined that the Project, consultation workshops and trainings increased their understanding and knowledge of the national jurisprudence of the Court of Cassation and of the ECtHR, as well as of the foreign legislations in family law matters. As seen above, a majority of training participants surveyed also assented they are more careful in applying international standards, relevant principle of the Council of Europe and the case law of the ECtHR.

Although the number of men and women who participated to the Project activities was reported as gender balanced in the second progress report of the Council of Europe, the total number of women and men trained and involved in other project activities has not yet been documented in the third progress report. Annual progress reports do not include a reflection on whether the gender balance is due to the context (there is no data on the number of male and female judges, prosecutors, experts and court staff working in Turkey), so it is difficult to evaluate if this gender-balanced representation is proportional to the one existing in the institutions targeted.

Finally, even if the Project promoted the concepts of gender equality throughout the different activities, they had challenges to integrate the gender terminology in the training manuals. MoJ preferred and endorsed the use of the term of equality between women and men . This led to long discussions and prolonged work and the Project Team used different wordings in the same meaning of gender equality to have it accepted in the training materials and in some reports. However, similarly to the experience of the

other international organisation interviewed, they had to change the terminology and to mention only stereotypes, roles or use a neutral term to define the situation, referring to the terminology of mothers or fathers in custody cases (instead of the terms women and men) or to the duty of the spouse (which is gender neutral). Despite the reluctance of most key justice institutions partners to use the gender terminology, a few justice professionals interviewed acknowledged to integrate it in their vocabulary and to have used it during the trainings.

Quotes:

“Despite my seniority, I learned a lot, especially from international legislation and different practices”.

“The Project helped me look at cases from a broader perspective, broadening my interpretation of solutions based on correct applications at international level, and thinking in an alternative manner”.

“I learned a lot about gender discrimination”

Representatives from Key justice partner institutions

3.3 Efficiency

Sub-question 5.a: How well have the project resources been utilised against the delivery of project outputs and within the planned timeframe?

Finding 8: The Project has been implemented in a cost-effective manner and will most likely deliver quasi all, or all of its planned outputs by the end of its timeframe, despite delays essentially caused by external factors. Although the Project was considered well managed by half of the justice partners, the other half were more critical about organisational and time management issues.

Timely delivery of outputs

Half of the justice partner representatives reported delays in planning, organizing, and delivering activities by the Project team, particularly in organizing the training-of-trainers and subsequent training programs, as well as in the timely delivery of training materials and brochures.

Conversely, the other half of the partners found the Project to be efficient, actively managed, well-coordinated, and focused on problem-solving.

The evaluation team found that the human resources allocated to the Project were sufficient to manage the project within the timeline, although a lot of deliverables had to be reviewed based on the partners requests and has overburdened the Project team.

Based on the initial timeline (in the inception report) and the annual workplans (in the progress reports), the following outputs, which are relevant to the evaluation, observed the most notable delays (of about 6 months or more) in the following activities:

- The review of the legal framework (activity 1.7): the draft roadmap on legislative and policy amendment foreseen to be designed in April 2023, was finalized in January 2024 and focus group with various stakeholders to discuss it
- The pilot implementation of the family law guidelines in 3 pilot courthouses, planned to start as of June 2023, began to be tested in March 2024 and following reporting and monitoring activities need to be finalized by July 2024;
- The implementation of the training of trainers (activity 2.3) planned for July 2023, occurred in February 2024;
- The implementation of the pre-service and in-service training programmes for judges, prosecutors, experts and auxiliary staff planned as of September 2024 started in April 2024;
- The establishment of the coordination mechanism (activity 3.2) with working groups meetings on the mandate and operating procedures planned in October 2023 were postponed to April 2024.
- The establishment of the law clinic planned in August 2023, was able to take place in May 2024.

According to the Project team, these delays were caused by the earthquake of February 2023 and the general elections held in May 2023, which resulted in the postponement of activities. The discussion on the draft roadmap on legislative and policy level amendments with various stakeholders was also postponed until the end of the local elections in March 2024 to avoid political influence. The establishment of the law clinic was delayed following coordination issues with the Union of Turkish Bar Association, which disagreed with the Project team approach and thought this activity could only be carried out by lawyers only. However, the provincial bar association of Izmir supported their contribution later on.

In order to compensate for these delays, the Project team requested a no cost extension of 9 months to extend the Project until 19 September 2024. The workplan for the last 6 months of implementation, as outlined in the 3rd progress report of the Council of Europe, aims to finalise all activities and outputs by the end of the Project in September 2024.

Half of the partners, trainers and trainees, throughout the interviews and comments in the survey, underlined the limited time allocated for training sessions activities (limited time for preparing the training and short length of training sessions). The Project team explained that the participatory consultations on the training materials took much longer time than planned, due to the adjustment of terminology required by MoJ on gender concepts (see under Effectiveness) and impeded the timing of the training activities at the expense of the quality of the manuals that were distributed.

Henceforth, the training manuals could be shared in January 2024 for ToT to be held in February and follow up cascading trainings had to be organised in a short time period, between April and June 2024, with 15 training sessions of two days (in-service trainings) and 3 training sessions of one day (pre-service training).

Budget spent and utilisation of resources

The Project team indicated that the budget foreseen became a limiting factor in the last years of the project, due to the high inflation, which reflected on the price of services and goods to be used by the Project and its partners. Although this might have reduced the choice of training facilities or accommodations, the Project Team ensured it did not affect the quality of the activities and products delivered.

The Project reported, in the 1st progress report, a transfer between budget lines involving a variation of 25 % or less of the original amount, due to the overspendings occurring as a consequence of inflation and increase in prices offered by local service providers. Beyond this, the Project respected the costs incurred and monitored scrupulously expenditures as, in the last financial report submitted with the 3rd progress report, only 2 budget lines were slightly overspent compared to the amount budgeted. The rate of expenditures for each year is proportional to the implementation of activities and delivery of outputs reported. By mid- March 2024, the Project had spent and committed 85 % of the total eligible costs, which provided sufficient resources to finalise the remaining activities.

However, representatives of key partner institutions expressed criticism over logistical aspects such as transport and accommodation conditions (wanting to have higher- standard hotels), the trainers expecting to be supported with individual transport (not willing to take the collective transport organised by the Project for participants), and the locations of some events such as in Izmir, judged inadequate, or too far from central locations for surrounding provinces.

Most shortcomings cannot be verified as the evaluation team is not mandated to conduct a financial audit. However, they do not appear justified in view of the number of events to organise and the important number of attendees. The Project management has been aligned with the principles of equality promoted by the project and strictly applied ethical considerations during the project implementation, henceforth addressing the status or ranks of the participants without discrimination .

Sub-question 5.b Are budget components gender responsive, or some dedicated to human rights and gender equality aspects?

Sub-question 5.c Were risks correctly identified and mitigation measures adapted to challenges encountered during implementation?

Finding 9: Even though the Project's budget is not gender responsive, the Project has ensured that resources are distributed equally throughout the implementation and has overall efficiently adapted to the complex environment.

Project's activities included gender responsive outputs but the budget of the Project was not designed with a gender-responsive perspective, and it is not possible to identify among the budget components which resources were dedicated to human-rights and gender-oriented measures. There is also no indication on how the budget was used to facilitate measures enabling women to participate to workshops or training, to reduce their competing priorities between work and home care workload .

Although the Project committed to ensure a gender balance throughout its selection of participants in project activities and training and collect the related data, the disaggregation of data by sex is only documented in the 2nd progress report, which states that during the reporting period 144 women and 107 men attended the Project activities. The 3rd progress report has not included gender-based data regarding the participants to the trainings and other project activities.

Risks and assumptions formulated in the Description of Action and identified along the results chain in the logical framework had been well identified and remained valid throughout the implementation. The progress reports underline the key issues that have affected the Project implementation during the annual period of concern and explained the decisions taken by the Project to overcome these challenges.

Overall, and despite the complex environment through which the Project navigated, risks have been assessed carefully and mitigation measures always prioritised dialogue and negotiation with partner institutions to achieve the Projects' objectives.

The delays reported above have however led the Project team to carry out an intensive agenda during the last year and a half of the Project, which would have deserved more time to implement to ensure their sustainability (see below). Despite these challenges, the Project team always ensured compliance with legal and organisational standards, and to optimise the Project resources to attain the objectives.

According to the majority of the persons interviewed, the Project team ensured a satisfactory follow up on participants' requests and collected regular feedback, inputs and opinions from participants on training sessions, modules and after workshops. The partner institutions appraised the Project team's communication as strong.

3.4 Sustainability

Sub-question 6a: How have the project team and justice stakeholders planned for the continuity of outcomes beyond the end of the project?

Finding 10: Justice institutions and stakeholders trained are showing a strong commitment to continue utilising and benefiting from the majority of the Project's outputs.

Benefits taken over by partner justice institutions to continue Projects' outputs

Key Justice partner institutions interviewed, who were the main focal points of the Project and were closely involved in Project activities and training, responded that they are committed to continue using and implementing services and tools delivered by the Project.

They stated they will continue delivering training on family law matters, with the expansion of the pool of trainers and the training experience supported by the Project and the training materials developed, namely the guidebooks and booklets which have been designed to support cascading of training. The feedback received from the participants on these cascaded trainings is still being compiled by the Project team and trainers will build on these evaluations to adjust the gaps and adapt the training manuals if necessary.

They also outlined that they will build on the awareness raised on shortcomings of their laws and procedures, and continue to interact with other justice institutions to fill in the gaps and find practical solutions to remedy the issues of the most vulnerable groups, namely in the case of domestic violence.

The establishment of the digital platform ("AHEP" or Family Law Training Platform "FLTP" in English), which will be hosted by the JAT, is considered by the justice partners interviewed as an important tool to ensure the continuity, expansion and certification of the trainings to judges, public prosecutors, lawyers and all relevant professionals and staff working in family justice, who are coming from small cities, cannot

attend training physically or better adapt to their workload. A dedicated section of the platform is also intended to be accessible by the public, in order to raise awareness on family law, domestic violence and violence against women.

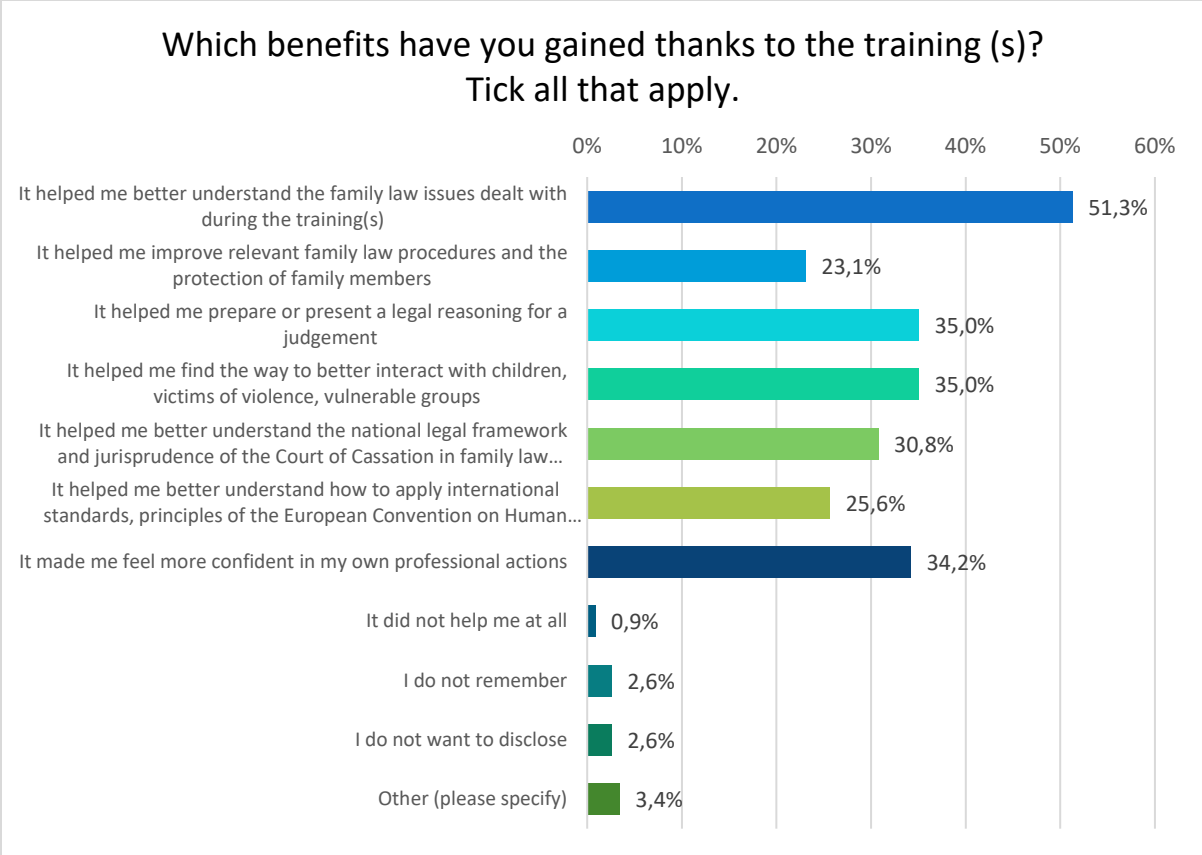
The Platform has been developed on the model of the HELP Platform of the Council of Europe and has started to be tested based on the training manuals produced for target groups but adapted to distance learning methodologies. However, the delivery of the distance training programme scheduled in July 2024 might not leave sufficient time to ensure a proper functioning of the Platform and monitoring of the training results. Only four people surveyed responded they had attended distance learning programme and they were the Trainers.

The sustainability strategy and handover plan are foreseen to be prepared in August 2024, together with the Project Final Assessment report, but the transition time to execute this handover with partner institutions seems limited in view of the remaining month left before the Project's end. Moreover, EU funding will not be available for the implementation of a second phase, which obliges the Project team to consolidate the Project gains and transfer maximal ownership of key actions and processes while looking for alternative funds. The Project team informed the evaluation team on 5 August 2024, while the draft report was submitted, that the Family Justice Council was established early August to ensure the sustainability of the Project's efforts for the development in the family justice area.

When requested to provide their suggestions for improvement, change or recommendations for future intervention in the sector of family justice, justice partner institutions shared the following comments:

- Future activities in the family justice sector should be further tailored to the Turkish legal system
- Expand the Project to other regions, to reach more beneficiaries and other professionals
- Ensure the continuation of training, increase their timing to 1 or 2 more days and hold more practical sessions. In some cases, government budget restrictions do not allow ministries to hold internal training processes due to a lack of resources to be allocated for this purpose.
- Develop specific training for senior experts (judicial support workers), such as those working in children monitoring centres, women shelters or for forensic doctors to better link their reports with the requirements of legal norms and judicial decisions
- Increase the dissemination of information and expand awareness raising activities to more citizens on family law issues
- Provide training dedicated to court staff and experts (e.g. communication with children) to judges and also train experts and court staff on aspects they have less knowledge about such as family courts proceedings
- Youth and women organisations should be involved in the Project to conduct advocacy and awareness raising on reforms to be done in family justice.
- The law clinic should be replicated and extended to other universities, and to be institutionalised to encourage public awareness and support to vulnerable groups in the long-run.

Benefits withdrawn from the training participants



A majority of survey respondents (51,3%) confirmed ownership and confidence over training topics delivered to them by declaring their improved understanding over family law issues addressed by the Project. Additionally, a third of them stated having taken over the benefits of preparing files with improved legal reasoning of their judgment; feel more confident to interact with children, victims of violence and vulnerable groups; and about their own professional actions.

Partner institutions representatives involved in the first outcome activities and as trainers, underline that those gains can be pursued at personal and institutional level, even if real improvement changes take time to develop, namely in relation to the application of alternative dispute resolution systems in their practices, and because family issues are addressed differently in other regions and cultures.

Partners interviewed committed to better examine and apply ECtHR decisions and international standards, and integrate best practices learnt based on the needs of the disadvantaged women and children. However, the Project team has not yet determined with partner institutions who will be responsible to monitor the quality of the judgments or measures taken by courts and other professionals and if the workload, status and resources of family courts and other agencies allow target groups trained to continue advancing the rights of family members.

Sub-question 7 a: What are the mechanisms or methods in place that ensure sustained collaboration between the stakeholders?

Finding 11 : Project's outcomes will be more challenging to sustain beyond the end of the Project if the coordination mechanism is not yet fully established and for proposals on legislative and policy amendments on family court proceedings to be followed up.

Key justice stakeholders also outlined having taken over the training methodology they learnt from the project, namely the interactive sessions they are trying to replicate in their own workshops, in particular the brainstorming and working groups methods. As presented under Effectiveness, the Project integrated inter-institutional and cross-institutional cooperation as a fundamental component. It was therefore very well appraised for creating a strong inter-institutional collaboration, communication and cross-learning exchange between the Judiciary and the ministries involved, as well as among the Judiciary itself (between judges of first instance courts and higher-level courts) and between justice stakeholders and other legal and social practitioners.

For better sustainability of the guidelines developed by the Project on divorce case flow management and domestic violence case management, and that were not yet piloted at the time of the evaluation, justice partners suggested that the Court of Cassation integrate the guidelines to the courts' rules to formalise their application by judges and prosecutors, while waiting for changes to be incorporated in the law.

The collaboration mechanism, or Family Justice Council, aimed to be created under Outcome 3, and foreseen as a key instrument to sustain Project results, was recently approved by the Ministry of Justice. Its mandate is the continuous identification of the needs of family members and children, and of solutions to the problems faced by the family justice system. To achieve this, the mechanism is designed to consolidate the inter-agency cooperation, knowledge and best practice sharing among the professionals working in family justice. It should act as the platform to discuss and improve the training and to provide recommendations to the government on legal, policy and procedural amendments or changes in practices in family law matters.

However, while legally endorsed, it is not institutionally established, and it is too early to observe its operation, and the evaluation identified several emerging challenges. The role and objectives of this mechanism are either not well understood, or well perceived by the majority of the key partners interviewed. Its lead authority is not yet decided, but the Court of Cassation would be ready to take ownership and the secretariat will be placed under the JAT. The mechanism's composition is also debated, given the tensions existing between institutions, namely between judges and lawyers. The mechanism is seen as potentially compromising the independence and the impartiality of the Judiciary, and as vulnerable to the turnover of head officials at ministerial level. Some partners believe such a mechanism would cause more deadlocks as there are already cooperation mechanisms established by the ministries and the courts. Others think that the control exercised by the Ministry of Justice is sufficient.

The mechanism is also sometimes confused with another coordination mechanism, established by presidential directive, and run by the Directorate General of family and Community under the Ministry of Family and Social Services. This mechanism, however, will be more focused on family planning and would have a different mandate. Therefore, the Project-supported mechanism is expected to be launched in the last months of the Project based on the working procedures and work plan elaborated by the Project, to be able to function as an independent body, based on an interdisciplinary and inclusive membership. Henceforth, this mechanism cannot be evaluated at this stage, which provides a limited view on its sustainability.

4 Conclusions:

The Project's focus on family law and the family justice system has met the needs of its various target groups by aligning with recent national development and judicial reform plans concerning the protection of family members, including children, the fight against gender-based violence, and improvement of access to justice for women and disadvantaged groups.

Key justice partners found the Project highly relevant to the gaps identified in family law matters, improving the defence of victims' rights and ensuring uniformity in family court proceedings, namely for a fairer determination of the alimony for the spouse, the consideration of the best interests of the child, application of joint custody arrangements and measures related to domestic violence.

The Project engaged justice partner institutions through regular meetings and consultations ensuring their opinions were considered. Although the Project engaged civil society organizations (CSOs) and the Bar associations in some project activities and events, these actors felt the involvement of relevant associations and lawyers was very limited and their views were not sufficiently reflected in the Project.

Moreover, although justice partner institutions and training participants acknowledged the alignment of the Project with international and European standards, and the emphasis of the Project's activities on human rights, gender and inclusiveness principles, a majority expressed mixed opinions on the relevance and adaptability of concepts and practices viewed as progressive in the Turkish environment, particularly regarding the abolition of fault-based divorce and alimony provision.

Overall, the participants expressed high satisfaction with the Project, appreciating the multi-stakeholder consultations and workshops on gaps assessment and solutions to improve handling family court procedures and protecting family members' rights. Senior justice stakeholders reported increased awareness on family law issues and improved understanding of international legislation, European practices, and ECtHR decisions. The various professional groups participating in training programmes reported significant increase in their knowledge and skills on the topics delivered. However, candidate judges and prosecutors noted a desire for more practical exercises and case studies. The training materials, particularly those on child interviewing techniques, were perceived as inadequate by experts, highlighting the need for more pragmatic and detailed guidance. A majority of respondents reporting they apply their learning to their cases, with noticeable improvements in their individual practices. Senior justice partners and professionals also observed initial positive changes in various aspects of family court practices, such as evidence-based decisions on alimony determination, more comprehensive social review reports, better application of the best interests of the child principle or of joint custody arrangements.

The Project faced challenges in integrating gender equality terminology into training manuals, due to the resistance of Minister of Justice to use the word "gender" in official documents. However, a concerted effort was made to accept and promote the understanding of the consequences of gender roles, gender stereotypes and gender discrimination throughout project activities. The Project facilitated exposure to international good practices and provided a roadmap for recommended legislative changes, although partners expressed doubts about their immediate feasibility and/or adaptability to the socio-economic context.

The Project was challenged with notable delays from its second year of implementation, caused by external factors, which could not have been foreseen but seriously affected the path of Project activities

and precipitated the organisation of key activities in the last year, such as the review of the legal framework, the pilot implementation of family law guidelines, training programs and the establishment of the family justice cooperation mechanism. High inflation affected the budget, leading to stricter choices for training facilities or accessory costs. Despite critics expressed by half of the justice partners over logistic and timeline issues, the Project team managed resources cost-effectively, while prioritizing the quality of activities and products delivered. The Project operated in a gender-sensitive manner, ensuring a gender balance representation of participants in Project activities, which needs to be further documented.

In line with its indicators, and despite mixed feedback from some stakeholders, the Project maintained compliance with legal standards and optimise its resources throughout its implementation. Despite delays and external challenges, the Project team carefully assessed risks and implemented mitigation measures in close consultation with partner institutions.

Key justice institutions are committed to continuing applying and implementing good practices, methods, and tools provided by the Project and to foster the good inter-institutional collaboration and communication between the judiciary, ministries, and other stakeholders instilled by the Project. They also plan to keep cascading down training on family law and leverage the developed guidebooks and booklets in court proceedings. However, the limited remaining time to finalise project activities and the resource constraints to pursue the Project's results beyond its end might compromise the expansion of progress accomplished to more regions and professionals working in the sector area. The consolidation of the key projects' outputs, namely the establishment of a family justice cooperation mechanism, the handover of recommendations on legislative and policy changes in court proceedings, the monitoring of the training dissemination, and the integration of international and European standards into family justice practices, seem constrained without further accompaniment and support from external resources.

These conclusions lead to the following key recommendations to DG1 and the project team in Türkiye, in cooperation with the national key stakeholders:

- Focus on enabling a proper handover to the partner institutions in order to further transfer the ownership of the Projects results to the MoJ, Ministry of Family and Social Services and to the Judiciary and ensure the continuity of key actions necessary to improve family court proceedings, namely through further cooperation and information sharing.
- Build on the expertise transferred to senior justice officials, experts and trainers and explore opportunities for continuing awareness raising and training in other regions, to reach more justice professionals and experts involved in the family justice system.
- Encourage partners to follow-up on coherent application of European standards for the protection of fundamental human rights in the daily work of family justice and social professionals.
- Advocate for progressive legislative and policy changes in family court proceedings in Türkiye, in line with European best practice models, considering amendments where feasibly adaptable and transferable and with a sensitive approach to the social, economic and cultural environment.

5 Recommendations

Nb	Priority	Recommendations	Addressees	Timeline	Benefit	Related Findings
1.	high	Focus on enabling a proper handover to the partner institutions in order to further transfer the ownership of the Projects results to the MoJ, Ministry of Family Affairs and to the Judiciary, and ensure the continuity of key actions necessary to improve family court proceedings, namely through further cooperation and information sharing.	Project team	Continuous	Maintain the momentum created by the Project to continue inter-agency dialogue and cooperation over related family law issues. Ensure ownership and sustainability of Projects' achievements to ensure monitoring of benefits withdrawn from the Project.	10 and 11
<p>Points to consider:</p> <ul style="list-style-type: none"> - Assess in detail the capacities and opportunities for each national partner to take over responsibilities of conducting and applying the tools and capacity building activity developed, including needs assessment and training programmes. - Jointly develop with partner institutions a transition strategy guiding the priorities on improvements to ensure in a short, mid-term and long-term perspective - Clarify the objectives and working procedures of the family justice cooperation mechanism among its members prior to supporting its piloting functioning 						
2.	high	Build on the expertise transferred to senior justice officials, experts and trainers to refine training sessions and materials and explore opportunities for continuing awareness raising and expanding training in other regions, to reach more justice professionals and experts involved in the family justice system.	DG1, Project team, national partners	Continuous	Ensure that benefits gained at institutional and individual levels are encouraged and leveraged for further improvements to occur in the family justice sector area, and start to impact, even initially, family members, namely women and children.	4, 5, 6 and 8
<p>Points to consider:</p>						

- Disseminate and discuss with the trainers the feedback of participants on the delivery of the cascading training to adjust the content and or methodology of the training programmes.
- Seek the support of the partner institutions to continue disseminating information and expanding training to other professionals, namely by ensuring a proper functioning of the distance learning platform and supporting justice partners institutions and trainers to expand the training programmes to other regions where physical conditions and resources allow. Possibly explore new topics, following the change of legislative or policy reforms.

3.	medium	Encourage partners to follow-up on coherent application of European standards for the protection of fundamental human rights in the daily work of family justice and social professionals.	DG1, national partners	2025	Facilitating monitoring activities by key justice institutions to continue a coherent application of the good practices introduced in daily practices under the influence of the project and in line with ECHR standards	3, 6,7, 9 and 11
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- Points to consider:
- Hold regular meetings with national partners with the goal to exchange on the progress of integration of good practices in daily work of professionals
 - Help develop a guidance / criteria for monitoring progress and changes in family court proceedings
 - Discuss with the future lead authority of the family justice cooperation mechanism or the JAT on taking over this monitoring responsibility

4.	medium	Advocate for progressive legislative and policy changes in family court proceedings in Türkiye, in line with European best practice models, considering amendments where feasibly adaptable and transferable and with a sensitive approach to the social, economic and cultural environment	DG1, Project team, national partners	2025 and 2026	Ensure strategic level discussions on the implementation of the legal framework review, paying attention to limit negative effects and contravene to the main protection objectives of the family members in the current social and economic environment of Turkey	1,2, 5, 8 and 11
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- Points to consider:
- Ensure that partner institutions effectively use assessment reports and define priorities with partners to implement the roadmap on the legal framework review, in order to guide the legislative and policy amendment process in a contextual sensitive manner, striking the balance between integration of European standards and European applicable good practices with the overall objective of protecting the rights of the
 - Advocate for more systematic involvement of CSO, namely women and children associations, as well as lawyers in institutional debates relating to the protection of family members.
 - Ensure joint monitoring of the roll out of the guidelines in pilot court houses and joint debriefing discussions over its results

6 Annexes

- 6.1 TOR of the evaluation
- 6.2 Bibliography and list of documents reviewed
- 6.3 List of interviewees
- 6.4 Questionnaires (semi-structured interviews and Focus Group Discussions) with details on reliability and validity
- 6.6 Evaluation Matrix
- 6.7 Online survey results with details on reliability and validity (PDF)

6.1 Terms of Reference of the evaluation

Terms of reference for the Evaluation of the Project: “Improving the Effectiveness of Family Courts: Better Protection of the Rights of Family Members” in Türkiye

Introduction

The document provides the terms of reference (TOR) for an evaluation of the Project “Improving the Effectiveness of Family Courts: Better Protection of the Rights of Family Members” (the Project) implemented in Türkiye.

The evaluation is an end-of-project evaluation with the main purpose of identifying lessons from the implementation of the Project for potential future projects.

The TOR provide background information about the Project before describing the evaluation purpose, objectives and scope, evaluation criteria and questions, evaluation methodology as well as the required qualifications of the evaluator.

The Project

The Project is being implemented over 42 months from 20 March 2021 to 19 September 2024. It has a **total budget of 2.223.000 Euros** and is co-funded by the EU and the Council of Europe.

The **overall objective** of the Project is to ensure rule of law and fundamental rights in Türkiye fully in line with international and European standards.

The **specific objective** of the Project is to improve the effectiveness of family courts in protecting the rights of women, children, and other family members.

The Project is intended to achieve the following concrete **results**:

1. Effectiveness and functioning of the family courts and office of public prosecutors is enhanced.

2. Capacities of judges, public prosecutors and experts are enhanced regarding key human rights and family law issues.
3. Collaboration mechanisms among stakeholders are improved.
4. Awareness of public regarding family court proceedings is increased.

The **outputs** of the Project include, among others, conducting a gap and needs analysis (baseline study), guidelines on divorce case-flow management, a handbook on family court judgements of alimony and compensation, guidelines on the determination of the best interest of the child by the family courts, a comprehensive assessment of ADR mechanisms in family law procedures, a handbook on the improved case-flow management of cases on violence against women, a roadmap on the legislative and policy level amendments, a set of training modules and materials for pre-service, in-service and distance learning, the delivery and evaluation of training programmes, the launch of the family law training platform, the establishment of a collaboration mechanism, practical guidelines for the planning and holding of open day court events, as well as the establishment and practice of a law clinic on family justice.

The Project was implemented in several cities in Türkiye. It was managed by a Project team of four staff members based in the Council of Europe Programme Office in Ankara and two staff members based in the Council of Europe headquarters in Strasbourg, a 0.5 Project Co-ordinator and a 0.25 Project Assistant.

Evaluation Purpose

The evaluation is an **end-of-project evaluation**. It is commissioned by the Council of Europe in accordance with the **funding agreement signed with the EU**.

The purpose of the evaluation is to assess the Project in terms of scope, objectives, and achieved results. As such, the evaluation will provide a detailed assessment of the Project's outputs and outcomes in relation to the Project's logical framework so far, but also reflect on strengths and weaknesses in the Project's design which may have affected the measurement of the Project's success. This also serves for the assessment of the progress and identifying lessons from the implementation of the Project for potential future projects.

The primary intended users of the evaluation are the donor (EU), Council of Europe (the Project team and the management of the Council of Europe Directorate General Human Rights and Rule of Law) and the beneficiary of the Project (Justice Academy of Türkiye). Furthermore, the secondary evaluation audience includes in general the Ministry of Justice, Family Courts, Regional Courts of Justice (Appellate Courts), the Court of Cassation, the Council of Judges and Prosecutors, the Ministry of Family and Social Services, the Union of Turkish Bar Associations, Law Faculties, and Civil Society Organisations.

Evaluation Objectives and Scope

The objectives of the final evaluation are:

1. To assess the progress against the objectives and indicators of achievement at the end of the Project and recommendations to all partners for sustaining the results achieved by the Action and better implementation of future similar projects;
2. To assess relevance and added value of the Council of Europe in connection with the implementation of the Action;

3. To assess the effectiveness, efficiency, and sustainability of the Project;
4. To identify lessons learnt that could be of use for future interventions in the thematic area or the organisation as a whole; and
5. To provide directions/recommendations for the further implementation of the Action (i.e., any follow-up project/intervention).

The scope of the evaluation will cover all of the activities implemented within the Project from the beginning until its end. Any activities that were not part of the Project are beyond the scope of this evaluation.

Evaluation Criteria and Questions

The evaluation will assess the Project against the criteria of **relevance, effectiveness, efficiency, and sustainability**. It will provide answers to the following evaluation questions:

Relevance

1. To what extent do the activities carried out reflect the Project objectives and the needs of Türkiye?
2. To what extent was the Project ownership by institutional project partners ensured?

Effectiveness

1. To what extent has the Project achieved its expected results? What have been reasons for achievement and lack thereof?
2. To what extent has gender been mainstreamed in Project design and implementation? To what extent has a human rights-based approach been adopted?

Efficiency

1. To what extent could alternative working methods have led to the achievement of comparable or better results with fewer resources?

Sustainability

1. To what extent can it be expected that the Justice Academy of Türkiye, the Ministry of Justice, Family Courts, Regional Courts of Justice (Appellate Courts), the Court of Cassation, the Council of Judges and Prosecutors, the Ministry of Family and Social Services, the Union of Turkish Bar Associations, Law Faculties and Civil Society Organisations will continue to use outcomes of the Project?
2. What is the likelihood that the benefits from the intervention will be maintained in the short-term (3-5 years) after the end of the Project? What would be required to ensure the sustainability of the results?

Proposed methodology

The final evaluation process is planned to take place between **10 April and 15 August 2024**.

The evaluation will use a **non-experimental design** and a **mixed-methods approach** to answer the evaluation questions.

The proposed evaluation methodology includes as a minimum the following data collection **methods**:

- Document review of project documentation;
- Semi-structured interviews with the programme management team, representatives of the Justice Academy of Türkiye, pilot Family Court judges, trained trainers, representatives of the Ministry of Justice, Regional Courts of Justice (Appellate Courts), the Ministry of Family and Social Services, the Union of Turkish Bar Associations, Law Faculties;
- Survey;
- Focus group meetings, if deemed appropriate by the evaluators;
- Other modalities for the collection of quantitative and qualitative data pertaining to the Project's indicators.

The consultant should further elaborate on the proposed methodology and provide a completed Evaluation Matrix (Annex I) in the Concept Note.

The evaluation should use a human rights-based approach as well as a gender-responsive methodology and comply with the Council of Europe [Evaluation Guidelines](#) and the [Code of Conduct for Evaluation](#). The evaluation process should be participatory.

The Draft and Final Evaluation Reports should not be longer than 30 pages and include, *inter alia*:

- An executive summary;
- An introduction including the purpose and scope of the evaluation; description of the intervention; evaluation methodology including limitations; difficulties encountered during the evaluation;
- Analysis and main findings from the evaluation including good practices;
- Conclusions;
- Recommendations;
- Lessons learnt; and
- Annexes (e.g. list of interviews and documents reviewed, questionnaires, formats for semi-structured interviews).

The comments of the management team may be integrated into the final evaluation report or presented in the report as differing views. The report will be quality checked by the Directorate of Internal Oversight (DIO).

The report will then be disseminated to the donor and all relevant entities within the Council of Europe and published on the DIO's website together with the Management Response and Action Plan.

The deliverables will be written in English.

Qualifications of the Consultant

The consultant should have the **following qualifications** and competencies:

- At least 7 years of designing, managing and leading evaluations in the context of international co-operation;
- Knowledge of and experience in applying international evaluation standards (OECD-DAC, UNEG), qualitative and quantitative evaluation methods;

- Technical competence in the justice sector;
- Ability to draft concise evaluation reports of high quality in English;
- Knowledge of the Turkish context as applied to the implementation of internationally funded projects in the field of judiciary (communication with interlocutors, typical challenges, political and operational context) will be an asset;
- Proficiency in English;
- Independence and absence of conflicts of interests (no previous direct or indirect engagement with the Project);
- Knowledge of the role of the Council of Europe and its programming tools; and
- Knowledge of applying the gender equality and human rights approach.

Deliverables

Deliverable 1 (Concept Note): The evaluation will feature an **inception phase** in which the evaluator will prepare the Concept Note that includes among others the evaluation matrix and evaluation timetable illustrating the elaborated methodology to be used for each question and evaluation criteria, as well as risks/risk mitigation strategies. Once contacted by the Council of Europe, Service Providers have up to 5 days to respond with a proposal.

Deliverable 2 (Preliminary Findings): During the **data collection phase**, the evaluator will carry out data collection (e.g., Interviews with Project Experts, Interlocutors and the Council of Europe Team in Strasbourg, Field mission to Türkiye). The evaluator will analyse the collected data and present preliminary findings to the Project team.

Deliverable 3 (Draft and Final Report): During the **reporting phase**, the evaluator will analyse the collected data and produce a draft evaluation report, to be delivered within the scheduled time period. The draft report shall clearly analyse the findings and formulate conclusions and recommendations.

Quality Assurance

The project management team will have two weeks to comment on the factual accuracy, the relationship between findings, conclusions, and recommendations, as well as the relevance, usefulness and implementability of recommendations. The draft report will also be quality checked by the Council of Europe's Directorate of Internal Oversight. The evaluator will then have two weeks to submit the final evaluation report.

Proposed budget

The final evaluation process is planned to take place between **10 April to 15 August 2024**.

The maximum budget allocated for this evaluation is € 14.000. This amount includes the costs of an assessment/field mission to Türkiye.

For the financial proposal, the prices shall be stated in Euros, and the amount of VAT shall be indicated separately. The proposed budget will include a breakdown of the costs per deliverable, including travel costs.

The payment schedule will follow the deliverables:

Deliverable 2: The first payment (30%) will be made upon submission of the draft report;

Deliverable 3: the second payment (70%) will be made upon approval of the Final Evaluation report.

Logistical arrangements

The evaluator will be responsible for his/her logistics: his/her travel arrangements, administrative and secretarial support, telecommunications, printing of documentation, etc. and for the dissemination of all methodological tools (e.g., questionnaires and surveys). As indicated above, the total budget for this evaluation encompasses travel costs for the assessment/field mission.

The evaluation will be facilitated by the Council of Europe headquarters in Strasbourg [Türkiye Unit] and the Council of Europe Programme Office in Ankara which will provide the consultant with all documentation related to the Project, and with a list of stakeholders in Strasbourg and Türkiye. The Council of Europe Project team will assist with the scheduling of online interviews/meetings and will organise, and bear costs related to interpretation services during official meetings, and translation of documents, if necessary, to conduct the evaluation (for example, questionnaires).

In case the presentation of the summary report (findings and recommendations of the evaluation report) will be agreed as part of the closing event of the Project, the evaluator's expenses of logistics (travel, per diem, accommodation, etc.) will be borne by the Project.

Work plan

The estimated **duration of the contract** is from **10 April to 15 August 2024**.

The proposed length of the **evaluation phases** is as follows:

Deadline	Activity	Services / Consultancy
10 April 2024	Selection of the consultant	Council of Europe
24 April 2024	Desk review, Evaluation Concept Note	International Consultant
18 July 2024	Draft Evaluation Report	International Consultant
1 August 2024	Feedback	Council of Europe
15 August 2024	Finalisation and submission of the Final Report	International Consultant

Submission of evaluation concept notes

Service Providers are requested to submit a concept note outlining how they will approach this evaluation. Once contacted by the Council of Europe, Service Providers have up to 5 days to respond.

The concept note shall contain a proposed methodology and a work plan for the evaluation, as well as the evaluation matrix.

6.2 Bibliography

Documents reviewed

Project Documents reviewed

Family Courts Project Documents - Revised Project DoA, budget and progress reports

- Description of the Action – 20 April 2020
- Inception Report and initial budget – October 2021
- First Progress Report (21 March 2021 – 19 March 2022) – April 2022
- Interim financial report (20.03.2021 to 19.03.2022)
- 2nd Progress Report (21 March 2023 – 19 March 2024) – May 2023
- Revised interim financial report (20.03.2021 to 18.03.2023)
- 3rd Progress Report (21 March 2023 – 19 March 2024) - May 2024
- Financial Report (21 March 2021 – 19 March 2024)
- Communication and visibility plan
- Project steering committee meeting minutes:
 - 1st PSC –27 September 2021
 - 2nd PSC – 5 April 2022
 - 3rd PSC – 6 October 2022
 - 4th PSC – 25 April 2023
 - 5th PSC – 19 December 2023
 - 6th PSC – 12 June 2024

Documents under R1

- Assessment Report on Best Interests Determination 2782-2065-1527.1 2756-5175-8856 v.1
- Assessment Report on Improving Implementation of Law No 6284 (1)
- Family mediation report final
- Custody Arrangements Report
- Final-Assessment Report on Improving the Alimony and Compensation Determination Framework by Family Courts in Türkiye
- Recommendations Report Improving the Divorce Procedures in Türkiye
- Research on Improving the Effectiveness of Family Courts Final Report
- Study visits comprehensive evaluation report

Documents under R2 (titles are translated into English)

- Handbook on Training Methodology 04.04.2024
- Effective techniques in hearing the child in family court cases training program – Tutorial’s guide and participant book
- Communication and time management techniques training program - Tutorial’s guide and participant book
- Law 6284 implementation and effective protection of women's rights training manual - Tutorial’s guide and participant book

- Training program on protection of the rights of family members in family law cases and divorce proceedings - Tutorial's guide and participant book
- Decision justification in family law cases training program - Tutorial's guide and participant book

Documents under R3

- Family Justice Collaboration Action Plan 2024-2026
- Family Justice Cooperation Needs Analysis Report 07.06.2023
- Family Justice Cooperation Mandate and Working Procedures Document

Documents under R4

- Info Note for Court Open Days İzmir final
- Information Needs Assessment Report
- International Family Law Symposium Report 09.01.2024
- Preliminary study on the establishment of a family court legal clinic and action plan

6.3 List of interviewees

	Institutions	Date
1	Justice Academy of Türkiye	03/06/2024
2	Justice Academy of Türkiye	03/06/2024
3	Regional Court of Appeals	03/06/2024
4	Ministry of Family and Social Services	03/06/2024
5	Judicial Support Unit	04/06/2024
6	Ministry of Justice	04/06/2024
7	Court of Cassation	05/06/2024
8	Court of Cassation	05/06/2024
9	Local Family Court judge	05/06/2024
10	Local Family Court judge	05/06/2024
11	Local Family Court judge	05/06/2024
12	CSO 1	06/06/2024
13	CSO 2	06/06/2024
14	Member of Istanbul Regional Court of Appeals	07/06/2024
15	Local Family Court judge	07/06/2024
16	Local Judicial Support Unit expert	07/06/2024
17	Local Family Court staff	07/06/2024
18	Local Family Court prosecutor	07/06/2024
19	Local Judicial Support Unit expert	14/06/2024
20	CSO 3	01/07/2024
21	Union of Turkish Bar Associations	10/06/2024
22	Delegation of the European Union (EUD)	13/06/2014
22	Council of Europe - Project Team	13/06/2024
23	UNICEF	14/06/2024

Focus Group Discussion – Participants to the Law Clinic – 1 July 2024

Three local providers of Law Clinic

6.4 Questionnaires (semi-structured interviews and Focus Group Discussions)

- *Semi-Structured Interviews for justice partner institutions*

Interviewee(s)	
Function(s)	
Date of the meeting	
Location	
In confidence or shareable?	In confidence by default

Introduction

- **Self-presentation** by expert
 - Name, function, specifying being an independent consultant hired to assess the results of the trainings – and not Council of Europe staff.
 - Purpose of the interview: to understand how the beneficiary institutions or organisations were impacted by the project activities (practical guidance on family justice issues, training, awareness activities, law clinics, support to coordination mechanism, others...) what worked well, what did not work so well, and how to improve in the future.
 - Not an evaluation of anyone’s individual performance, but more at the strategic and project level. Not a control, not an audit, but a learning exercise.
 - What is necessary and valued is the interviewees’ personal experience and opinion – they are encouraged to speak in their personal capacity, not as representatives of an institution.
- **Stress the process ensures anonymity and confidentiality.** Interview notes will be anonymised if shared with the Council of Europe. Your name does not need to appear in the notes, even if they are kept on interviewers’ computer. Interview results will be synthesised into a general assessment report, without attributable statement. Request authorisation to take anonymised notes on computer.

Proposed questions under each evaluation criteria in line with the matrix

To be adapted to the stakeholder interviewed

Function / Role in project/ in which interventions was the person involved?
Relevance
Did the interviewee participate to a needs' assessment /gap analysis or baseline study prior to the start of the activities? If not, how was she/he involved in the project (linked to commitment)?
How relevant was the project for your institution/ for you? How did it respond to your capacities and to the needs of your court/ ministry/institution?
On which sector area/which subject matter / which intervention was the project most relevant (for person interviewed)? And why?
How relevant was the Project to the needs of the end beneficiaries? Whom in particular (women, children, other vulnerable groups)
How was the project aligned with the national legal and policy framework in family justice matters? How were CoE conventions, international standards, human rights and gender dimension approached/ integrated in project activities?
Effectiveness
How has the project contributed to the improvement (or not), observed or perceived, of your institution' s and personal capacities/needs? With which training or tool or mechanism in particular?
In which manner has the project contributed to these positive (or negative) achievements? How can you evidence these achievements, namely regarding the divorce case flow management in the courts/and the determination and enforcement of the alimony and compensation, the collaboration mechanisms (ask if based on statistics)
How do you perceive the support provided on the collaboration mechanism? How was it effective?
How were human rights and gender-sensitive measures effectively been mainstreamed in the project activities and support delivered by the project?
Efficiency
Did you find the project management efficient? According to you, were the activities implemented based on initial planning? Were there delays in the project implementation?
Did you find the project resources adequately disbursed? Did you find the support and assistance sufficient for what you required or up to your expectations?
How was the follow up of the project team on the activities conducted (training, tools, coordination)? Were there mentoring, coaching or monitoring sessions following the training, ToT and/or the development of tools?

Sustainability
How will you use the resources delivered the project after its end? How will your institution continue to implement / maintain the services, tools and equipment provided by the project?
Which benefits have you withdrawn from the knowledge/skills/ training provided by the project?
How have you been applying the training, knowledge and / or skills gained from the project into your work/judicial practices (best practices, strategies, CoE / international standards, procedures, methods, coordination, substantive sector areas - in particular in the areas of the divorce case flow management, compensation and alimony, collaborations with other justice stakeholders, mainstreaming of human rights and gender responsive measures)
How do you think the project will continue (or not) to benefit to the end beneficiaries (namely the most vulnerable groups) on a long-term basis?
Anything to add? specific challenges or added value of the project?
What would you recommend for any future intervention in the field of family justice? Any improvement or change you would like to suggest (topic, scope, content, or organisation)?

- *Focus Group Discussion for Law Clinic Participants*

Interviewee(s)	
Function(s)	
Date of the meeting	
Location	
In confidence or shareable?	

Introduction

- Explain Focus Group Discussion **rules and purpose**.
- **Presentation of the evaluation, Self-presentation** by expert (name, function, specify independent expert hired to assess the results of the trainings – not Council of Europe staff).
- **Purpose of the FGD:** to understand how the participants to the law clinic component were affected or influenced by the support activities they received, what worked well, what did not work so well, and how to improve in the future.

- Not an evaluation of anyone’s individual performance. Not a control, not an audit, but a learning exercise.
- What is necessary and valued is the interviewees’ personal experience and opinion – they are encouraged to speak in their personal capacity, not as representatives of an institution. They can however provide a self-assessment on their skills, capacities, confidence in the justice system (for court users), level of confidence in dealing with issues considered as sensitive (for magistrates and judicial staff).
- **Stress the process ensures anonymity and confidentiality.** Interview notes will not be shared. Your name does not need to appear in the notes, even if they are kept on interviewers’ computer. Interview results will be synthesized into a general assessment report, without attributable statement. Request authorization to take anonymized notes on computer.

Draft questionnaire below to be further adapted to the mandate/role of the participants

Relevance
How have you been involved in the pilot law clinic ? were you approached during the needs assessment?
How relevant have been the activities you participated to, within this component? for students, professors, judges and beneficiaries, including most vulnerable groups?
Which justice needs / problems are people asking to solve at the legal clinic?
How is the activity aligned with the national priorities of the justice reform in family law and with CoE / International standards?
Effectiveness
What do family members find most useful about the law clinic? (e.g. information, legal aid, others)
For students: how do you appraise the training received prior to the practice? Was it qualitative? what did you learn?
For others: What are the progress observed with students? (on legal thinking, knowledge, practice, understanding the reasons of family conflict, etc.)
How are human rights and gender-sensitive measures being mainstreamed throughout the legal assistance provided? What about ethical principles?
Efficiency
What challenges have been experienced in providing legal assistance? (e.g. inexperience / insufficient knowledge of students, structuring the legal clinic etc.)

Was the action plan developed by the Project followed by you? did it help organising the law clinic?
Was the support and assistance provided by the Project and the university was sufficient to run the activity?
Sustainability
What has been the most beneficial with this activity? on a short term and mid term perspective?
Do you think law clinics should be expanded to other provinces? how and why?
What have you learned / are you learning from this experience and can you continue to implement this activity without the project support / after it ends?
What would you recommend for any future family court legal clinic ? Any improvement or change you would like to suggest ?

6.5 Evaluation Matrix

Evaluation criteria and questions	Sub questions	Measures/Indicators	Data collection instruments	Data sources	Data analysis	Evaluator responsible
<p><u>Relevance:</u></p> <p>To what extent do the activities carried out reflect the Policy and programmatic objectives of the Council of Europe and meet the needs of the targeted institutions and of the final beneficiaries (in particular vulnerable groups)?</p> <p>To what extent was the project ownership ensured by institutional project partners, including their compliance to international and European standards?</p>	<p>To what extent has the project addressed the capacity and needs of the justice institutions targeted?</p> <p>How has the project responded to the needs of the end beneficiaries (namely women, children and other vulnerable groups)?</p> <p>How have institutional partners demonstrated commitment (ownership) towards project activities and why?</p> <p>To what extent was the project in line with Council of Europe Conventions and strategies, as well as national strategic documents,</p>	<p>Existence / number of needs assessments or capacity gaps analysis.</p> <p>Level of participation of the target groups and final beneficiaries in the design and implementation of the project</p> <p>Level of commitment demonstrated towards activities</p> <p>Level of alignment with national laws, policies, procedures and with Council of Europe conventions, European and international human rights standards</p> <p>Level of integration of the HRBA and gender dimension in</p>	<p>Documents review</p> <p>Semi-structured interviews with the project management team and representatives of the justice institutions and actors targeted by the project in Türkiye</p> <p>Focus Group Discussions</p>	<p>Project documents and reports</p> <p>Assessment reports on thematic and procedural issues (civil and family law matters)</p> <p>Handbooks and guidelines</p> <p>Training materials</p> <p>External reports</p>	<p>Context analysis</p> <p>Thematic analysis</p> <p>Comparative analysis</p> <p>Data triangulation</p>	<p>Sylvie</p> <p>Pinar (for contextualisation)</p>

	and international standards? To what extent has the HRBA and gender equality aspects been mainstreamed in Project design?	the design and projects activities				
<u>Effectiveness:</u> To what extent and how has the Project achieved its expected results? To what extent has a human rights-based approach and the gender dimension been adopted and mainstreamed in the Project implementation?	To what extent has the project contributed to the improvement, observed or perceived, in the institutional and operational capacity gaps of partner institutions and organisations? What were the factors (positive and negative) that have contributed to the achievements / non achievement of the results? How has the Project integrated a human-rights-based approach at implementation level?	Perception of knowledge, know-how, and attitudes before/after progress on the thematic issues selected under the four results against their corresponding outputs/indicators Reported level of performance in the case flow management in the pilot courts Perceived level of improvement before/after in determining and enforcing the framework of alimony and compensation	Document review Semi-structured interviews with the project management team and representatives of the justice institutions and actors targeted by the project in Türkiye Focus Group Discussions Survey	Project documents and reports Assessment reports on thematic and procedural issues (civil and family matters) Handbooks and guidelines Training materials Documents relating to the collaboration mechanism Media publications External reports	Content analysis Narrative analysis Data triangulation Field observation	Pinar for field data collection Sylvie for remote data collection and analysis

	How have gender-sensitive measures effectively been mainstreamed throughout project management, activities and results?	Number of persons outreached through pilot law clinic Instances of HRBA and gender analysis and responsive/transformational measures incorporated in project activities				
<u>Efficiency</u>						
To what extent could alternative working methods have led to the achievement of comparable or better results with fewer resources?	How well have the project resources been utilised against the delivery of project outputs and within the planned timeframe? Are budget components gender responsive, or some dedicated to human rights and gender equality aspects? Were risks correctly identified and mitigation measures adapted to challenges encountered during implementation?	Level of budget disbursed, compared to plan %of planned activities and outputs delivered within the planned timeframe/budget Level of expenditures dedicated to each budget chapter (human resources, operational costs, project activities) Existence of specific resources dedicated to human rights or gender aspects Level of risk assessment and	Document review Semi-structured interviews with the project management team and representatives of the justice institutions and actors targeted by the project in Türkiye	Budgets, financial reports Annual plans and timelines Progress reports	Budget analysis Comparative analysis	Sylvie and Pinar

		management performed by the project team and stakeholders to rationalise costs or minimise superfluous expenditures				
<p><u>Sustainability</u></p> <p>To what extent are the beneficiary institutions and organisations expected to continue using the outcomes of the Project and how can the sustainability of its results be ensured?</p> <p>Which outcomes from the intervention are likely to be maintained in the short-term (3-5 years) after the end of the Project, namely those addressing the most disadvantaged groups?</p>	<p>How have the project team and justice stakeholders planned for the continuity of outcomes beyond the end of the project?</p> <p>What are the mechanisms or methods in place that ensure sustained collaboration between the stakeholders?</p>	<p>Level of accessibility to project benefits on a long term to the target groups and end beneficiaries?</p> <p>Financial or institutional measures taken by the judiciary, ministries and other organisations to ensure the maintenance of the services, tools and equipment provided by the project?</p> <p>Evidence of cascaded trainings and implementation of guidelines</p>	<p>Document review</p> <p>Semi-structured interviews with the project management team and representatives of the justice institutions and actors targeted by the project in Türkiye</p> <p>Focus Group discussions</p> <p>Survey</p>	<p>Progress reports</p> <p>Handbooks and guidelines</p> <p>Training materials</p> <p>Documents relating to the collaboration mechanism</p> <p>Media publications</p> <p>External reports</p>	<p>Field observation</p> <p>Content analysis</p> <p>Attribution analysis</p> <p>Data triangulation</p>	<p>Sylvie for analysis and synthesis of the data collected</p> <p>Pinar for field data collection and filed observation</p>

6.6 Online survey questions (see PDF)