

THE 2020 HELP NETWORK E-CONFERENCE

8-9 JULY 2020

Thanks to Eva and all the HELP team...

On 2 May 2019, the Justice Academy of Turkey re-established with the legal personality, administrative and financial autonomy, and a private budget. Training judges, prosecutors and candidates within the scope of the human rights is written on the top of the listed missions of the Academy.

Recent studies in our country aimed to increase awareness and good practices on Human Rights in the judiciary. According to the last subsection of Article 90 of the Constitution; ratified international treaties regarding human rights have more power than domestic laws; if articles of treaty and domestic laws conflict, articles of the treaty must be implemented to disputes. In other words, articles of the ECHR have a stronger/higher position than the domestic laws in Turkey.

In addition, causing violations of human rights will be imperative factor to consider promotions of judges and prosecutors under principles of the Council of Judges and Prosecutors. This principle was published in Official Gazette on 15/01/2020. In other words, if a judge or a prosecutor cause any violation which found by the ECtHR or the Constitutional Court, this will be negatively taken into account by the Council of Judges and Prosecutors.

By putting emphasis on human rights practices the required skills and knowledge of the profession is being facilitated by the Justice Academy of Turkey. In this respect, the Human Rights Center was established in the Justice Academy of Turkey and the courses on human rights added into the main curriculum and also candidates are encouraged to complete Human Rights Education for Legal Professionals (HELP) courses. Numbers of trainees are motivated to apply universities for LLM programmes, particularly in the field of human rights. Thus, not only the trainers but also the trainees in our Academy are embraced on European Human Rights Law and its implementation.

In this context, raising awareness on human rights and increasing the capacity of judiciary on European Human Rights Law are imperative and crucial. Raising awareness on human rights will increase the efficiency of human rights practices in the judiciary of Turkey.

Within some recent projects -before the Covid-19 pandemic- we planned study visits to Strasbourg. By this way, the participants will visit the Council of Europe and they will benefit from the knowledge and experience of the experts. Of course, during the study visits, we planned visits to HELP Office as well. Also, we arranged watching the Chamber or Grand Chamber hearings at the ECtHR.

Participants of the study visits, selected on a voluntary basis among the candidate judges and prosecutors. During the selection process, proof of English proficiency and whether or not they have completed HELP trainings are being taken into consideration.

Besides, experts of the Council will be invited to our Academy and Academy will organize workshops to support training of candidate judges and prosecutors.

This way, candidates will be able to develop a better understanding regarding the human rights violations and they will become more competent in interpretation and examination in their cases by considering ECtHR decisions. Strengthening of the Turkish judiciary by supporting the training of prospective judges and prosecutors and also anticipating them to apply their achievements to cases will be the most valuable outcome of this project.

Even though, we arranged the mentioned events, because of the pandemic, we couldn't have put into practice the events. However, we will try to carry out some equivalent events via webinars and so on until end of the pandemic. Just after the pandemic we will put the mentioned projects in to practice.

We agreed with the CoE Ankara Office to translate more HELP Courses into Turkish. The courses that we came to an agreement on are; "Reasoning of Criminal Judgments, Alternative Measures to Detention, and Procedural Safeguards in Criminal Proceedings and Victims' Rights". The national adaptation of the courses are being added to the courses nowadays. By adding Turkish versions of these courses on the HELP platform, utilisation of HELP will be more prevalent among the judges, prosecutors and candidates in Turkey.

Beside the focal point, we have four very industrious tutors in our Academy. We started to offer HELP courses as of July 2019. Since then, we launched seven sessions for candidates.

The trainees in our Academy, participate the courses voluntarily. We announce the courses properly to all the candidates. The percentage of the successful participants in total is 96,6 percent.

During these sessions, as tutors we consistently monitor the processes and progresses; moreover, from the beginning to the end of courses we motivate the trainees. Thus, as you may observe over the bar chart, the vast majority of trainees had completed courses successfully. The number of participants is shown in blue, the number of succeeded trainees is illustrated in green and failed trainees are demonstrated in red. The certificates are being handed out in ceremonies. We are expecting President of the European Court of Human Rights Judge Robert SPANO and his delegation on 3 September 2020. Therefore, we are organizing the next ceremony on September 3th.

According to our strategies, we are planning to offer tutored courses for the next five years. By the next September, we will launch tutored HELP courses among judges and prosecutors through out Turkey also.

Thanks...

Dr. Musa TANRISEVEN

HELP Focal Point for Turkey