



## ANNEX C1: Twinning Fiche

**Project Title:**Improving Judicial Notification System

**Beneficiary Administration:** Turkish Ministry of Justice

**Twining Reference:**TR 14 IPA JH 06 17

**Publication notice reference:** The publication notice reference will be completed by the European Commission

**EU funded project**

***TWINNING INSTRUMENT***

*(It is recommended that the complete Twinning Fiche should not exceed 10 pages, excluding annexes)*

## **1. Basic Information**

- 1.1 Programme: Judiciary 2014 Programming Year, Twinning- Indirect Management with ex-post control Financing Decision number: IPA/2014/031-874 (EC)- IPA National Programme for Turkey 2014- Objective 1
- 1.2 Twinning Sector: Justice and Home Affairs (Judiciary and Fundamental Rights)
- 1.3 EU funded budget: 1.567.500 Euro- IPA Contribution, 1.650.000 Euro- Total Budget

## **2. Objectives**

### **2.1 Overall Objective(s):**

Improving the judicial notification system in line with the EU to accelerate the proceeding and ensure the effectiveness of the judiciary.

### **2.2 Specific objective:**

To enhance the existing judicial notification system through rules and legislation amendments, capacity building activities for all stakeholders involved and incorporating up to date technological systems for a better electronic notification system.

### **2.3 The elements targeted in strategic documents i.e. National Development Plan/Cooperation agreement/Association Agreement/Sector reform strategy and related Action Plans**

## **Accession Partnership**

On 18 February 2008, the Council adopted Decision on the principles, priorities and conditions contained in the Accession Partnership with Turkey and repealing Decision 2006/35/EC and the Annex Turkey 2007 Accession Partnership, which foresees to strengthen efforts, including through training, to ensure that interpretation by the judiciary of legislation related to human rights and fundamental freedoms is in line with the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), with the case law of the European Court of Human Rights (ECtHR), and with Article 90 of the Turkish Constitution, and strengthen the efficiency of the judiciary through, in particular, reinforcing its institutional capacity under judicial system sub topic of priorities.

The project will contribute to decrease the prolongation of the cases, enhance the access to a fair trial and increase the trust to judiciary by improving the judicial notification system.

## **National Programme of Turkey for the Adoption of EU Acquis**

Not only under the Political Criteria Title 3 “Functionality and Efficiency of the Judiciary” but also Article 6 of the European Convention on Human Rights set as one of the priorities to increase the efficiency of the judiciary. Revision of the existing judicial notification system will contribute directly to increase the efficiency of the judiciary.

## **Turkey 2016 Progress Report:**

Turkey 2016 Progress Report (Commission Staff Working Document) released on 9<sup>th</sup> November 2016 contains under Chapter 23 the following:

The EU's founding values include the rule of law and respect for human rights. A proper functioning judicial system and effective fight against corruption are of paramount importance, as is the respect for fundamental rights in law and in practice. Turkey reached some level of preparation to implement the *acquis* and the European standards in this area. However, there - are still problems particularly related to the judiciary, which need to be addressed.

Some steps were taken to introduce a reliable registration system and draw up indicators to measure the justice system's efficiency. Especially the trials in criminal cases need to be completed within a reasonable period of time. Therefore, systemic solutions are needed to address the issue of lengthy trials.

The Turkish judiciary is supposed to effectively deal with the backlog of cases as the number of pending cases continued to increase in recent years, which are also foreseen to increase in 2016. The clearance rates for civil, criminal and administrative cases need to be increased, and the disposition time need to be decreased in order to handle the influx of cases in a timely manner.

It is aimed to strengthen the judicial notification system in order to avoid delays in proceedings and increase the efficiency of the judicial system in Turkey.

### **10<sup>th</sup> Development Plan of (2014-2018)**

Turkey's 10<sup>th</sup> National Development Plan acknowledges that improvements are still needed on the rule of law and the full enjoyment of fundamental rights and freedoms by all individuals, without discrimination. This has been supported by a series of judicial reform packages which are examples of Turkey's efforts to significantly reform the judiciary, but which also highlight the fact that further steps will be needed.

According to the 10<sup>th</sup> Development Plan under "Main Goals and Principles of the Plan" Section 2.1.3 Justice stipulates that "Within the context of the universal principles of law, rule of law and supremacy of law; ensuring fast, fair, efficient, reliable and proper functioning of the trial process is the main goal of the justice system. Economic efficiency in both structure and functioning of the judiciary will be taken into account. A well-functioning and effective justice system is also very important in increasing the predictability in the economy and in developing a more appropriate investment climate" is identified as one of the targets under article 188.

Additionally, under Chapter II, "Objectives and Policies of the Plan", paragraph 132 underlines the need for a more efficient public management and stronger justice system for qualified individuals and a strong society. In this context, constitution of a justice system that

protects the rights of all citizens, reduces the uncertainties and increases the predictability in the economy; existence of a public management which maximizes utilization of ICT and which is flexible, participative and transparent in the processes of decision-making and implementation and has sufficient institutional capacity and existence of a strong civil society have priority. Under paragraph 196, there is a strong emphasis on increasing the accessibility of justice, utilization of information technologies, which have direct link with the project activities.

### **Judicial Reform Strategy Paper**

The Judicial Reform Strategy prepared by the Ministry of Justice in April 2015, were aimed to strengthen access to justice under Chapter 8. Referring to CEPEJ, which makes a framework definition of the access to justice as “all legal and organizational factors which affects the accessibility and the effectiveness of judicial services”. The access to justice interpreted within the strategy paper as the taking of all types of measures with the support of the state by the law system in order to assure that the individuals are informed about their rights and they are capable of accessing their rights effectively.

### **The Strategic Plan 2015-2019 of the Ministry of Justice**

The Strategic Plan 2015-2019 of the Ministry of Justice has a specific emphasis on improving the judicial notification system under Strategic Aim Number 1: Improving the Quality and the Efficiency of the Turkish Penal and Criminal System. It is mentioned that the current notification system is named as one of the threats that creates significant delays within the system if/when failures happen. To increase the efficiency of the judicial notification system will decrease the lengthy proceedings. Therefore, it is expected to integrate the electronic notification system is seen as essential together with a simplification of the current system. Under the Objective 1.5, the main strategies are listed as such:

- Ensure effective utilization of the electronic judicial system
- Conduct activities to ensure the simplification of the current judicial notification system
- Train the staff of judiciary and notification personnel to decrease the mistakes/failures
- Increase the awareness of the final beneficiaries
- Restructure the international judicial notification processes

### **Instrument for Pre-Accession Assistance (IPA II) Indicative Strategy Paper 2014-2020**

IPA II, Indicative Strategy Paper stresses that Turkey has made significant reforms in the fields of the judiciary and fundamental rights over the past decade, a development that has its roots in the country’s EU accession process. The 2001 Accession Partnership document identified achieving stability in the rule of law, and by extension in the justice sector itself, as one of the main priority areas to meet the Copenhagen criteria. A similar finding applies with

regard to human rights. Although significant reforms have been mentioned, there are still a list of actions to be taken as such;

- training and raising awareness for all members of the judiciary on human rights and, in particular, of European Court of Human Rights case-law; supporting the establishment of a judicial police that meets EU standards;
- increasing judicial efficiency and improving administration, by addressing the issues of court workload and fair trials, within the meaning of Article 6 of the European Convention for Human Rights;
- improving the criminal justice system;
- developing capacity in juvenile courts;
- continuing with reforms to the military justice system and the penitentiary system;
- improving access to justice and alternative dispute resolution in both criminal and civil cases and increasing equality of arms between the prosecution and the defence in court.
- Additionally, the Action Document 2014 refers to the long standing problem of judiciary which is the heavy workload. This problem causes lengthy proceedings and detentions which results in breach of Article 5 and 6 of the European Convention on Human Rights (ECHR) protecting right to liberty and security and right to a fair trial respectively. Moreover, lengthy trials in civil, criminal and administrative judiciary diminish the trust of parties to justice irrespective of result of their cases. As complementary of the reforms introduced and being implemented in the last decade. Concerning this problem, the judicial notification system will be revised in order to accelerate judicial proceedings. Two separate activities will focus on problems of the administrative judiciary and they will find solutions to systemic and legislative shortcomings. Efficiency and effectiveness of the judiciary are related to many institutions. The MoJ will be the main responsible institution to propose and find solutions to mentioned problems.

### **3. Description**

#### **3.1 Background and justification:**

Access to justice has become an important issue in many justice systems not only for Turkey but all around the world. Increasingly, technology is seen as a potential catalyzer of access to justice, particularly in terms of improving judicial efficiency.

Within the EU Accession process, Turkey is implementing various programmes/projects to align her legislation with the EU acquis. Justice and Fundamental Rights is one of these chapters Turkey had revolutionary efforts. The Judicial Notification System is an integral part of the Turkish Judiciary System with a pivotal role that has direct effect on the efficiency of the whole system. Notification Law (Numbered 7201) is the legal framework for the judicial notification system in Turkey supported by the bylaws on 'Implementation of the Notification Law', 'Electronic Notification', 'Principles and Procedures on Registered Electronic Sostal services' and many other regulations and notifications. In practice, the notification is

delivered to the addressee through Postal and Telegraph Corporation and/or its personnel. When the addressee is not found at the given official address, there are various alternatives such as the residents of the same address or the people working at this address identified for the submission. It is also defined various alternatives in case of no one found at the given official address or the person refused to receive the submission or if the given address is not the same with the one exists within the address registration system. Notice by public announcement is the last resort of notification if none of the other alternatives listed do not work. For the notification of the addressees those are out of country, notification procedures executed in line with the international notification practices. For the electronic notification, in principle, person addressed supposed to provide an electronic mail address available for notification and asks for receiving notification through that electronic address. It is obligatory for the incorporated, limited and companies with shareholders to receive judicial notifications electronically.

Despite many amendments, Notification Law (numbered 7201 and dated 11.02.1959) cannot provide solutions to the current problems that is being experienced daily basis in practice. Notifications that are not made on time and in a proper manner (procedural mistakes) lead to infringement of both the right to fair trial and the principle of procedural economy. It is also missing to have sanctions for all parties who involved in delays and/or mislead the process. Notification is more than submitting legal documents. Therefore a well functioning judicial notification system which uses both classical and electronic means, having trained staff and informed final beneficiaries will eliminate the unjust treatments, decrease the length of the proceedings and also the number of complaints.

There are also bottlenecks faced in judicial notification to the convicts and detainees. It is regulated under Article 19 of the Notification Law that the responsibility of the notification to the convicts and detainees who are in the prison and detention centers stay with the managers and in the absence of the managers, it is the deputy and/or acting managers. Article 28 of the Bylaw that Regulates the Implementation of the Notification Law states that in cases of failures within the notification to the convicts and detainees through various reasons, it is obligatory to indicate the reasons of failure to the submission document. And as the second step, manager and/or acting managers are given responsibility to re-submit the judicial notification to the convicts and detainees. However, in practice managers are objecting to act as messengers and in many cases accept the notification themselves instead of submitting directly to the convicts and detainees. In these cases, notification called as 'invalid or non-applicable'. Another problem under the same content is the execution of the judicial notifications to the detainees who has a legal guard. In these cases, legal guards are supposed to receive the notification however in practice detainees receive it themselves which is not in line with the law.

The results of the two workshops organized by the Ankara Bar, reflected the grassroots of the bottlenecks within Notification System as such:

- Non standardized and subjective implementation causes lengthy proceedings even for very simple cases

- There is no clearly set ‘notification periods (duration)’ for cases
- Lack of capacity is a pending issue for the personnel of the responsible authorities which are assigned for notification
- There is no clear sanctions for the people who are supposed to receive the notification but refuse to do so purposely
- Inconsistencies of the address registry system including UYAP which can be stemmed from typing errors and/or lack of updates block the notification system
- For the electronic notification system, there is still room for improvement especially to expand the system and its efficiency
- There is inconsistency within the implementation of Notification Law especially for Articles 20, 21 and 35
- There is no functioning cooperation and coordination mechanism among the responsible actors of the notification system

In practice, various actors have their own notification systems which is not consistent and coherent with each other. Additionally, technological tools for the judicial notification are not sufficiently utilized. Therefore, it is one of the core components to develop a well functioning, coherent and user friendly electronic notification system not only for Ministry of Justice actor but all relevant parties who provide notification services. It is also necessary to simplify the abovementioned law and ensure consistency with other institutions who provide similar services.

To ensure the efficiency of the systems, it is an obligation to invest capacity building activities. One of the reasons that triggers the inefficiency of the judicial notification system is the fact that the responsible staff of Ministry of Justice (MoJ), Turkish Postal Services (PTT), staff of other related Ministries, district governors, village headmen, law enforcers and also justice professionals and staff of Ministry of Foreign Affairs do not receive trainings to enhance their skills and increase their performance. In addition to that, lack of information of the staff and also absence of a performance evaluation system allow the issues to remain unsolved. A structured and sustainable training system should be developed.

Additionally, regarding electronic notification, a technological integration has been established between the Information and Communication Technologies Authority and registered e-mail companies, therefore information technology used on this matter is sufficient. However, dissemination and awareness raising activities on the use of the electronic notification system will be conducted within the Project. It is a prerequisite for the result that the electronic notification system is enhanced in Turkey.

Lack of standards cause different interpretation of the implementation of the judicial notification system which has both legislative and executional roots. Standards for common cases and also for specific cases –like difficulties faced with the immigrants who do not have an address within the “Central Civil Registration System” (MERNIS) of the Ministry of Interior should be developed to ensure a reliable, transparent and efficient system.

It is also important to consider to strengthen the international judicial notification which is also a problematic area for an effective international judicial cooperation

### **3.2 Ongoing reforms:**

Within the EU Accession process, Turkey has amended its legislation in line with EU Acquis. In this regard, Notification Law (Numbered 7201) which is the legal framework for the judicial notification system in Turkey supported by the bylaws on 'Implementation of the Notification Law', 'Electronic Notification', 'Principles and Procedures on Registered Electronic Sostal services' have been amended.

The Project aims at to support the transformation of the newly established legislation into practice.

### **3.3 Linked activities:**

To avoid any kind of duplications and moreover to benefit from the results and the lessons learnt of the previous projects, programmes and workshops, a detailed research is conducted to identify the relevant projects as well as the previous workshops/activities conducted by the relevant Directorate Generals. All are listed below to maximize utmost the results and built upon for more sustainable results.

### **Strengthening the Court Management System in Turkey**

Strengthening the Court Managements System in Turkey Project was implemented by the Ministry of Justice with the technical support of Council of Europe (CoE) between May 2011 and May 2013. The overall objective was to improve the functioning and efficiency of the judiciary according to European standards as foreseen in the Accession Partnership and the National Programme for the Adoption of the Acquis. Within its specific objective, there were many activities conducted to fine-tune the new court management system introduced under the European Union/Council of Europe Joint Programme (JP) "Support to the Court Management System" in line with European standards and best practice; within this framework, to explore the possibility of creating a new judicial post; and to implement the revised system in 20 new pilot courts, with a view to its further dissemination throughout Turkey. The 'Efficiency of Civil Courts Report' by McKinsley underlined that notifications issued through regular mail channel are one of the main reasons for the delays experienced in court procedures and for long duration of proceedings. All the experiences, best practices and lessons learnt accumulated within the project will be benefitted during the implementation phase.

### **Improving the Court Expert System**

A European Union-funded project with a budget of €1.4 million aimed at reducing the duration and cost of court proceedings, thus enhancing the quality of justice and raising public confidence in the judiciary and concluded in June 2015 (lasted in 30 months).

A comprehensive study on the court expert system to assess the gaps and needs of the current system in both criminal, civil and administrative justice has been performed. Intensive awareness raising activities took place in pilot cities (İstanbul, Manisa, Antalya, Erzurum,



Şanlıurfa, Samsun) gathering all the stakeholders. The project has facilitated the cooperation and support of the professional organisations providing experts to the courts, which will cooperate in the training and certification of experts as well as their supervision. More than 100 experts have been trained and certified as court experts. A code of conduct for the experts has been drafted. The Justice Academy has started two-day seminars for candidate judges & prosecutors on optimizing the use of court experts. EU support and expertise was provided to the Scientific Committee responsible for drafting a new Law on Court Experts, which is now completed. The Expertise Law numbered 6754 was published in official gazette and came into force in 24.11.2016). This law which foresees an effective and efficient organizational structure for expertise is acknowledged as a reform in expertise system in Turkey.

This project has established a basis for a sustainable development of the Turkish court expert system to a system fully corresponding to EU standards which will be strongly benefitted from for increasing the judicial notification system.

### **3.4** List of applicable *Union acquis*/standards/norms:

Council of Europe Committee of Ministers, Resolution Res (2002)12 Establishing the European Commission for the Efficiency of Justice (CEPEJ)

Opinion No 6 (2004) of the Consultative Council of European Judges (CCJE) on fair trial within a reasonable time and judges role in trials

European Council, “ the Stockholm Programme- An Open and Secure Europe serving and protecting citizens, O.J.2010 C115/01 and the related Commission Action Plan COM (2010)171 Final

### **3.5** Results per component

1. The judicial notification system is re-structured and supported with necessary legal amendments.
2. Qualifications and skills of the actors involved in the judicial notification system is improved
3. Electronic judicial notification system is -enhanced in close cooperation with the Postal and Telegraph Corporative in line with the needs of Ministry of Justice and all relevant partners.

Indicators of Achievement: Length of proceedings due to problems in the judicial notification system decreased (Baseline 2013) 20% of the total cases are delayed due to mistakes in the judicial notification system.

### **3.6** Means/input from the EU Member State Partner Administration(s)\*:

### **3.6.1 Profile and tasks of the PL:**

The Project Leader from the EU Member State should be a senior civil servant or equivalent staff who works in the field relevant to this project (Judiciary) and have been at least three years in a management position within the institution.

The Project Leader will be responsible for achievement of project results, ensuring the activities for the co-operation and information exchange between EU Member States side and Beneficiary side and ensuring that all the required support of the management and staff of the EU side are available. S/he will coordinate the Project Steering Committee meetings on the EU Member State side.

Profile:

#### Qualification and skills

- University level education in law or 8 years equivalent professional experience in the related field
- Broad long-term knowledge of all processes in the area of Union acquis that the project is dealing with
- Excellent written and oral command of English
- Good inter-personal skills
- Good management skills
- Experience in working intercultural projects

#### General professional experience

- At least 3 years of experience in working with EU legislation concerning judiciary and fundamental rights
- Experience in project management
- Strong initiative, analytical and team working skills

#### Specific professional experience

- Specific project experience in the field of judiciary and fundamental rights
- Knowledge of the EU Member States' notification system

Tasks:

- Overall project co-ordination;
- Co-chairing, with the Turkish PL, the regular project implementation steering committee meetings;
- Mobilizing short term experts;
- Executing administrative issues (i.e. signing reports, administrative order etc.).

### **3.6.2 Profile and tasks of the RTA**

The RTA will be in charge of the day-to-day implementation of the Twinning project in the Republic of Turkey. S\he will coordinate the implementation of activities according to a predetermined work plan and liaise with the RTA counterpart in the Republic of Turkey.

The RTA will bring in a significant professional input, especially at the beginning of the Twinning project.

#### Qualification and skills

- University degree in law or 8 years equivalent professional experience in the related field
- Fluency in English
- Good PC literacy (Word, Excel, PowerPoint)
- Good inter-personal and diplomatic skills
- Good management skills

#### General professional experience

- At least 3 years experience in working with EU legislation concerning judiciary and fundamental rights with a strong focus on judicial notification systems
- Strong initiative, analytical and team working skills

#### Specific professional experience

- Recent experience in a state institution\mandated body responsible for judicial notification systems
- Knowledge of the EU acquis and relevant documents of Council of Europe concerning judicial notification system
- Experience in preparation of major strategic documents
- Experience in developing, co-ordinating and conducting capacity building activities, legal amendments and training programmes.

### **3.6.3 Profile and tasks of Component Leaders:**

Component leaders will ensure the implementation of project components and plan the agreed activities in a timely manner with high quality. They report to the RTA and liaise with the RTA counterpart.

#### Qualifications and skills:

- University degree in the appropriate field as per the component requirements or 8 years equivalent professional experience in the related field
- Working knowledge of English.
- Good inter-personal and communication skills.

### 3.6.4 Profile and tasks of other short-term experts:

A pool of short term experts is required to implement the project activities covering the following indicative subjects:

- Conducting needs assessment with EU comparison
- Developing ToT and roll out trainings
- Experience in awareness raising activities
- Institutional development
- Strategic Planning
- Developing the standards and performance and promotion criterias for the notification staff
- sampling methodology and guidelines
- Information Technology (IT) and databases.

#### Indicative General Profile of the Short Term experts

##### Qualifications and skills:

- University degree in the appropriate field or 8 years equivalent professional experience in the related field
- Working knowledge of English.
- Good inter-personal and communication skills.
- General professional experience:
- At least 3 years of professional experience in the relevant field

## 4. Budget

### Maximum Budget available for the Grant

<b>Improving Judicial Notification System</b>	<b>EU Contribution</b>	<b>National Contribution</b>	<b>Total</b>
<b>Twinning</b>	<b>95%</b> <b>1.567.500 Euro</b>	<b>5%</b> <b>82.500 Euro</b>	<b>1.650.000 Euro</b>

## 5. Implementation Arrangements

### 5.1 Implementing Agency responsible for tendering, contracting and accounting (AO/CFCE/PAO/European Union Delegation/Office):

Mr. M. SelimUslu  
PAO and CFCU Director  
Central Finance and Contracts Unit  
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İnönüBulvarı No: 36 E Blok 06510  
Emek - Ankara / TURKEY

## **5.2 Institutional framework**

Ministry of Justice Directorate General for Civil Affairs will be the main end beneficiary of the project. During the technical implementation of the project the supervision / coordination will also be conducted by DG for Civil Affairs. DG for Civil Affairs will be responsible for ensuring close cooperation with sub- beneficiaries such as Postal and Telegraph Corporative and regarding electronic notification with Information and Communication Technologies Authority.

The MoJ Directorate General for Civil Affairs is the main responsible executive institution for forming the justice policy including judicial notification system. Within the scope of the power granted by the Law on Establishment and Duties of Judicial Organization, the Directorate General for Civil Affairs is responsible for taking all kinds of legal and administrative measures with regard to the issues concerning the functioning of judicial notification system. Additionally, conducting researches for better functioning of the justice system are some of other important functions of the MoJ DG for Civil Affairs as well.

Similarly, during the IPA II term, the Ministry of Justice Directorate General for EU Affairs has overtaken the lead institution role in judiciary sector. As a leading institution in justice sector, the MoJ Directorate General for EU Affairs is given important responsibilities and powers to ensure efficient and effective utilization of the IPA funds. Within the framework of the lead institution role, Directorate General for EU Affairs is entitled and authorized to ensure the general coordination of the projects to be implemented in the sector. In this framework, it will also support the technical implementation of the judicial notification project and ensure that all sub-beneficiaries participate in the project activities within the main objective of the project.

## **5.3 Counterparts in the Beneficiary administration:**

### **5.3.1 Contact person:**

Ms Tuğba Eren Tokyürek,  
Judge,  
Directorate General for Civil Affairs  
Adalet Bakanlığı Ek Bina Milli Müdafaa Caddesi  
No:22 Bakanlıklar/Ankara  
Phone: +90 312 417 81 53  
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## **The representatives of Postal and Telegraph Corporative are:**

Şahin GÜR (Main contact person)

Head of Department,  
Department of Postal and Cargo Services  
Şehit Teğmen Kalmaz Caddesi No:2 Ulus/Ankara  
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Günnur MIZRAK  
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E-mail: [gmizrak@ptt.gov.tr](mailto:gmizrak@ptt.gov.tr)

**5.3.2** PL counterpart  
Mr. Feyzullah Taskin  
Director General  
MoJ Directorate General for  
Civil Affairs  
Adalet Bakanlığı Ek Bina Milli Müdafaa Caddesi No: 22  
Bakanlıklar/Ankara

#### **5.3.3** RTA Counterpart

Mr Osman Çakar  
Judge  
Head of Department  
Directorate General for Civil Affairs  
Adalet Bakanlığı Ek Bina Milli Müdafaa Caddesi  
No:22 Bakanlıklar/Ankara

## **6. Duration of the project**

21+3 months

## **7. Sustainability**

Trainings aimed at improving skills of the staff directly and indirectly involved in judiciary system will increase the access to justice and decrease the infringement both the right to a fair trial and the principle of procedural economy.

Revised terms of references and standards developed will increase the human resources quality within the system which will have direct implications on the overall system. All training materials will be benefitted to transfer information and may also be institutionalised for regular trainings.

Moreover, establishment of a fully functioning electronic notification system will eliminate many of the bottlenecks and the awareness raising activities will increase the coverage.

Strong commitment of the beneficiary and close cooperation with the Project partners will increase the efficiency and effectiveness. All lessons learned from various projects and programmes will be taken into consideration to avoid any repetitions too.

Beneficiary committed % 5 (82.500 Euro) of the overall budget. Ministry of Justice ensures required financial sources after the implementation of the project to strengthen the sustainability.

#### **8. Crosscutting issues (*equal opportunity, environment, climate etc...*)**

Based on the fundamental principles of promoting equality and combating discrimination, participation in the project will be guaranteed on the basis of equal access regardless of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

#### **9. Conditionality and sequencing**

NA.

#### **10. Indicators for performance measurement**

Length of proceedings due to problems in judicial notification system decreased.

Baseline (year) 2014- 20% of the total cases delayed due to the mistakes in judicial notification system

Milestone (year) 2017- %10 or less cases delayed due to the mistakes in judicial notification system

Standardisation of judicial notification system has been provided.

Target (year) 2020- 5% or less cases are delayed due to the mistakes in judicial notification system.

#### **11. Facilities available**

The Beneficiary commits itself to make available free of any charge for the project:

- Office facilities for the RTA and the RTA assistant(s) for the entire duration of their secondment, with a level of equipment at least comparable to that in use in the Beneficiary administration.
- Adequate conditions for the short-term experts to perform their work while on mission to the Beneficiary.
- Training and conference venues, catering if appropriate and presentation and interpretation equipment.

#### **ANNEXES TO PROJECT FICHE**

1. Logical framework matrix in standard format

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

The activities listed hereunder represent the minimum activities to be implemented in the course of the Twinning project. Member State(s) may propose additional activities in line with the methodology elaborated in its proposal. Total number of study visits and internships are maximum 5 as indicative.

LOGFRAME PLANNING MATRIX FOR Project Fiche		Programme name and number		
<b>Project Name:</b> Improving Judicial Notification System		<b>Contracting period expires</b> <b>2018</b>		<b>Execution period expires</b> <b>2021</b>
		<b>Total budget</b>	<b>1.650.000 Euro</b>	
		<b>IPA budget</b>	<b>1.567.500 Euro</b>	
<b>Overall objective</b>	<b>Objectively verifiable indicators (OVI)</b>	<b>Sources of Verification</b>		<b>Assumptions</b>
Improving the judicial notification system in line with the EU to accelerate the proceeding and ensure the effectiveness of the judiciary.	Length of proceedings due to problems in the judicial notification system decreased  (Baseline 2013) 20% of the total cases are delayed due to mistakes in the judicial notification system.	MoJ Statistics ECtHR case law and statistics; MoJ annual reports; Monitoring and evaluation reports of the project;		The beneficiary and national partners engage to the utmost extent to implement the activities and sustain the results.  Member States remains fully dedicated to the achievement of the overall objective.
<b>Project Purpose</b>	<b>Objectively verifiable indicators (OVI)</b>	<b>Sources of Verification</b>		<b>Assumptions</b>
To enhance the existing judicial notification system through rules and legislation amendments, capacity	Draft legislation is available by the end of the project implementation period Min. 2000 personnel trained The number of users of	MoJ Statistics ECtHR case law and statistics; MoJ annual reports; Monitoring and evaluation reports of		Full cooperation and input from all relevant national stakeholders.  Stable project support teams at local and central level



building activities for all stakeholders involved and incorporating up to date technological systems for speedy and qualified electronic notification system.	electronic notification system increased	the project	Comprehensive and broad expertise (both national and international) is included in the Project.
<b>Results</b>	<b>Objectively verifiable indicators (OVI)</b>	<b>Sources of Verification</b>	<b>Assumptions</b>
1. The judicial notification system is re-structured and supported with necessary legal amendments.	1. 1 Draft legal amendments including necessary sanctions prepared 1.2 New terms of references regarding the roles and responsibilities of the main actors in judicial notification system is developed	Situation analysis report, needs assessment report and comparative study developed under the auspices of the Project  MoJ reports  Reports from monitoring bodies  Project progress reports  Training evaluation reports	Strong commitment by the project beneficiary and the partners.  There is sufficient and sustainable staff and the availability of necessary absorption capacity from the beneficiary side is secured.  There is political will to ensure sustainability.
2. Qualifications and skills of the actors involved in the judicial notification	2.1 A guideline including legal and practical information and a check list for the postal services		



Activities to achieve results	Means / contracts	Costs	
<p>Needs assessments</p> <p>Comparative analysis of the best practise in EU</p> <p>Analysis of current legal framework and practices</p> <p>Preparation of the required legislative amendment</p> <p>Organization expert meetings</p> <p>Preparation of a guideline with the checklist</p> <p>Raising public-awareness</p> <p>Tv spots produced</p> <p>Training modules and materials prepared</p> <p>ToT conducted</p> <p>Roll out trainings for 2000 participants organized</p> <p>International conference organized</p>			