

**ANNEX National Programme for Turkey under IPA- Transition Assistance and
Institution Building Component I for the year 2013**

1 IDENTIFICATION

Beneficiary	Turkey
CRIS decision number	2013 / 023-651
Year	2013
EU contribution	EUR 236,750,014
Implementing Authority	<p>Implementing Agency of Turkey responsible for the execution of the projects is the Central Finance and Contracts Unit (CFCU) at the Under-Secretariat of the Treasury except for:</p> <p>Project –IPA 2013/023-651.07/TR “Support to Turkey's participation in Union Programmes and Agencies”, where implementation will consist in the payment of the IPA part of the financial contribution to the programme by the National Fund.</p> <p>Measure 1-4 and measure 6 of the sector intervention "Energy" shall be implemented by joint management with the World Bank (WB) and the European Bank for Reconstruction and Development (EBRD).</p>
Final date for concluding the <u>Financing Agreement</u>	At the latest by 31 December 2014
Final date for concluding <u>Contribution Agreements under joint management</u>	31 December 2014
Final date for contracting	3 years following the date of conclusion of the Financing Agreement, with the exception of the cases listed under Article 189.2 b) and c) Financial Regulation.
Final date for operational implementation	6 years following the date of conclusion of the Financing Agreement with a beneficiary country.
Final date for implementing the Financing Agreement (date by which programme to be de-committed and closed)	12 years following the conclusion of the Financing Agreement
Budget line concerned	22.02.01: national programmes (component Transition Assistance and Institution Building) for Candidate Countries

Programming Unit	DG ELARG Unit B3 (European Commission, Brussels)
Implementing Unit/ EU Delegation	EU Delegation to Turkey

2 THE PROGRAMME

2.1 PRIORITIES SELECTED UNDER THIS PROGRAMME

For IPA TAIB 2013 programming, and in view of the next Multi-annual Financial Framework (2014-2020), the programme has been designed in a way that will advance the move towards a more integrated sector approach for programming of IPA financial assistance. Substantial parts of the IPA 2013 envelope have been programmed through sector interventions. Only few stand-alone projects have been included in areas where an integrated sector approach was not yet possible. Therefore, in coherence with the priorities identified in the MIPD 2011-2013, after analysis of the Turkish authorities and consultation with the Commission, it has been decided that the National Programme for Turkey 2013 component I should include the following priority sectors:

1. Justice, Home Affairs and Fundamental Rights, *notably sub-divided into*
 - a) Judiciary and Fundamental Rights (incl. reform of law enforcement institutions)
 - b) Migration and Border Management
2. Energy
3. Agriculture and Rural Development

In addition to these priority sectors the programme includes four stand-alone projects. As in previous years, IPA funds will also continue to support Turkey's participation in Union Programmes and Agencies, as provided for in the Framework Agreement on participation in EU programmes.

2.2 SECTORS SELECTED UNDER THIS PROGRAMME AND DONOR COORDINATION

Sector 2: Justice, Home Affairs and Fundamental Rights

In line with the renewed consensus on enlargement, taking into account experience from the fifth enlargement, and as reconfirmed with the 2012 Enlargement Strategy, democratisation and rule of law are key priorities which need to be addressed by candidate countries during the accession process. Despite important democratic reforms carried out in recent years, further results are needed in the Justice, Home Affairs and Fundamental Rights sector. This sector also affects public perceptions of the enlargement policy in general and Turkey's membership bid to the EU.

The establishment of an Ombudsman institution in 2012 was an important step in safeguarding the rights of citizens and ensuring accountability of the public administration. Moreover, a law establishing the Turkish National Human Rights Institution was adopted by the parliament. However, in line with Turkey's Judicial

Reform Strategy further efforts are needed to improve the efficiency and effectiveness of the judiciary and the guarantee of fundamental rights.

As regards migration and border management, important progress was made in alignment of Turkish legislation towards the EU acquis and international standards, in particular with the adoption of the Law on Foreigners and International Protection in April 2013. Nevertheless, the institutional capacity necessary to effectively implement this law remains to be built. Moreover, further legislative reforms in home affairs matters, in particular on integrated border management and on visa policy are still required for Turkey to come in line with EU standards.

Following the assessment of readiness for a more integrated sector approach, Fiches for two sub-sectors have been prepared: Judiciary and Fundamental Rights (including fight against organised crime) and Migration and Border Management. This division should support the gradual development of a more coherent sectoral approach with improved internal coordination mechanisms in the coming years.

Moreover, under this MIPD sector one stand-alone project on social dialogue (also relevant for chapter 19 Social Policy and Employment) will be financed.

Sector 5: Energy

Turkey is one of the fastest growing energy economies of the world. Both primary energy and electricity demand are increasing rapidly in parallel with growing economy and rising social wealth. Turkey's strategies in the energy policy are especially outlined in the Institutional Strategic Plan for the Ministry of Energy and Natural Resources (2010-2014). Diversification of imports in terms of sources, routes and technologies is an important policy tool in order to achieve and improve energy security. Energy Efficiency and Renewable Energy are thus of major importance, also considering the EU's own Europe 2020 Resource Efficiency targets. Further efforts are also needed on natural gas, nuclear safety and radiation protection, areas which are also of special interest in EU-Turkey relations.

The energy sector is suitable for a sector approach in the medium term; a Sector Fiche has been developed by the Turkish authorities for inclusion under the 2013 programme. Cooperation with International Financial Institutions (IFIs) in several sub-sectors is a continuation of related efforts started with the IPA 2012 national programme.

Sector 6: Environment and Climate Change

As for all candidate countries, adopting the environmental and climate change acquis is an enormous challenge for Turkey. Under the coordination of the former Ministry of Environment and Forestry, an EU Integrated Environmental Approximation Strategy (UÇES) has been prepared, but alignment with the acquis and the institutional capacity still needs improvement in many areas. The respect of general principles of environmental policy and conventions, the polluter pays principle, need for low-carbon development, and financial sustainability have to be taken into account.

Combating climate change is a top priority for Turkey and the EU. Turkey's convergence with EU climate acquis requires significant efforts both within the sectors covered by the Effort-Sharing Decision as well as those covered by the EU Emissions Trading Scheme. Policies need to be put in place to seize the full potential

of associated benefits while minimizing economic costs. In order to project future economic and emissions trends, to enable informed policy-making, and to allow for defining measures which reconcile climate, energy and other objectives cost-effectively, analytical tools need to be developed and enhanced. Existing strategies and plans also need to be reviewed. Furthermore, enhancing the capacity of the stakeholders as well as public participation is crucial.

The programme will contain three stand-alone projects under this MIPD sector relating to the Water Framework Directive, the European Pollutant Release and Transfer Register (E-PRTR) and to capacity building in the field of climate change.

Sector 7: Social Development

Unemployment levels have remained quite high in Turkey, especially among young people in urban areas. Women's labour market participation remains below 30%. There is an incompatibility between the skills provided by the education system and those required in the labour market. Social development is a key objective as development axes of the Development Plan focussing on increased employment and strengthening of human development and social solidarity. As the majority of the sector is covered under IPA component IV, a project based approach is most suitable under component I. In this sector, annual contributions under component I will also support Turkey's participation in the new generation of Union Programmes following what has been so far Lifelong Learning, Youth in Action and PROGRESS which is the EU employment and social solidarity programme.

Sector 8: Agriculture and Rural Development

Turkey needs to advance in preparations for future implementation of the Common Agriculture Policy (CAP), but also in the alignment with the *acquis* in the area of food safety, veterinary and phytosanitary policy. In those specific areas some efforts have been made in the past year. However, further efforts are required in particular actions should be taken to support the harmonization with the EU Fisheries *acquis*, to restructuring of the administrative system fisheries required for the adoption of the *acquis* for fisheries resource management. Moreover, significant efforts are also needed on upgrading agri-food establishment and animal health. The capacities relating to agricultural statistics and FADN have increased.

The sector is suitable for a sector approach in the medium term; a Sector Fiche has been developed by the Turkish authorities and included in the 2013 programme.

Sector 9: Other Support activities

Under the project "Enhanced Support to Strengthen the European Integration Process" a number of smaller one-contract stand-alone projects for institution building in different areas will be addressed together with project preparation studies and other smaller projects addressing further specific alignment needs that may be identified in line with the MIPD.

The key indicators in the MIPD which are supported by this programme are further developed in the logical frameworks of the project fiches, which are the basis for the implementation of the programmes. These fiches contain more detailed measurable indicators, which have baselines and targets, to allow measuring results and the

impact achieved by the project. The progress in meeting these indicators will be followed through the monitoring system.

Past/on-going assistance

Since 2007 Turkey benefits from the Instrument for Pre-Accession Assistance (IPA), which includes five components. In the period 2007-2013, the annual allocation to Turkey under IPA has increased from around EUR 500 million in 2007 to EUR 902 million in 2013 according to the Commission's Multi-Annual Financial Framework (MIFF). In addition, Turkey continues to receive bilateral assistance from several EU Member States and International Financial Institutions.

Under the political criteria, the promotion of human rights, democratisation and the rule of law, the promotion of human rights (including the protection and rights of disadvantaged and vulnerable groups) and women's rights and the situation in the East and the South-East), as well as good governance have been addressed through a number of projects aimed at the law enforcement bodies, the judiciary, civil society and in the field of education. Such projects target systemic changes, although the size of the country and the complexity of the issues have, in general, not permitted a definitive solution to identified problems. Mainly resulting from training and awareness raising, the drafting of legislation and preparing of strategies/action plans, but also due to the commissioning of supplies, a number of positive immediate and intermediate impacts have been or are being achieved across this area.

The support for the adoption of the *acquis* is focussed on areas where Turkey needs to step up its reform efforts to be able to fully adopt and enforce the *acquis communautaire*, often linked to opening and closing benchmarks in the context of the accession negotiations.

Under IPA component I further development and strengthening of civil society is supported as well as civil society dialogue between Turkey and the EU. Civil society is also increasingly involved as stakeholders in the IPA programming process. Turkey and the EU are closely cooperating to further build on these positive steps.

Donor/IFI cooperation

The EU Delegation in Ankara leads efforts towards improved donor coordination in Turkey. A dialogue with the national authorities is on-going to more closely involve national authorities in donor coordination. In the sector "rule of law and fundamental rights" international organisations such as the Council of Europe and a number of United Nations Agencies have provided substantial support, together with relevant Turkish and international non-governmental organisations working on Human Rights, Civil Society Development and other right-based areas. The World Bank provides support for public administration reform and has become a partner in the field of energy. Bi-lateral support is provided by several EU Member States (e.g. Denmark, France, Germany, the Netherlands, Sweden the United Kingdom etc.) and/or their development agencies as well as by Canada. Local donor working groups on governance and migration issues (asylum and border management) help to coordinate efforts in this area.

2.3 DESCRIPTION

MIPD Sector 2 Justice and Home Affairs - EUR 88,878,561 (IPA: EUR:72,437,345)

1. Sub-Sector: Judiciary and Fundamental Rights (incl. reform of law enforcement institutions)

EUR 27,781,711,(IPA: EUR 22,599,866)

Sector Objectives:

1. To implement the necessary reforms to build an independent, impartial and efficient judiciary;
2. To achieve measurable progress towards the full enjoyment of all fundamental rights and freedoms by all individuals without discrimination and to promote women and children's rights;
3. effective law enforcement, successful fight against crime and against corruption;
4. To develop capacity of all sub-sector stakeholders to steer their activities in the context of the Turkish sub-sector alignment strategy for Judiciary and Fundamental Rights, and Fight Against Organised Crime sub sectors.

Main results expected:

- Better access to justice through completed review of legal aid enhanced;
- Increased efficiency of the judiciary through Justice Sector Performance system;
- Increased awareness of judges, prosecutors and lawyers in Turkey on the individual application mechanism to the Constitutional Court and implementation of fundamental rights;
- Assurance of the rights and freedoms set forth in the Constitution and the Convention is fully secured at national level;
- Reduction in number of applications to European Court of Human Rights (ECtHR) and violation judgments of the Court against Turkey;
- Increased co-operation of the national courts with European institutions;
- Enhanced Gender-Related Public Policies and Women's CSOs empowered about all aspects of monitoring;
- Increased awareness and knowledge about how to eradicate gender-based inequalities through research, data collection and reporting;
- Increased cooperation and communication between women's civil society organisations and public institutions at the local and national levels;
- Improved institutional capacity regarding public order management and crowd control in line with EU and international standards in the framework of human rights;
- Efficient Police Complaints Commission and Complaints System for the Turkish National Police (TNP), Gendarmerie and Coast Guard in place;
- Improved capabilities of Crime Scene Investigation Teams and Units;
- Enhanced capabilities regarding fight against organized crime.

Indicative implementation modalities:

JUDICIARY

Measure 1: Strengthening the Legal Aid Service in Turkey

Grant – Twinning EUR 1,375,000 (IPA: EUR 1,306,250)

Objectives and results: Establish a more effective, sustainable and satisfactory legal aid system in order to strengthen the right to fair trial and access to justice.

Generic description of activities: Training and Technical Assistance (TA) to the Ministry of Justice.

Essential eligibility criteria: Applicants must be EU Member State administrations or mandated bodies.

Essential selection criterion: Operational capacity of the applicant.

Award criteria: Technical expertise of proposed experts, relevance, methodology and sustainability of the proposal.

Maximum EU co-financing: 95% of the eligible cost of the action.

One Twinning contract to be launched in Q3/2014.

Measure 2: Performance Assessment and Management System for Judiciary

Grant - Direct grant award EUR 2,140,655 (IPA: EUR 1,926,590)

Objectives and results: Provide a systematic framework and an empirical basis for the Turkish authorities to be able to measure justice sector performance in general and to empirically assess the impact of future improvement initiatives in particular.

Generic description of activities to be funded under the grant: providing assistance in drafting performance measure framework and implementation of the framework in the judiciary system as a whole.

Beneficiary: Ministry of Justice

Justification for the use of exception: A direct grant agreement with the World Bank will be concluded in accordance with article 190(1)(f) of the Rules of Application (RAP) to the Financial Regulation (FR). The WB has demonstrated its technical expertise and multi-disciplinary skill-set in the justice sector with both the Turkish authorities as well as with the European Commission (EC). WB has a portfolio of several hundreds of millions of US Dollars dedicated to improving the functioning of justice sector institutions across countries with very different levels of development. The expertise available at WB does not only cover the legal aspects, but focuses specifically on the implementation.

Essential selection criteria: Financial and operational capacity of the applicant.

Award criteria: Relevance, effectiveness and feasibility, sustainability and cost-effectiveness of the action.

EU co-financing: Maximum possible rate of EU co-financing is 90% of the eligible cost of the action.

Indicative date for signature: Grant agreement to be signed in Q3/2014.

FUNDAMENTAL RIGHTS

Measure 3: Supporting the Individual Application to the Constitutional Court in Turkey

Grant - Direct grant award EUR 6,382,228 (IPA: EUR 4,082,228)

Objectives and results: Contribute to supporting and strengthening of the individual application system in Turkey by empowering the judiciary in Turkey in line with the acquis, the rights and freedoms guaranteed under the system of the European Convention on Human Rights (ECHR).

Generic description of activities to be funded under the grant: Increase capacity of the judges, prosecutors and lawyers in Turkey on the individual application mechanism and implementation of fundamental rights protected by the ECHR, the case law of the European Court of Human Rights (ECtHR), the European Social Charta (ESC) and national mechanisms through round tables, training seminars, conferences and study visits addressing to all judges and prosecutors and lawyers seminar

Beneficiary: Constitutional Court of Turkey; High Council of Judges and Prosecutors, Council of State, Court of Cassation, Turkish Justice Academy and Bar Associations act as co-beneficiaries.

Justification for the use of exception: A direct grant agreement with the Council of Europe (CoE) will be concluded in accordance with article 190(1)(f) of the RAP to the FR. The main purpose of the individual application system is to ensure a constitutional guarantee of human rights in the scope of ECtHR. The measure is not only aiming to understand the experiences of a single institution's or country's jurisdiction on human rights, but also aims to understand the practice and knowledge of ECHR, prominent CoE member countries

which are successfully carrying out the constitutional jurisdiction and specialized institutions on human rights.

Essential selection criteria: Financial and operational capacity of the applicant.

Award criteria: Relevance, effectiveness and feasibility, sustainability and cost-effectiveness of the action.

EU co-financing: Maximum possible rate of EU co-financing is 64% of the eligible cost of the action.

Indicative date for signature: Grant agreement to be signed in Q3/2014.

Measure 4: Enhancement of Participatory Democracy in Turkey: Monitoring Gender Equality

Grant - Direct grant award EUR 1,628,000 (IPA: EUR 1,628,000)

Objectives and results: Further engage the women's rights organizations towards the achievement of greater de facto gender equality for the development of a more participatory democracy in Turkey.

Generic description of activities to be funded under the grant: Providing assistance in mapping the opportunities for monitoring towards gender equality and organizing workshop, visit to the Parliamentary Commission on Equal Opportunity for Men and Women as well as relevant ministries.

Beneficiary: Ministry of EU Affairs (MEUA)

Justification for the use of exception: A direct grant agreement with the Association for Monitoring Gender Equality (CEID) will be concluded in accordance with article 190(1)(c) of the RAP to the FR. CEID is the only NGO umbrella established in Turkey with a specific aim of monitoring public policies in terms of gender equality and bearing a legal person status. CEID has a monopoly insofar each of its members covers a different/specific focal area and works for different organisation/institution in the area of gender equality.

Essential selection criteria: Financial and operational capacity of the applicant.

Award criteria: Relevance, effectiveness and feasibility, sustainability and cost-effectiveness of the action.

EU co-financing: Maximum possible rate of EU co-financing is 100% of the eligible cost of the action. The budget of the present measure involves only the expenses needed for the implementation of the activities foreseen under the related Sector Fiche.

Indicative date for signature: Grant agreement to be signed in Q3/2014.

REFORM OF LAW ENFORCEMENT INSTITUTIONS

Measure 5: Strengthening the institutional capacity of Turkish National Police and Gendarmerie General Command regarding Public Order Management, Crowd Control - Operation 5.1 Strengthening the Institutional Capacity of Turkish National Police regarding Public Order Management and Crowd

Grant – Twinning EUR 2,000,000 (IPA: EUR 1,900,000)

Objectives and results: Develop technical structure and human resources of law enforcement bodies and improve current situation in accordance with the best practices of the EU countries on crowd control.

Generic description of activities: Training and TA to the Turkish National Police.

Essential eligibility criteria: applicants must be EU Member State administrations or mandated bodies.

Essential selection criterion: Operational capacity of the applicant.

Award criteria: Technical expertise of proposed experts, relevance, methodology and sustainability of the proposal.

Maximum EU co-financing: 95% of the eligible cost of the action.

One Twinning contract to be launched in Q4/2014.

Measure 5: Operation 5.2: Strengthening the Institutional Capacity of Gendarmerie General Command regarding Public Order Management and Crowd

Grants – Twinning EUR 1,324,000 (IPA: EUR 1,258,000)

Objectives and results: Stop human rights violations originating from lack of training and technical inadequacies and contribute to the “No Tolerance” policy in violations of human rights by strengthening the institutional capacity of the Gendarmerie personnel and technical infrastructure at the end of the project.

Generic description of activities: Training and TA to the Gendarmerie General Command.

Maximum EU co-financing: 95% of the eligible cost of the action.

One Twinning contract to be launched in Q4/2014

Measure 6: Independent Police Complaints Commission and Complaints System for the Turkish National Police, Gendarmerie and Coast Guard

Grant – Twinning EUR EUR 2,000,000 (IPA: EUR 1,900,000)

Objectives and results: Enhance the accountability, efficiency, effectiveness and public confidence of the Turkish National Police, Gendarmerie and Coast Guard in the discharge of their responsibilities in respect of the enforcement of law in accordance with democratic principles and having regard for the Human Rights of all citizens

Generic description of activities: Training and TA to the Ministry of Interior.

Essential eligibility criteria: applicants must be EU Member State administrations or mandated bodies.

Essential selection criterion: Operational capacity of the applicant.

Award criteria: Technical expertise of proposed experts, relevance, methodology and sustainability of the proposal.

Maximum EU co-financing: 95% of the eligible cost of the action.

One Twinning contract to be launched in Q4/2014.

Measure 7: Improving the Crime Scene Investigation Capacity of Turkey

Grant – Twinning EUR 2,000,000 (IPA: EUR 1,900,000)

Objectives and results: Contribute to the effective functioning of the judicial system in Turkey by supporting human rights sensitive, scientific and transparent crime scene investigations.

Generic description of activities: Training and TA to the Gendarmerie General Command (GGC).

Essential eligibility criteria: Applicants must be EU Member State administrations or mandated bodies.

Essential selection criterion: Operational capacity of the applicant.

Award criteria: Technical expertise of proposed experts, relevance, methodology and sustainability of the proposal.

Maximum EU co-financing: 95% of the eligible cost of the action.

One Twinning contract to be launched in Q4/2014.

Procurements for different measures under this sub-sector EUR 8,931,193

The sector support activities will be implemented through approximately two supply and one works Tenders to be launched as of Q3 and Q4/2014.

2. Sub-Sector: Migration and Border Management

EUR 57,596,850 (IPA EUR : 46,687,479)

Sector Objectives:

- 1.To set up the legal and administrative infrastructure in the field of migration management, enhance the capacity to prevent irregular migration,
- 2.To improve the quality of the asylum system,
3. To effectively fight against human trafficking, development of an efficient border management system,
4. To increase the administrative and operational customs enforcement capacity.

Main results expected:

- A comprehensive migration management system aligned with national and international obligations and the EU Acquis has been established as well as a well-functioning asylum system has been established.
- Enhancement of capacity of local administrators on border management through development of necessary training and information systems and basic training material for recurrent use.
- Enhancement of institutional capacity of Land Forces in relation to the border surveillance functions that are going to be transferred to the new Border Guard Agency when established.
- Increased surveillance capacity at the border between Greece and Turkey.
- Enhanced customs surveillance functions especially as regards the yacht, marina and fishing port controls with improved technical capacity to patrol, search and intervene in crimes, enhanced fleet

planning approach of TCA and increased response time to any ship that will be controlled, improvement of coordination and cooperation mechanism so as to achieve an operational and result-oriented system on customs surveillance functions.

- The applications at borders, risks and threats discussed and observed at sectoral level to improve the cooperation. The daily cooperation on practices at the borders strengthened.

Indicative implementation modalities:

MIGRATION MANAGEMENT AND ASYLUM

Measure 1 - Operation 1.1: Reinforcement of Turkey's National Asylum System

Grants - Direct grant award EUR 5,500,000 (IPA: EUR 4,950,000)

Objectives and results: Building the capacity of the General Directorate for Migration Management to ensure the effective implementation of the provisions related to asylum included in the new “Law on Foreigners and International Protection”, while fostering the continuation of the legal and institutional reform process of Turkey in the field of asylum towards the EU and international standards.

Generic description of activities to be funded under the grant: Personnel for the General Directorate will be trained and guidelines will be developed.

Beneficiary: Ministry of Interior – General Directorate for Migration Management

Justification for the use of exception: A direct grant agreement with the United Nations High Commissioner for Refugees (UNHCR) will be concluded in accordance with article 190(1)(f) of the RAP to the FR. Considering the short transition period (one year after ratification of the new Law on Foreigners and International Protection) and the wide scope of activities, the operation requires an implementing partner which already has extensive experience in working with the Turkish authorities in the asylum field, an accurate understanding of the current Turkish national asylum system and throughout knowledge of the legal, institutional and practical problems in this field. UNHCR's knowledge and experience regarding the national asylum system in Turkey is unique to UNHCR and essential in implementing the planned activities in a timely manner considering the need for swift action. UNHCR is the only organization that can capitalize on the global best practices in international protection and durable solutions for refugees. In addition, UNHCR has a solid experience in working with both the General Directorate for Security (GDS) and the Asylum and Migration Bureau on reinforcing Turkey's national asylum system.

Essential selection criteria: Financial and operational capacity of the applicant.

Award criteria: Relevance, effectiveness and feasibility, sustainability and cost-effectiveness of the action.

EU co-financing: Maximum possible rate of EU co-financing is 90% of the eligible cost of the action.

Indicative date for signature: Grant agreement to be signed in Q3/2014.

Measure 1 - Operation 1.2: Supporting Turkey's Efforts to Manage Migration

Grants - Direct grant award EUR 5,500,000 (IPA: EUR 4,950,000)

Objectives and results: building the capacity of the General Directorate for Migration Management to ensure the effective implementation of the provisions related to migration management included in the new Law on Foreigners and International Protection while fostering the continuation of the legal and institutional reform process of Turkey in the area of migration management towards the EU and international standards.

Generic description of activities to be funded under the grant: Training and TA

Beneficiary: Ministry of Interior – General Directorate for Migration Management:

Justification for the use of exception: A direct grant agreement with the International Organization for Migration (IOM) will be concluded in accordance with article 190 (1)(f) of the RAP to the FR. IOM is the leading migration agency with a broad migration mandate and has full technical competence for this project. The expertise and assistance to be provided for implementation of the operations will require in-depth knowledge and full understanding of Turkish context on migration management established throughout the years during which works on the “Law on Foreigners and International Protection” were carried out. IOM was

actively involved in the process of creating a new migration management system with its all aspects.

Essential selection criteria: Financial and operational capacity of the applicant.

Award criteria: Relevance, effectiveness and feasibility, sustainability and cost-effectiveness of the action.

EU co-financing: Maximum possible rate of EU co-financing is 90% of the eligible cost of the action.

Indicative date for signature: Grant agreement to be signed in Q3/2014.

Measure 1 - Operation 1.3: Supporting Migration Policy Development in Turkey

Grants - Direct grant award EUR 1,527,100 (IPA: EUR 1,374,390)

Objectives and results: Establishment of the capacity to analyze empirical data and information on the features and drivers of all the components of this phenomenon, including legal, irregular migration as well as refugee flows, and focusing not only on the incoming, but also on the transit and outgoing migratory flows; and to support the capacity to elaborate migration policies inspired by and responsive to the results of these analysis.

Generic description of activities to be funded under the grant: Training and TA.

Beneficiary: Ministry of Interior – General Directorate for Migration Management.

Justification for the use of exception: A direct grant agreement with the International Centre for Migration Policy Development (ICMPD) will be concluded in accordance with article 190(1)(f) of the RAP to the FR. ICMPD is a European organization that deals with the global phenomenon of migration. With its expertise of almost 20 years in the area of development of migration policy as well as implementation of migration policies, ICMPD is in a key position to implement the proposed project.

Essential selection criteria: Financial and operational capacity of the applicant.

Award criteria: Relevance, effectiveness and feasibility, sustainability and cost-effectiveness of the action.

EU co-financing: Maximum possible rate of EU co-financing is 90% of the eligible cost of the action.

Indicative date for signature: Grant agreement to be signed in Q3/2014.

Measure 1- Operation 1.4: Increasing Technical Capacity for Effective Migration Management

The operation includes only one supply contract (included under procurements).

BORDER MANAGEMENT

Measure 2: Strengthening the Border Check Capacity of Turkey- Improving Administrative Capacity of Border Management at Local Level

The measure includes only one service contract (included under procurements).

Measure 3: Operation 3.1: Increasing Border Surveillance Capacity of Borders between Turkey and Greece

Grants - Direct grant award EUR 1,821,030 (IPA: EUR 1,638,927)

Objectives and results: Support border security and surveillance through increasing institutional capacity of relevant border guards (currently Land Forces) and modernization of border surveillance system and contribute to the prevention of illegal migration, human trafficking, cross-border crimes, and smuggling and to ensure further development and implementation of border management and standards in line with EU's IBM policies and strategies.

Beneficiary: Ministry of Interior and co-beneficiary and en-user is General Staff (Land Force Command).

Justification for the use of exception: A direct grant agreement with the United Nations Development Programme (UNDP) will be concluded in accordance with article 190(1)(f) of the RAP to the FR. The UNDP is the technically competent international organization that could provide with expertise covering a wider scope of theoretical and practical knowledge and expertise. The UNDP would be able to respond to the needs in the country and particularly at the Western borders in order to address the challenge in a way that is in line with the international and the EU standards.

Essential selection criteria: Financial and operational capacity of the applicant.

Award criteria: Relevance, effectiveness and feasibility, sustainability and cost-effectiveness of the action.

EU co-financing: Maximum possible rate of EU co-financing is 90% of the eligible cost of the action.

Indicative date for signature: Grant agreement to be signed in Q3/2014.

Operation 3.2. Improving the maritime customs surveillance capacity and operational procedures of TCA

Grants-Twinning EURO 2,000,000 (IPA: EUR 1,900,000)

Objectives and results: Set up a pilot action in view of improving the maritime customs surveillance capacity and operational procedures of TCA (DG Customs Enforcement) in compliance with the Maritime Control Strategy Paper and in cooperation with the Coast Guard.

Generic description of the activities: Training and TA.

Essential eligibility criteria: Applicants must be EU Member State administrations or mandated bodies.

Essential selection criterion: Operational capacity of the applicant.

Award criteria: Technical expertise of proposed experts, relevance, methodology and sustainability of the proposal.

EU co-financing: Maximum possible rate of EU co-financing will be 95% of the eligible cost.

One Twinning contract to be launched in Q4/2014.

Measure 4: Improving Cooperation Regarding Border Management – Regional Co-operation on Border Management with Greece and Bulgaria - phase 2

Grants - Direct grant award EUR 3,000,000 (IPA: EUR 2,000,000)

Objectives and results: Achieve EU strategic goal of open and secure borders by developing and strengthening Turkey's institutional capacity for alignment with EU integrated border management (IBM) policy.

Generic description of activities to be funded under the grant: Training and TA.

Beneficiary: Ministry of Interior (main beneficiary) and Turkish General Staff, Ministry of Foreign Affairs, Turkish Land Forces, Turkish National Police and Gendarmerie General Command (co-beneficiaries).

Justification for the use of exception: A direct grant agreement with the International Organization for Migration (IOM) will be concluded in accordance with article 190(1)(c) of the RAP to the FR. IOM is the global migration agency and has expertise and experience to deal with the full range of issues addressed by the project in the area of migration management; IOM is thoroughly familiar with the national specifics of the migration situation in Turkey and it has excellent and well established relations with the Government of Turkey as well as with key institutions of the partner countries involved.

Essential selection criteria: Financial and operational capacity of the applicant.

Award criteria: Relevance, effectiveness and feasibility, sustainability and cost-effectiveness of the action.

EU co-financing: Maximum possible rate of EU co-financing is 66.6% of the eligible cost of the action.

Indicative date for signature: Grant agreement to be signed in Q3/2014.

Procurements for different measures under this sub-sector EUR 38,248,720

The sector support activities will be implemented through approximately four supply contracts and one Technical Assistance contract. Procurements will allow for better monitoring of the Western land border of Turkey adjacent to the EU external border, and preventing possible attempts of irregular crossing and other related illegal activities.

Contracts to be launched as of Q3 and Q4/2014.

3. Project Improving Social Dialogue in Working Life EUR 3,500,000 (IPA EUR 3,150,000)

Project Objective:

The overall objective of this project is to promote social dialogue at all levels in Turkey.

Main results expected:

- Institutional capacity of MoLSS, related institutions and social partners has been improved to better engage in social dialogue in working life.

- Awareness of the institutions and the general public on freedom of association, collective bargaining and social dialogue at all levels has been improved..
- Social dialogue mechanisms at all levels has been improved..

Indicative implementation modalities:

Grants - Direct grant award EUR 2,500,000 (IPA: EUR 2,250,000)

Objectives and results: Increasing the institutional capacity of MoLSS and relevant public institutions and social partners to better engage in social dialogue in working life. Capacity will be built through trainings on international labour standards. Better compliance with ILO and EU standards related to social dialogue, freedom of association, right to collective labour agreement will be achieved through development of a situation analysis, gap analysis, action plan and road map. Moreover, the institutional capacity of provincial employment and vocational boards will be improved and awareness raised for educational institutions.

Generic description of activities to be funded under the grant: Training and TA.

Beneficiary: Ministry of Labour and Social Security (MoLSS).

Justification for the use of exception: A direct grant agreement with the International Labour Organization (ILO) will be concluded in accordance with article 190(1)(f) of the RAP to the FR. In line with its mandate ILO is a particular type of body possessing technical competence in the area of social dialogue and has a high degree of specialisation in the tasks of the project.

Essential selection criteria: Financial and operational capacity of the applicant.

Award criteria: Relevance, effectiveness and feasibility, sustainability and cost-effectiveness of the action.

EU co-financing: Maximum possible rate of EU co-financing is 90% of the eligible cost of the action.

Indicative date for signature: Grant agreement to be signed in Q3/2014.

Grants – Scheme EUR 1,000,000 (IPA: EUR 900,000)

Generic description of the activities: The grant scheme component may include measures and initiatives regarding the adaptation of social dialogue to respond the challenges in employment and work environment, such as addressing modernization of the labour market, quality of work, anticipation, preparation and management of change and restructuring, flexicurity, skills, mobility and migration, youth employment, contribution to the health and safety strategy, reconciliation of work and family life, gender equality, action in the field of anti-discrimination, active inclusion and decent work. It will support at minima 20 projects.

The target groups of the actions financed under the scheme will be the social partner organisations: Trade unions and confederations of workers, employers and civil servants.

Essential selection criteria: Financial and operational capacity of the applicants.

Award criteria: Relevance, effectiveness and feasibility, sustainability and cost-effectiveness of the action.

The co-financing of the entire grant scheme budget will be provided by MoLSS. Grant Beneficiaries will be also responsible to provide at least 10% of co-financing based on individual grant contracts.

Maximum possible rate of EU co-financing: Up to 100% in accordance with Article 192 of the FR if full funding is essential for the action to be carried out. The necessity for full funding will be justified by the responsible authorising officer in the award decision, in respect of the principles of equal treatment and sound financial management.

Tenders to be launched as of Q4/2015.

MIPD Sector 5 Energy - EUR 39,130,488 (IPA EUR 39,035,378)

4. Sector Energy EUR 39,130,488 (IPA EUR 39,035,378)

Sector Objectives:

The overall objective of this sector intervention is the achievement of a secure, liberal and transparent Turkish energy market in line with the EU Acquis and Europe 2020 energy sustainability targets.

Main results expected:

- Increase the absorption capacity of the private sector (SMEs) in energy efficiency and in renewable energy regarding financing provided by IFIs and the energy efficiency financing mechanism.
- Administrative and operational capacity for energy efficiency in electricity generation and transmission facilities increased.
- Preliminary studies needed for the investment in the area of gas transmission completed as of 2017.
- Technical know-how and data regarding waste heat technologies, clean energy applications and efficient lighting technologies, which are at a limited level as of 2013, will be brought and improved as of 2017. Detailed technical information on best available waste heat technologies applied in EU will be brought and disseminated via workshops and print reports.
- The projects on the utilization of renewable energy technologies in heating/cooling and transport started to be implemented by SMEs and municipalities.
- The necessary field for SMEs and municipalities with regard to R&D studies on the utilization of new renewable energy technologies in the market will be introduced.
- Green certificate system in renewable energy sector implemented by end of project implementation.
- Legal, structural and administrative basis for properly functioning energy exchange operations.
- Design of the SCADA system (which does not exist by 2013) completed as of 2015 so as to achieve strengthened institutional and physical capacity of transmission system operator in natural gas market.
- Investment program for future infrastructure investments of BOTAŞ as transmission system operator for effective operation of the natural gas transmission system reorganized.
- The data centre established by the end of the intervention. Coordination among different public authorities and private sector regarding the data collection consolidated with the establishment of the data centre Preparation of long-term energy scenarios, planning and modelling studies accelerated following the establishment of the data centre.
- Transparency and third party access regarding market data provided
- Regulatory organizational structure, framework and capacity for nuclear safety improved.
- Awareness among all relevant stakeholders including industry, private and buildings sectors, SMEs, regarding energy efficiency and renewable energy donor coordination and pilot studies increased.

Indicative implementation modalities:

The sector intervention consists of six measures which will be implemented with the following management modalities:

Measure 1: Energy Efficiency – joint management, with World Bank (WB) and European Bank for Reconstruction and Development (EBRD)

Measure 2: Renewable Energy – joint management, with EBRD

Measure 3: Electricity and Gas Market Development – joint management, with WB

Measure 4: Long-term energy scenarios, capacity building and establishment of an Energy Electronic Data Centre – joint management, with WB

Measure 5: Improvement of Nuclear Safety Regulatory Infrastructure – decentralised management (Twinning)

Measure 6: Creation of Awareness in Industry, Private Sector, SMEs, EU and Turkish Public General and All Relevant Stakeholders – with EBRD

For joint management there will be two Trust Funds based on one Administration Agreement with WB and on one Contribution Agreement with EBRD. The respective amounts are: **EUR: EUR 12,875,524** for the

Administration Agreement with WB and **EUR 24,352,772** for the Contribution Agreement with EBRD (for budget breakdown by measure and further details see below).

The four-pillar assessment of EBRD is still on-going. Should EBRD not fulfil the necessary requirements, alternative solutions are envisaged such as a direct grant.

Measure 1: Energy Efficiency

Joint management: EUR 14,750,378 (100% IPA)

Name of the entity: WB and EBRD

Justification for the choice of entity: Focus of the measure will be on support to private sector operators which shall be further financed by the IFIs in the future. These activities will be complementary to the IPA 2012 Energy Efficiency component with WB, and will complement work done by EBRD on the potential for the ESCO market in Turkey. The measure will support IFIs (EBRD, EIB and WB) and participating Turkish banks and concerned bilateral agencies that provide funding to these banks. Framework Agreement with WB exists; four-pillar assessment of EBRD is ongoing.

Tasks entrusted to the entity: WB and EBRD will manage trust funds to make available Technical Assistance. Concerning Energy Efficiency, the purpose will be in particular to provide TA to private sector operators to complement IFI's loan schemes on EE, supporting EE development on electricity transmission and generation, EE in natural gas transmission and in residential and industry sectors.

Agreements to be concluded: Contribution Agreement with EBRD and Administration Agreement with WB.

Measure 2: Renewable Energy

Joint management: EUR 14,429,378 (100% IPA)

Name of the entity: EBRD

Justification for the choice of entity: Focus of the measure on supporting the private sector operators which shall be further financed by the IFIs in the future. The measure will support participating Turkish banks as well as IFIs (EBRD, EIB and WB) and concerned bilateral agencies that provide funding to these banks. Four-pillar assessment of EBRD is ongoing.

Tasks entrusted to the entity: EBRD will manage a trust fund to make available Technical Assistance concerning Renewable Energy (RE), the purpose will be in particular to provide TA to private business for RE investments, for RE utilization in heating, cooling and transport, for enhancing the development of new renewable energy technologies and preparations for introduction of Green Certificate System.

Agreement to be concluded: Contribution Agreement with EBRD.

Measure 3: Electricity and Gas Market Development

Joint management: EUR 1,703,654 (100% IPA)

Name of the entity: WB

Justification for the choice of entity: WB has extensive experience in the financing of SCADA systems, including for TEIAS in Turkey.

Tasks entrusted to the entity: TA for institutions of Ministry of Energy and Natural Resources (MENR).

Agreement to be concluded: Administration Agreement with WB.

Measure 4. Long-term energy scenarios, capacity building and establishment of an Energy Electronic Data Centre

Joint management: EUR 5,298,854 (100% IPA)

Name of the entity: WB

Justification for the choice of entity: WB has worldwide experience on preparing energy scenario formulation and modelling. Therefore WB participation will contribute substantially to the implementation process.

Tasks entrusted to the entity: Technical Assistance to review the statistics and energy planning functions of

MENR, to define gaps and needs. After necessary planning forecasting models will be procured and used for long-term energy planning. As a result, MENR will be able to collect all energy related data in one centre, develop long-term energy scenarios and enhance capacity to analyse and utilize the data for modelling and scenario formation.

Agreement to be concluded: Administration Agreement with WB

Measure 5. Improvement of Nuclear Safety Regulatory Infrastructure

Grant- Twinning contract EUR 1,902,192 (IPA: EUR 1,807,082)

Objectives and results: Provide assistance to the Turkish Atomic Energy Authority (TAEK) for enhancing the effectiveness and efficiency of nuclear regulatory infrastructure.

Generic description of the activity : Training and TA to TAEK.

Maximum EU co-financing: 95% of the eligible cost.

This measure will be implemented by CFCU, one Twinning contract to be launched from Q4/2014 onward.

Measure 6: Creation of Awareness in Industry, Private Sector, SMEs, EU and Turkish Public General and All Relevant Stakeholders

Joint management: EUR 1,046,032 (100% IPA)

Name of the entity: EBRD and WB

Justification for the choice of entity: Given the substantial involvement in the core areas of energy efficiency and renewable energy, EBRD will lead this component. Four-pillar assessment of EBRD is ongoing.

Tasks entrusted to the entity: Promotion of 2013 sector programme outputs through seminars, trainings, further development of the website constructed under IPA 2012 project, media awareness campaigns, relevant press releases as well as organisation of totally six Energy Forums (on Energy Efficiency, Renewable Energy Sources, and Nuclear Safety), five seminars for municipalities and 3 workshops for SMEs.

Agreement to be concluded: Contribution Agreement with EBRD.

MIPD Sector 6.Environment and Climate Change - EUR 22,410,000 (IPA EUR 20,149,000)

5. Project Capacity Building in the Field of Climate Change in Turkey

EUR 15,500,000 EUR (IPA EUR 13,950,000)

Project Objective:

To reduce anthropogenic GHG emissions to contribute to the global efforts to mitigate climate change in line with the scientific evidence

Main results expected:

- Developed analytical basis for formulating strategies and actions towards low carbon development
- Developed analytical basis for LULUCF sector
- Increased capacity for transposition and capacity building on F-gases
- Increased public understanding and enhanced stakeholder capacity on the required joint efforts on climate action

Indicative implementation modalities:

Grant Scheme 3,000,000 EUR (IPA: EUR 2,400,000)

Generic description of the activities to be funded: Preparation and implementation of a Climate Change Grants Programme (CCGP) targeting wider stakeholders including municipalities, provincial governmental institutions, NGOs, universities and research institutes, community based organisations, chambers and unions.

The grant scheme component will support 50 projects in total. Small scale projects will primarily intent to cover community based interventions where 100% of the action costs will be provided as grant. The large scale projects intent to cover more geographically large projects and/or covering/contributing some soft seed investments and 90% of the cost of the actions will be provided as grant. All interested institutions could either apply for small or large scale projects. An applicant may submit more than one proposal but a specific organization will be awarded by only one of its applications.

Essential selection criteria: Financial and operational capacity of the applicant.

Awarded criteria: Relevance, effectiveness and feasibility, sustainability and cost-effectiveness of the action.

Maximum possible rate of EU co-financing: Up to 100% in accordance with Article 192 of the FR if full funding is essential for the action to be carried out. The necessity for full funding will be justified by the responsible authorising officer in the award decision, in respect of the principles of equal treatment and sound financial management.

The call for proposal shall be launched as of Q3/2014.

Procurement (EUR 12,500,000)

The project will be implemented through four additional Technical Assistance contracts.

Tenders to be launched in the Q3 and Q4/2014.

6 Project Capacity Building on the European Pollutant Release and Transfer Register (E-PRTR) in Turkey - EUR 2,410,000 (IPA EUR:2,149,000)

Project Objective:

To improve industrial pollution control by enhancing environmental conditions, monitoring and registering industrial pollution in Turkey.

Main results expected:

- National E-PRTR System will be established.
- Increased institutional, individual and technical capacities for Competent Authorities and priority groups.
- Awareness of priority groups and decision makers will be raised

Indicative implementation modalities:

Procurement (EUR 2,410,000)

The project will be implemented thought a supply contract and technical assistance contract.

Tenders to be launched Q3 and Q4/2014

7 Project Technical Assistance on Economic Analyses within River Basin Management Plans and Water Efficiency Aspects in 4 Pilot River Basins in Turkey - EUR 4,500,000 (IPA EUR 4,050,000)

Project Objective:

The overall objective of the project is to fulfill the economic requirements of the EU Water Framework Directive to achieve good water status in Turkey and to ensure water efficiency.

Main results expected

- Analysis of Legal and institutional amendments of Water Framework Directive (WFD) and other related Directives concerning water efficiency and economic analysis in place to fully implement the *acquis* and draft legislations.
- Quick scan of water economics in selected 4 basins (Marmara, Van Lake, Ceyhan and Western Black

sea Basins) which will help us make a general estimation of sampling of different characteristics of Turkey

- Report on Article 5 of WFD is to be completed.
- Three River Basin Management Plans (RBMPs) are to be completed.
- Report on Article 5 of WFD is to be completed.
- Report on water efficiency is to be completed.
- Report on Status Classification is to be completed.
- Programme of Measures chapter of the RBMPs is to be completed.
- An Economic Model is to be developed.
- A National Implementation Plan is to be formed.
- Report on Communication Strategies is to be completed.

Indicative implementation modalities:

Procurement (EUR 4,500,000)

The project will be implemented through a Technical assistance contract.
Tender to be launched in the Q3 and Q4/2014.

MIPD Sector 7 Social Development- "Participation in Union Programme and Agencies EUR 71,203,189

8. Social Development - Participation in Union Programmes and Agencies EUR 71,203,189

Project Objective:

Participation of Turkey in Union programmes shall follow the specific terms and conditions set out for each such programme in the international agreements to be concluded by the European Commission and the Turkey, in accordance with the agreements establishing the general principles for participation of the Turkey in Union programmes. It shall include provisions on both the total amount of the Beneficiary Country's contribution and the amount funded by assistance under the IPA regulation.

MIPD Sector 8 Sector Agricultural and Rural Development - EUR 15,468,000 (IPA EUR 12,525,000

9. Agriculture and rural development; food and feed safety, fisheries-EUR 15,468,000 (IPA EUR 12,525,000)

Sector Objectives:

Prepare Turkey for the future implementation of the Common Agricultural Policy, Common Fisheries Policy and raise food and feed safety and public health levels to those of the EU.

Main results expected:

- A fully functioning IACS and LPIS established and control elements and risk evaluation required for implementation introduced.
- Cross Compliance rules harmonized and forging policy tools created for greening Turkish agriculture to foster Turkish agricultural system to the European greener agricultural rules.
- Capacity built/improved regarding official controls, animal welfare, zoonoses, risk analysis and animal by-product management.

- Reinforced Turkish Fisheries Management System.

Indicative implementation modalities:

Measure 1.1: Training of staff on the spot controls (OTSC), Risk Evaluation and IACS Software

The measure includes only one service contract (included under procurements).

Measure 2.1: Harmonization of Cross Compliance Rules

Grants- Twinning contracts EUR 930,000 (IPA: EUR 883,500)

Objective and results: Establish a comprehensive system for identification of the principles regarding cross-compliance rules and a comprehensive system for the identification of the principles regarding interrelations with IACS and cross-compliance rules; dissemination of information to farmers and checking their compliance.

Generic description activities: TA and Training to the Ministry of Food, Agriculture and Livestock (MoFAL) staff, institutions, local authorities and NGOs.

Essential eligibility criteria: Applicants must be EU Member State administrations or mandated bodies.

Essential selection criterion: Operational capacity of the applicant.

Award criteria: Technical expertise of proposed experts, relevance, methodology and sustainability of the proposal.

Maximum EU co-financing: 95% of the eligible cost of the action.

One Twinning contract to be launched in Q4/2014.

Measure 2.2: Capacity Building to converge Turkish agricultural system to the European greening agricultural rules and improving of the implementation of the EU's Nitrate Directive

The measure includes only one service contract (included under procurements).

Measure 3.1: Capacity Building Regarding Official Controls, Risk Communication and Risk Assessment, Animal Welfare, Zoonoses and Animal By-Product Management - Operation 1 - Twinning - Food and Feed Safety

Grants- Twinning contracts EUR 2,000,000 (IPA: EUR 1,900,000)

Objective and results: Increase the capacity of the MoFAL regarding risk based official controls on food and feed safety, animal welfare, zoonoses and animal by-product management.

Generic description activities: Training and TA to MoFAL.

Essential eligibility criteria: Applicants must be EU Member State administrations or mandated bodies.

Essential selection criterion: Operational capacity of the applicant.

Award criteria: Technical expertise of proposed experts, relevance, methodology and sustainability of the proposal.

Maximum EU co-financing: 95% of the eligible cost of the action.

One Twinning contract to be launched in Q4/2014

Measure 3.1 - Operation 1 – Technical Assistance - Food and Feed Safety

The measure includes only one service contract (included under procurements).

Measure 4.1: Reinforcement of Turkish Fisheries Management System

Grants- Twinning contracts EUR 1,690,000 (IPA: EUR 1,605,000)

Objective and results: Improving institutional, legal, financial and technical capacity for fisheries.

Generic description activities: Training and TA to the GD of Fisheries.

Essential eligibility criteria: Applicants must be EU Member State administrations or mandated bodies.

Essential selection criterion: Operational capacity of the applicant.

Award criteria: Technical expertise of proposed experts, relevance, methodology and sustainability of the proposal.

Maximum EU co-financing: 95% of the eligible cost.

One Twinning contract to be launched in Q4/2014.

Procurements for different measures under this sector (EURO 10,848,000-)

Up to 3 service contracts to be tendered in Q3 and Q4/2014.

9. Support and other activities - EUR 23,700,102 (IPA EUR 21,400,102)

10. -Enhanced Support Activities to Strengthen the European Integration Process (ESEI) EUR 23,700,102 (IPA EUR 21,400,102)

Implementation: 1 Project Preparation Facility (EUR 3 million) and 1 Unallocated Institution Building Facility (EUR 18,400,102), which will allow for the provision of technical assistance, twinning and direct grants across all sectors of the MIPD and to address upcoming urgent needs requiring rapid deployment. Small scale actions financed under ESEI can be launched directly by the Turkish authorities in a rapid and flexible manner. All projects to be financed under the Facility over EUR 0.5 million will require a specific approval by the Commission. The facility is managed by the Ministry for EU Affairs (MEUA).

The project will be implemented through indicatively 15 specific contract assignments under Framework Contracts (EUR 3 million) for project preparation and institution building activities and indicatively 5 contracts through twinning¹ (EUR 7 million), 7 contracts through technical assistance (EUR 8 million) and 3 direct grants (EUR 3 million) for *acquis* alignment and enforcement activities.²

The Twinning contracts expected to be launched from 4Q 2014 onwards, direct grants award procedure expected to be launched from 3Q 2014 onwards, service contracts expected to be launched from 3-4Q 2014 onwards.

An indicative list of planned ESEI projects can be found in the Project Fiches' annex.

2.4 CROSS-CUTTING ISSUES

The following cross-cutting issues have been given specific attention in the programming process: participation of civil society, participation in EU programmes, a high degree of protection of the environment, mainstreaming of climate change considerations, disaster resilience, equal opportunities for men and women, support to disadvantaged and vulnerable groups as well as the development of good neighbourly relations.

These priorities will be addressed at programme and project level both through horizontal provisions and through specific activities within the projects that aim for example at a balanced gender approach or concrete support to disadvantaged groups. For example: Civil Society stakeholders are increasingly associated to project

¹ The essential selection and award criteria for the selection of the proposals are laid down in the twinning manual referred to in point 4.3 of this Financing Proposal.

² Final decisions on the types of contracts to be financed under the ESEI facility will depend on the nature and quality of proposed projects. In case of direct grants these will be awarded to selected bodies in line with article 190(1)(c) of the Rules of Application to the Financial Regulation.

Steering Committees and where appropriate gender quotas to ensure equal opportunity have been introduced.

2.5 ASSUMPTIONS AND PRE-CONDITIONS

Agreement on the 2013 IPA component I programme will depend on the Turkish Government confirming the availability of sufficient resources, including national co-financing, and adequate organisational structures in the decentralised implementation system (DIS) authorities, in particular in the National IPA Coordinator (NIPAC) and Programme Authorising Officer (PAO) offices, to carry out programme monitoring effectively. The capacity of Senior Programme Officers to effectively oversee implementation will be checked by the PAO prior to the implementation of projects.

The PAO will verify that project level conditionalities are respected before contracts are concluded. The National Authorising Officer (NAO) and PAO are committed to maintain the procurement timetables of the projects and will take effective corrective measures in case of delays. The NAO shall inform the Commission on changes to project results or the use of funds after the completion of contracts and following the submission of the final report for the programme. Any infringement of the applicable rules may lead to a review of the eligibility of EU financing provided

3 BUDGET

3.1 INDICATIVE BUDGET TABLE (DECENTRALISED MANAGEMENT)

<u>Decentralised management</u>	Institution Building (IB)					Investment (INV)					Total	Total IPA EU contribution	
	Total public expenditure	IPA EU contribution		National public contribution		Total public expenditure	IPA EU contribution		National public contribution		(IB + INV)		
	EUR	EUR	%	EUR	%	EUR	EUR	%	EUR	%	EUR	EUR	%
	(a)=(b)+(c)	(b)		(c)		(d)=(e)+(f)	(e)		(f)		(g)=(a)+(d)	(h)=(b)+(e)	
2. JHA and Fundamental Rights	43403648	37399288	86	6004360	14	45474913	35038057	77	10436856	23	88878561	72437345	30.6
Judiciary and Fundamental Rights Sub-Sector (including fight against organised crime)	18850518	15901471	84	2949047	16	8931193	6698395	75	2232798	0	27781711	22599866	
Migration Management and Borders	21053130	18347817	87	2705313	13	36543720	28339662	0	8204058	0	57596850	46687479	
Project 1 Improving Social Dialogue in Working Life	3500000	3150000	90	350000	10	0	0	0	0	0	3500000	3150000	
Sector 5 Energy	35385488	35290378	100	95110	0	3745000	3745000	100	0	0	39130488	39035378	16.5
Sector 8 Agriculture and Rural Development]	15468000	12525000	81	2943000	19	0	0	0	0	0	15468000	12525000	5.3
Sector 6 Environment and Climate Change	22010000	19809000	90	2201000	10	400000	340000	85	60000	15	22410000	20149000	8.5

Project 2 Capacity Building in the Field of Climate Change in Turkey	15500000	13950000	90	1550000	10	0	0	0	0	0	15500000	13950000	
Project 3 [Capacity Building on the European Pollutant Release and Transfer Register (E-PRTR) in Turkey	2010000	1809000	90	201000	10	400000	340000	85	60000	15	2410000	2149000	
Project 4 Technical Assistance on Economic Analyses within River Basin Management Plans and Water Efficiency Aspects in 4 Pilot River Basins in Turkey	4500000	4050000	90	450000	10	0	0	0	0	0	4500000	4050000	
Sector 7 Social Development	71203189	71203189	100	0	0	0	0	0	0	0	71203189	71203189	30.1
Union Programme	71203189	71203189		0		0	0		0		71203189	71203189	
9. Support and other activities	23700102	21400102	90	2300000	10	0	0	0	0	0	23700102	21400102	9.0
ESEI envelope	23700102	21400102	90	2300000	10	0	0	0	0	0	23700102	21400102	
TOTAL	211170427	197626957	94	13543470	5	49619913	39123057	79	10496856	21	260790340	236750014	100

Amounts net of VAT

* Contribution (public and private national and/or international contribution) provided by national counterparts

(1) Expressed in % of the Total expenditure IB or INV (column (a) or (d)).

(2) Sector/Project. Expressed in % of the grand total of column (h). It indicates the relative weight of the Sector/Project with reference to the total IPA EU contribution of the entire FP.

3.2 PRINCIPLE OF CO-FINANCING APPLYING TO THE PROGRAMME

The IPA EU contribution, which represents 90.7% of the total budget allocated to this programme, has been calculated in relation to the **eligible expenditure**, which in the case of decentralised management is based on the **public expenditure**. Joint co-financing will be used as a rule.

Turkey will provide a minimum of 15% co-financing for all investment project and higher rates in several cases.

In the case of grants, final grant beneficiaries should contribute with a minimum of 10 % of the eligible expenditure of the project both for investment and institution building projects and a minimum of 5% of the eligible expenditure in the case of twinning.

Co-financing has not been required for the Measure 4: Enhancement of Participatory Democracy in Turkey: Monitoring Gender Equality (Migration and Borders Management sector fiche), and for those measures under the sector programme "Energy" which are foreseen to be implemented via joint management.

4 IMPLEMENTATION

4.1 MANAGEMENT MODES AND IMPLEMENTATION MODALITIES

Apart from several measures under the sector intervention "Energy" this programme shall be implemented by decentralized management, in accordance with article 53c of the Financial Regulation 1605/2002³ and the corresponding provisions of the Implementing Rules⁴. The Beneficiary Country will continue to ensure that the conditions laid down in Art.56 of the Financial Regulation 1605/2002 are respected at all times.

The ex-ante control by the European Commission shall apply to the tendering of contracts, launch of call for proposals and the award of contracts and grants until the European Commission allows for decentralised management without ex-ante controls as referred in Article 18 of the IPA Implementing Regulation.

For those elements to be implemented under joint management the general rules for procurement and grant award procedures shall be defined in the Contribution Agreement/Administration Agreement between the Commission and the international organisation implementing such programme/activity in accordance with Article 53d of the Financial Regulation No 1605/2002.

4.2 GENERAL RULES FOR PROCUREMENT AND GRANT AWARD PROCEDURES

In accordance with Article 262(3) of the Rules of Application, the beneficiary country shall apply the procurement rules of Chapter 3 of Title IV of Part Two of the Financial Regulation. These rules as well as rules on grant procedures in accordance with Article 193 of the Financial Regulation will be laid down in the financing agreement concluded with the beneficiary country.

³ Regulation 1605/2002 (OJ L 248, 16.9.2002, p.1) as amended by Regulation (EC, Euratom) No 1525/2007 (OJ L 343, 27.12.2006, p.9).

⁴ Regulation 2342/2002 (OJ L 357, 31.12.2002, p. 1) as last amended by Regulation (EC, Euratom) No 478/2007 (OJ L 111, 28.4.2007, p. 13).

Essential selection and award criteria for grants (including direct award):

The essential selection criteria are financial and operational capacity of the applicant. The award criteria is relevance, effectiveness and feasibility, sustainability and cost-effectiveness of the action.

4.3 IMPLEMENTATION PRINCIPLES FOR TWINNING PROJECTS

Twinning projects shall be set up in the form of a grant agreement, whereby the selected Member State administrations agree to provide the requested public sector expertise against the reimbursement of the expenses thus incurred.

The contract may in particular provide for the long-term secondment of an official assigned to provide full-time advice to the administration of the beneficiary country as resident twinning advisor.

The twinning grant agreement shall be established in accordance with relevant provisions of Part One Title VI and Part Two Title IV Chapter 4 of the Financial Regulation and Part One Title VI and Part Two Title II Chapter 4 of its Rules of Application.

The Commission shall also use the procedural guidelines and standard templates and models provided in the twinning manual which is available on the website of DG ELARG.

4.4 ENVIRONMENTAL IMPACT ASSESSMENT AND NATURE CONSERVATION

All investments shall be carried out in compliance with the relevant EU environmental legislation. Disaster risk resilience and risk prevention and management will be promoted in the preparation and implementation of the programmes and projects.

5 MONITORING AND EVALUATION

5.1 MONITORING

Programme implementation will be monitored through the IPA Monitoring Committee assisted by Transition Assistance and Institution Building Monitoring Committee.

They shall assess the effectiveness, quality and coherence of the implementation of this programme. They may make proposals to the European Commission and the national IPA coordinator, with a copy to the national authorising officer, for decisions on any corrective measures to ensure the achievements of programme objectives and enhance the efficiency of the assistance provided

5.2 EVALUATION

Programmes shall be subject to ex ante evaluations, as well as interim and/or, ex post evaluations in accordance with Articles 57 and 82 of IPA Implementing Regulation, with the aim of improving the quality, effectiveness and consistency of the assistance from EU funds and the strategy and implementation of the programmes.

After the conferral of management powers, the responsibility for carrying out interim evaluations shall lie with the Beneficiary Country, without prejudice on the European Commission's rights to perform any ad hoc interim evaluations of the programmes it deems necessary.

Ex post evaluation shall remain a prerogative of the European Commission even after the conferral of management powers to the Beneficiary Country.

The results of evaluations shall be taken into account in the programming and implementation cycle.

The Commission may also carry out strategic evaluations.

6 AUDIT, FINANCIAL CONTROL AND ANTI-FRAUD MEASURES

6.1 Audit, Financial Control and Anti-fraud measures

The accounts and operations of all parties involved in the implementation of this programme, as well as all contracts and agreements implementing this programme, are subject to, on the one hand, the supervision and financial control by the Commission (including the European Anti-Fraud Office), which may carry out checks at its discretion, either by itself or through an outside auditor and, on the other hand, audits by the European Court of Auditors. This includes measures such as ex-ante verification of tendering and contracting carried out by the EU Delegation in the Beneficiary.

In order to ensure the efficient protection of the financial interests of the European Union, the Commission (including the European Anti-Fraud Office) may conduct on-the-spot checks and inspections in accordance with the procedures foreseen in Council Regulation (EC, Euratom) No 2185/96⁵.

The controls and audits described above are applicable to all contractors, subcontractors and grant beneficiaries who have received EU funds.

6.2 Financial adjustments

The national authorising officer, who bears in the first instance the responsibility for investigating all irregularities, shall make the financial adjustments where irregularities or negligence are detected in connection with the implementation of this programme, by cancelling all or part of the EU assistance. The national authorising officer shall take into account the nature and gravity of the irregularities and the financial loss to the EU assistance.

In case of an irregularity, including negligence and fraud, the national authorising officer shall recover the EU assistance paid to the beneficiary in accordance with national recovery procedures.

6.3 Audit trail

The national authorising officer shall ensure that all the relevant information is available to ensure at all times a sufficiently detailed audit trail. This information shall include documentary evidence of the authorisation of payment applications, of the accounting and payment of such applications, and of the treatment of advances, guarantees and debts.

6.4 Preventive Measures

Beneficiary countries shall ensure investigation and effective treatment of suspected cases of fraud and irregularities and shall ensure the functioning of a control and reporting mechanism

⁵ Council Regulation (EC, Euratom) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2).

equivalent to that provided for in Commission Regulation 1828/2006⁶. All suspected or actual cases of fraud and irregularity as well as all measures related thereto taken must be reported to the European Commission services without delay. Should there be no suspected or actual cases of fraud or irregularity to report, the Beneficiary Country shall inform the European Commission of this fact within two months following the end of each quarter.

Irregularity shall mean any infringement of a provision of applicable rules and contracts, resulting from an act or omission by an economic operator, which has, or would have, the effect of prejudicing the general budget of the European Union by charging an unjustified item of expenditure to the general budget.

Fraud shall mean any intentional act or omission relating to: the use or presentation of false, incorrect or incomplete statements or documents, which has as its effect the misappropriation or wrongful retention of funds from the general budget of the European Union or budgets managed by, or on behalf of, the European Union; non disclosure of information in violation of a specific obligation with the same effect; the misapplication of such funds for purposes other than those for which they are originally granted.

The Beneficiary Country shall take any appropriate measure to prevent and counter active and passive corruption practises at any stage of the procurement procedure or grant award procedure, as well as during the implementation of corresponding contracts.

Active corruption is defined as the deliberate action of whosoever promises or gives, directly or through an intermediary, an advantage of any kind whatsoever to an official for himself or for a third party for him to act or to refrain from acting in accordance with his duty or in the exercise of his functions in breach of his official duties in a way which damages or is likely to damage the European Union's financial interests.

Passive corruption is defined as the deliberate action of an official, who, directly or through an intermediary, requests or receives advantages of any kind whatsoever, for himself or a third party, or accepts a promise of such advantage, to act or to refrain from acting in accordance with his duty or in the exercise of his functions in breach of his official duties in a way which damages or is likely to damage the European Union's financial interests.

The authorities of the Beneficiary Country, including the personnel responsible for the implementation of the programme, shall also undertake to take whatever precautions are necessary to avoid any risk of conflict of interest, and shall inform the European Commission immediately of any such conflict of interest or any situation likely to give rise to any such conflict.

6.5 Financial corrections

In order to ensure that the funds are used in accordance with the applicable rules, the European Commission shall apply clearance-of-accounts procedures or financial correction mechanisms in accordance with Article 53c (2) of the Financial Regulation No 1605/2002 and as detailed in the Framework Agreement concluded between the European Commission and the Beneficiary Country.

⁶ Commission Regulation (EC) No 1828/2006 of 8 December 2006 setting out rules for the implementation of Council Regulation (EC) No 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and of Regulation (EC) No 1080/2006 of the European Parliament and of the Council on the European Regional Development Fund (OJ L371, 27.12.2006, p. 1).

A financial correction may arise following:

- (i) identification of a specific irregularity, including fraud; or
- (ii) identification of a weakness or deficiency in the management and control systems of the Beneficiary Country;

If the European Commission finds that expenditure under this programme has been incurred in a way that has infringed applicable rules, it shall decide what amounts are to be excluded from EU financing.

The calculation and establishment of any such corrections, as well as the related recoveries, shall be made by the European Commission following the criteria and procedures provided for in the IPA Implementing Regulation.