

EN

ANNEX

to the Commission Implementing Decision  
adopting an Annual Action Programme for Turkey for the year 2020

1 IDENTIFICATION

<b>Beneficiary</b>	Turkey
<b>Basic act:</b> <b>CRIS/ABAC Commitment references and budget line(s):</b>  <b>Total cost:</b> <b>EU Contribution:</b>	Instrument for Pre-accession Assistance (IPA-II)  2020/042-385 EUR 122 000 000 from 22.02 03 01  EUR 257 270 000 EUR 122 000 000
<b>Method of implementation</b>	Indirect management with UNDP under Action 3 Indirect management with UNICEF under Action 6 Indirect management with UNHCR, ICMPD and IOM under Action 7 Indirect management with Turkey under Actions 1, 2, 4 and 5
<b>Final date for concluding <u>Financing Agreement(s)</u> with the IPA II beneficiary</b>	At the latest by 31 December 2021
<b>Final date for contracting, including the conclusion of contribution/delegation agreements</b>	3 years following the date of conclusion of the Financing Agreement
<b>Indicative operational implementation period</b>	6 years following the date of conclusion of the Financing Agreement.
<b>Final date for implementing the Financing Agreement</b> (date by which this programme	12 years following the conclusion of the Financing Agreement.

should be de-committed and closed)	
------------------------------------	--

## 2 DESCRIPTION OF THE ACTION PROGRAMME

### 2.1 SECTORS SELECTED UNDER THIS ACTION PROGRAMME

- Rationale for selecting the specific sectors under this programme:

The proposed Annual Action Programme is designed to focus IPA II financial assistance for Turkey on key priorities. Accordingly, it covers two sectors identified in the revised Indicative Strategy Paper (ISP) for 2014-2020:

- ‘Democracy and Governance’
- ‘Rule of Law and Fundamental Rights’.

The objective of the first Action under ‘**Democracy and Governance**’ is to support Turkey’s participation in EU programmes and agencies by co-financing the costs of entry tickets in areas such as education, training, youth and sports. The second Action in this sector provides support for implementing the Jean Monnet Scholarship Programme, designed to help develop a group of people with in-depth knowledge of EU legislation and rules (the *acquis*). Scholarships for academic studies in related fields, to be pursued in EU countries, will be granted with a view to improving the delivery, efficiency and accountability of the public administration. This sector also makes provision for supporting civil society, especially as regards civic engagement and volunteerism (Action 3). Two additional stand-alone Actions broaden the scope of this sector, by strengthening the institutional capacity of the Audit Authority (Action 4), and by implementing the second phase of Town winning for a green future (Action 5).

One of the preconditions for Turkey’s accession process is that it must meet its international obligations to protect the rule of law and respect fundamental rights. The 2018 and 2019 country reports on Turkey highlighted the paramount importance of respect for fundamental rights in law and in practice, and called on the country to abide by its international obligations as regards fundamental rights and freedoms. Children’s rights are among the human rights that the EU and its Member States are required to respect under international and European treaties. Action 6 under ‘**Rule of law and fundamental rights**’ will support the promotion and protection of children’s rights in Turkey by upgrading the institutional capacity of bar associations and lawyers to meet international standards.

**Home affairs**, another key area receiving financial assistance, is directly relevant to the European Agenda on Migration. In this field, IPA II supports:

- legal migration,
- mobility, by maximising the development impacts of migration and other means,
- the development of functioning asylum systems,
- protection for refugees,
- improvements in integrated border management (IBM),
- the reduction of incentives to irregular migration, and

- better management overall of irregular migration, through both focused actions and technical assistance.

Pre-accession assistance is available to support a broader dialogue and cooperation framework between the EU and Turkey, including implementation of the EU-Turkey Statement agreed in 2016. Activities in this area will include support to make the process of obtaining asylum in Turkey fairer and more efficient, including for Syrian and non-Syrian returnees from Greece under the EU-Turkey Statement who are seeking asylum or already hold a temporary protection status in Turkey, improve inter-agency coordination on border control, and upgrade Turkey's capacity to tackle smuggling of goods through improved radiation control and mail and fast cargo control at border crossing points. These activities build on previous IPA support in these areas.

- Overview of past and ongoing actions in the relevant areas carried out by beneficiaries of funding from the EU, other donors and/or IPA II:

The EU is the main provider of financial assistance to Turkey (through the IPA instrument), as relatively few international donors provide grant support to the country.

The 2014-2020 Indicative Strategy Paper for Turkey was revised in August 2018.<sup>1</sup> Over 2018-2020, assistance under IPA II has focused strongly on 'Democracy and the Rule of Law', providing continued support for the rule of law and fundamental rights, public administration reform, civil society, and participation in EU Programmes and Agencies. Support for 'Investing in Competitiveness and Growth' has been reduced proportionally, although targeted assistance for reforms remains as central as before. Support for institution building – which is also central to this Action Programme – remains important, with projects focusing particularly on home affairs and fundamental rights, as well as on supporting alignment with EU legislation and rules in various fields.

Capacity limitations remain as regards the absorption of funds. This is reflected in implementation delays and a large contracting backlog for previously programmed actions. Consequently, particular attention has been given under this programme not only to assessing relevance, but also to the maturity of proposals and the sequencing of interventions. In line with the 2019 Programme, more actions are being implemented by international partners under indirect management. However, the lead institution for each sector will need to take more responsibility for the area within its remit, and stronger cooperation among stakeholders will be needed to improve efficiency and effectiveness.

As noted earlier, a number of international donors also provide grant support to Turkey. The international organisations that have traditionally provided substantial support are the Council of Europe and some agencies from the United Nations family (e.g. the United Nations Development Programme (UNDP), the International Organisation for Migration (IOM), the United Nations Population Fund (UNFPA), the United Nations Children's Fund (UNICEF), and the UN Refugee Agency (UNHCR).

This is done in cooperation with relevant Turkish and international non-governmental organisations (NGOs) working on human rights, civil society development and other rights-based areas. They include the Union of Bar Associations, bar associations, trade unions, and NGOs (the Gender Equality Monitoring Association (CEID), the International Centre for Migration Policy Development (ICMPD), the Joint Platform for Human Rights (IHOP), and the Civil Society Development Centre (STGM)). The

---

<sup>1</sup> <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180817-revised-indicative-strategy-paper-2014-2020-for-turkey.pdf>

Council of Europe has also implemented various EU-funded projects and programmes, especially in the judicial area, to help Turkey meet Council of Europe standards in human rights, the rule of law, and democracy.

Specialised EU agencies, such as the European Border and Coast Guard Agency, the European Asylum Support Office, and the EU Agency for Law Enforcement Cooperation, are also implementing support programmes for Turkey in their areas of expertise.

To ensure donor coordination and complementarity of assistance, the Commission systematically consults Member States' embassies, international financial institutions and international organisations. The EU Delegation holds regular meetings with Member States' representations. Each year, it presents the draft IPA programmes to representatives of Member States' embassies and organises additional ad-hoc information sessions at sector level. These meetings include exchanges about the complementarity of bilateral funding from EU countries, even though bilateral grant financing is very limited compared with the IPA allocations. In fields of joint interest, meetings are held at a technical level.

***List of Actions foreseen under the selected Sectors/Priorities:***

Sector/Priority/Action	Direct management	Indirect management	
		With entrusted entity	With IPA II beneficiary
<b>01 Democracy and governance</b>			
Action No 1: EU Support for Participation in Union Programmes and Agencies			EUR 90 000 000
Action No 2: Jean Monnet Scholarship Programme			EUR 12 000 000
Action No 3: EU Support for Civil Society		EUR 6 000 000	
Action No 4: EU Support for Strengthening the Audit Capacity of the Audit Authority			EUR 1 880 000
Action No 5: Town Twinning between Turkey and the EU Phase – II (Twinning for a Green Future)			EUR 4 000 000
<b>TOTAL</b>		<b>EUR 6 000 000</b>	<b>EUR 107 880 000</b>
<b>02 Rule of Law and Fundamental Rights</b>			
Action 6: Supporting		EUR 2 920 000	

Fundamental Fights in Turkey			
Action 7: EU Support for Home Affairs		EUR 5 200 000	
<b>TOTAL</b>		<b>EUR 8 120 000</b>	

## 2.2 DESCRIPTION AND IMPLEMENTATION OF ACTIONS

The envisaged assistance should abide by the conditions and procedures set out in the restrictive measures adopted under Article 215 TFEU<sup>2</sup>.

<b>SECTOR</b>	<b>Democracy and Governance</b>	<b>EUR 113 880 000</b>
---------------	---------------------------------	------------------------

<b>Action 1</b>	<b>EU Support for Participation in Union Programmes and Agencies</b>	<b>EUR 90 000 000</b>
-----------------	--	-----------------------

### (1) Description of the Action, objectives, expected results and key performance indicators

- Description of the Action and objectives

The overall objectives are:

- to comply with EU values and to bring Turkey gradually into line with EU rules, standards, policies and practices
- to consolidate cooperation between European and Turkish stakeholders, to contribute to EU goals in the areas of economic, social and territorial cohesion; progress with science and technology; promotion of EU values; and improving the well-being of EU citizens.

The specific objective is:

- to ensure that Turkey takes part in Union Programmes and Agencies by co-financing the costs of entry tickets/participation fees in areas such as education, training, youth and sports, research and innovation, Small and Medium Enterprises (SMEs), social policy, customs and fiscal policy, and the environment.
- Expected results:
  - enhanced participation of Turkey in Union Programmes and Agencies
  - dissemination among Turkish stakeholders of EU policies, priorities and targets and convergence towards those policies, priorities and targets
- Key performance indicators:

<sup>2</sup> [https://eeas.europa.eu/headquarters/headquarters-homepage/8442/consolidated-list-sanctions\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/8442/consolidated-list-sanctions_en)

- number of applications/projects submitted in response to calls for expression of interest
- number of successful projects
- total amount of grants allocated to projects
- sex-disaggregated collection of data on project participants.

**(2) Assumptions and conditions**

The participation of the IPA II beneficiary in EU Programmes, including payment by the country of an entry ticket or participation fees, must accord with the specific terms and conditions set out for each programme in the relevant international agreement.

Failure to comply with the requirements set out above may lead to a recovery of funds under this programme and/or the re-allocation of future funding.

**(3) Implementation modalities**

**(3)(a) Indirect management**

This Action will be implemented by Turkey under indirect management. Turkey will be responsible for performing all the tasks associated with its implementation.

Implementation entails the National Fund paying the IPA part of the financial contribution to the programmes.

IPA II funds for 2020 are used to co-finance entry tickets / participation fees for 2021.

Co-financing rates from previous participation will be taken into account, and IPA funding rates will be reduced from year to year in absolute or relative terms, in line with the principle that Turkey is to assume increased ownership and responsibility.

Turkey must provide not only the co-financing, but also the funds necessary to cover the entry ticket as a whole, before it can be partially reimbursed from IPA II. Reimbursement will be paid as a grant to Turkey.

The Ministry of Foreign Affairs (Directorate for EU Affairs (DEUA)) will regularly monitor and report on participation rates and co-financing trends in the context of IPA joint monitoring committees.

**(4) Scope of geographical eligibility for procurement and grants**

Geographical eligibility will apply, in terms of the place of establishment for participating in procurement and grant award procedures and in terms of the origin of supplies purchased, as established in the basic act and set out in the relevant contractual documents.

<b>Action 2</b>	<b>Jean Monnet Scholarship Programme (JMSP)</b>	<b>EUR 12 000 000</b>
-----------------	---	-----------------------

**(1) Description of the Action, objective, expected results and key performance indicators**

- Description of the Action and objectives

The overall objective is to:

- support Turkey in its efforts towards accession by upgrading the country's administrative capacity for effective implementation of the EU *acquis*

The specific objectives are to:

- develop human resources capacity in fields relevant to the EU *acquis*
- develop inter-personal and inter-cultural dialogue through mobility
- improve educational attainment by investing in people
- Expected results:
  - information about the Jean Monnet Scholarship Programme (JMSP) provided to all potential candidates
  - training institutions relevant to both the needs of the scholars and to the programme objectives identified
  - scholarship awardees selected after a transparent and fair selection process
  - at least 320 scholarships granted and all awardees placed in their respective training institutions
  - scholarship holders complete their programmes successfully
  - scholars' trajectory upon completing their academic studies takes them into fields associated with the EU *acquis*/policy
  - Jean Monnet alumni network strengthened.
- Key performance indicators:
  - number of applications to the JMSP and success rate (sex-disaggregated)
  - number of followers on social media accounts
  - number of academic programmes in the 'Hosting Institutions Catalogue'
  - distribution of scholarship holders by profile (e.g. public/private sector employee, student)
  - percentage of scholarships granted to women, percentage of women applicants
  - percentage of scholarship holders completing their academic studies successfully (by sex)
  - evidence of scholarship holders' trajectory upon completing their studies
  - number of dissertations/academic studies displayed at the DEUA's library
  - number of former scholarship holders attending events held for Jean Monnet scholarship holders and alumni.

## **(2) Assumptions and conditions**

The implementation of the Action requires continued commitment by Turkish authorities, including the extra staff working on the JMSP both in the Directorate for EU Affairs (DEUA) and in the Central Finance and Contracts Unit (CFCU).

Failure to comply with the requirements set out above may lead to a recovery of funds under this programme and/or the re-allocation of future funding.

## **(3) Implementation modalities**

### **(3) (a) Indirect management with the IPA II beneficiary**

This Action will be implemented by Turkey under indirect management. Turkey will be responsible for carrying out all the tasks relating to implementation.

More specifically, it will be implemented by the CFCU under indirect management. JMSP will be implemented through a grant scheme covering two academic years. There are thus plans to organise two calls for proposals (or, alternatively, two ‘calls for scholarship applications’).

The beneficiary of the Jean Monnet Scholarship Programme is the Directorate for EU Affairs. The DEUA will coordinate the implementation of the Action, ensuring the involvement and participation of all stakeholders concerned. There will be a Steering Committee comprising representatives of the DEUA, the EU Delegation and the Central Finance and Contracts Unit (CFCU). Other relevant stakeholders such as the technical assistance team, can also be invited to the Steering Committee.

The DEUA will implement the technical aspects of the scholarship programme. It will need technical assistance not only with these technical aspects, but also with promotion, visibility, networking and organisational/logistical aspects of implementing the scholarship.

The CFCU, as the Implementing Authority, will be responsible for all procedural aspects of the tendering process, contracting matters, and the financial management (including payments) of activities falling under this Action.

#### **(4) Scope of geographical eligibility for procurement and grants**

Geographical eligibility will apply, in terms of the place of establishment for participating in procurement and grant award procedures and in terms of the origin of supplies purchased, as established in the basic act and set out in the relevant contractual documents.

<b>Action 3</b>	<b>EU Support for Civil Society</b>	<b>EUR 6 000 000</b>
-----------------	-------------------------------------	----------------------

#### **(1) Description of the Action, objective, expected results and key performance indicators**

- Description of the Action and objectives

The overall objectives are:

- to support Civil Society Organisations (CSOs) and public institutions at local level working in partnership through dialogue and cooperation, based on willingness, trust and mutual acknowledgment around common interests, and for policy making;
- to create an enabling and sustainable environment for volunteerism in Turkey.

The specific objectives are:

- to establish sustainable partnerships between CSOs and local authorities for increased awareness of civil society’s engagement in policy-making processes, through innovative enhanced community-based initiatives;
- to promote volunteerism in Turkey, both locally and nationally, through an improved legal framework.

The Action will be implemented through an activity entitled ‘Strengthened Civic Engagement for Enhanced Democratic Local Governance in Turkey’.

- Expected results:
  - a civic engagement strategy and a two-year action plan developed for the partnership between the CSO and the local authorities;
  - needs for local participatory mechanisms assessed;
  - capacity of CSOs and local authorities to participate in decision making processes increased;
  - legal framework drafted, including laws/decrees and administrative provisions for volunteerism.
- Key performance indicators:
  - number of civic engagement strategies in pilot cities
  - number of new toolkits for supporting civil participation in the decision-making process
  - number of experience-sharing meetings and capacity-building training sessions
  - number of new toolkits for supporting civil participation in the decision-making process
  - number of partnership projects supported
  - number of short-term initiatives for participation in the decision making process
  - number of desk-based studies on legislation for volunteerism
  - number of consultations with public institutions on draft legal framework
  - number of consultations with CSOs on draft legal framework
  - draft legal framework on volunteerism submitted to the Presidency, Grand National Assembly and other relevant parties.

## **(2) Assumptions and conditions**

- Related public institutions have political determination to improve legislative environment and to cooperate with CSOs in decision-making processes and implementation
- Public authorities and CSOs are willing to engage in dialogue and cooperation
- Grant beneficiaries show willingness to develop effective and sustainable cooperation
- The media are open to promoting all sorts of civil society work and dialogue.

Failure to comply with the requirements set out above may lead to a recovery of funds under this programme and/or the re-allocation of future funding.

## **(3) Implementation modalities**

### ***(3) (a) Indirect management with international organisation***

This Action will be implemented under indirect management with the United Nations Development Programme (UNDP).

What this means is that UNDP will implement all the activities mentioned under this Action. UNDP will work together with the Union of Municipalities (UMT), the Ministry of the Interior (Directorate-General for Relations with Civil Society (DGRCS)), and UN Volunteers in Turkey, along with a broad range of local, regional and national stakeholders.

By raising awareness about the mutual benefits of cooperation, encouraging sustainable dialogue, and building the capacity necessary for interaction everywhere in Turkey, the action will foster partnerships between CSOs and local authorities. Secondly, CSOs will be encouraged to specialise and/or to professionalise, so as to become more responsive to the needs of society at local level. Thirdly, a structured study will be carried out, paving the way for improvements in relevant legislation on volunteering. Finally, the institutional capacity of UMT and DGRCS will be strengthened to guide municipalities for local participations.

Following a study and consultations with CSOs and relevant public institutions, a legislative framework regulating volunteering in Turkey will be drafted.

The organisation chosen was selected on the following basis:

UNDP has proven competence and experience as the world's largest multilateral source of development assistance. It has implemented over 80 programmes across Turkey since 1986, aiming to find practical solutions to the country's development challenges, and it manages projects together with the Turkish Government and other partners. The envisaged organisation has been selected for its operational capacity and for its consolidated experience in Turkey in implementing projects on inclusive and democratic governance and climate change and environment. Furthermore, since the action foresees sub-granting, UNDP was identified as an organisation having the capacity to manage a sub-granting scheme.

In case the envisaged entity would need to be replaced, the Commission's services may select another replacement entity using the same criteria.

#### **(4) Scope of geographical eligibility for procurement and grants**

Geographical eligibility will apply, in terms of the place of establishment for participating in procurement and grant award procedures and in terms of the origin of supplies purchased, as established in the basic act and set out in the relevant contractual documents.

<b>Action 4</b>	<b>EU support for strengthening the audit capacity of the Audit Authority</b>	<b>EUR 1 880 000</b>
-----------------	---	----------------------

#### **(1) Description of the Action, objective, expected results and key performance indicators**

- Description of the Action and objectives

The overall objectives of the Action are:

- to contribute to management and control systems in the public sector through independent and effective external audits, and to ensure compliance with international audit standards;

- to strengthen the Audit Authority’s capacity to give assurances on the proper and effective use of IPA funding, and support the development of sound financial management.

The specific objectives are:

- to strengthen the Audit Authority’s capacity to provide assurances on the proper and effective use of IPA funds managed indirectly by Turkey and to contribute to the accountability and effective functioning of the management and control systems of the structures entrusted with budgetary implementation tasks;
- to enhance efficiency and effectiveness in audit activities;
- to maintain and support staff retention by improving motivation and job satisfaction;
- to ensure knowledge transfer and experience sharing by establishing a team of trainers

- Expected results:

- manuals, procedures, methodologies, strategies and checklists revised, staff given related training;
- audit software developed, IT hardware and professional equipment and Computer Assisted Audit Tools (CAAT) procured, staff trained in specific areas;
- training given in specialised areas, such as:
  - audit of verification of project sustainability, procedures, EU public procurement rules and skills in works contracts, etc.;
  - financial modelling, statistical sampling, stratifications, risk assessment procedures, evidence-gathering techniques, analytical/critical thinking and IT, etc.;
- staffing and retention policy developed and/or revised;
- ‘Training of Trainers’ module established.

- Key performance indicators:

- number of revised and modified audit manuals
- number of auditors with improved IT skills
- number of reports with newly developed audit software
- number of audit staff trained in the use of computer-assisted audit techniques
- number of training sessions attended
- staff turnover rate
- number of staff trained as trainers and project reports confirming successful output delivery reports on sustainability of results, particularly as regards continuity of training.

## **(2) Assumptions and conditions**

- appropriate staffing levels ensured
- institutional stability and independence of the Audit Authority
- adequate budgetary provisions envisaged for running costs and/or any necessary capital expenditure regarding the Audit Authority

- existence of a strategic plan adopted by the Audit Authority.

Failure to comply with the requirements set out above may lead to a recovery of funds under this programme and/or the re-allocation of future funding.

### **(3) Implementation modalities**

#### **(3) (a) Indirect management with the IPA II Beneficiary**

This Action will be implemented under indirect management by the IPA II Beneficiary. The Central Finance and Contract Unit (CFCU) will be responsible for carrying out all the tasks relating to the implementation of the Action and will act as the contracting authority.

The target institution of this action is the Audit Authority responsible for audit tasks relating to EU funds under indirect management by Turkey.

The CFCU shall be responsible for the contracting, implementation, information and visibility, monitoring and reporting of IPA II activities, and the evaluation thereof whenever relevant, in accordance with the principle of sound financial management. It will also be responsible for ensuring the legality and regularity of expenditure incurred during the programme's implementation.

#### **(4) Scope of geographical eligibility for procurement and grants**

Geographical eligibility will apply, in terms of the place of establishment for participating in procurement and grant award procedures and in terms of the origin of supplies purchased, as established in the basic act and set out in the relevant contractual documents.

<b>Action 5</b>	<b>Town Twinning (TT) between Turkey and the EU, Phase – II (Twinning for a Green Future)</b>	<b>EUR 4 000 000</b>
-----------------	---	----------------------

#### **(1) Description of the Action, objective, expected results and key performance indicators**

- Description of the Action and objectives

The overall objectives are:

- to step up dialogue between Turkish and EU local authorities
- to improve the capacity of local authorities to take part in climate- and environment-based actions.

The specific objective is:

- to enable exchange and cooperation between Turkish local authorities and their EU counterparts on climate- and environment-based actions.

- Expected results:

- capacity of Turkish local authorities to participate in EU-based networks improved
- exchanges on climate-based issues between EU and Turkish counterparts (including CSOs and members of the public) increased

- capacity of key stakeholders (DEUA, Union of Municipalities of Turkey (UMT), Union of Provinces (UoP) and the Ministry of the Environment and Urbanisation (MoEU)) to participate in multi-national climate and environment-based policy and lobbying improved.
- Key performance indicators:
  - number of networking visits supported through a grant scheme and non-financial support
  - number of EU-Turkey town twinning projects on climate and the environment supported by the grant scheme
  - % of grantees to develop a planning document on climate- and environment-based topics
  - number of capacity-building training sessions
  - number of roadmaps drafted for local authorities on climate financing.

## **(2) Assumptions and conditions**

- active participation of target groups under the Action
- continued support by the Turkish Government and EU authorities for stepping up dialogue and cooperation between local authorities.
- UMT's current level of communication with the Council of Europe, the Committee of the Regions, the Council of European Municipalities and Regions and other EU-based networks will be sustained.

Failure to comply with the requirements set out above may lead to a recovery of funds under this programme and/or the re-allocation of future funding.

## **(3) Implementation modalities**

### ***(3) (a) Indirect management with the IPA II beneficiary***

This Action will be implemented under indirect management by Turkey, which will be responsible for carrying out all the tasks associated with its implementation.

The final beneficiary of TT-II is UMT, while DEUA and UoP are the co-beneficiaries of the action. The Ministry of the Environment and Urbanisation (MoEU) hosts the Directorate-General of Local Authorities (DGLA), whose involvement in the project is essential in view of its responsibilities, assigned to it by law, for duties and services associated with the operation of municipalities, administrations attached to municipalities, and municipal unions.

UMT's Project and Financing Department will be responsible for implementation. UMT will coordinate the implementation of all project activities, thus ensuring the involvement of key institutions and relevant stakeholders. A Technical Assistance Team will be established to build capacity within UMT, DEUA, UoP, MoEU and local authorities; implement networking and promotional activities; and help UMT implement the grant scheme.

The beneficiary will be responsible for the contracting, implementation, information and visibility, monitoring and reporting of IPA II activities, and, where relevant, for evaluating these activities, in accordance with the principle of sound financial management. It will also be responsible for ensuring the legality and regularity of expenditure incurred in the implementation of the programme. CFCU, the Contracting

Authority, is responsible for contracting, implementation, information and visibility, monitoring and reporting.

**(4) Scope of geographical eligibility for procurement and grants**

Geographical eligibility will apply, in terms of the place of establishment for participating in procurement and grant award procedures and in terms of the origin of supplies purchased, as established in the basic act and set out in the relevant contractual documents.

<b>SECTOR</b>	<i>Rule of Law and Fundamental Rights</i>	<i>EUR 8 120 000</i>
---------------	---	----------------------

<b>Action 6</b>	<b>Supporting Fundamental Rights in Turkey</b>	<i>EUR 2 920 000</i>
-----------------	--	----------------------

**(1) Description of the Action, objective, expected results and key performance indicators**

- Description of the Action and objectives

The overall objectives of the Action are:

- to contribute to better promotion and protection of children’s rights in Turkey, in accordance with international standards
- to increase the number and quality of interventions by Bar Associations and lawyers in cases involving allegations of violations of children’s rights.

The specific objective is:

- to improve lawyers’ and Bar Associations’ capacity to defend children’s rights.

- Expected results:

- legal professionals’ capacities and skills in promoting children’s rights and applying child-sensitive procedures during legal and administrative proceedings improved
- institutional capacity of the Union of Turkish Bar Associations (UTBA) and the Bar Associations to respond, supervise, monitor and report violations of children’s rights strengthened
- knowledge and coordination schemes improving children’s access to remedies against rights violations increased.

The Action is to be implemented as a single activity entitled ‘Improving the Capacity of Lawyers and Bar Associations on Promotion, Protection and Monitoring of Children’s Rights’.

- Key performance indicators:

- a corporate legal framework for the appointment procedures and minimum qualifications of lawyers working in child-related cases developed

- a training programme and curriculum for lawyers working with/for children in Turkey developed and implemented
- national training team established
- training programme completed by at least 75% of participants
- legal frameworks and standard operating procedures for bar associations' child rights centres of Bar Associations (CRCs) developed
- number of cases professionally supervised by pilot CRCs
- number of regular visits made to detention centres (including prisons, removal centres, police custody etc.) by pilot CRCs
- number of reports/inputs submitted by each pilot Bar Association to international/national bodies on the state of children's rights
- an official procedure by UTBA for the coordination of child rights centres/boards/commissions of Bar Associations developed
- a draft legal framework developed and shared with the relevant stakeholders (including the Ministry of Justice, the Ministry of Family, Labour and Social Security, the Parliament, and civil society organisations) on professional legal representation of children in civil cases and transactions (guardian ad litem)
- a peer-reviewed journal on children's rights published annually by UTBA.

## **(2) Assumptions and conditions**

- commitment at all levels to align with EU standards and practices
- willingness and acceptance on the part of the selected target groups and thorough, systematic follow-up of these groups during project implementation
- common understanding and buy-in of UTBA and Bar Associations on the legal framework for the qualification standards and the training curriculum
- broad participation of lawyers in training sessions
- cooperation among stakeholders.

The implementation of the action requires continued commitment by the Turkish authorities, including political support and strong cooperation between all relevant stakeholders to achieve its objectives and expected results. This calls for close coordination with the Ministry of Justice and the Ministry of the Family and Social Services.

Failure to comply with the requirements set out above may lead to a recovery of funds under this programme and/or the re-allocation of future funding.

## **(3) Implementation modalities**

### ***(3) (a) Indirect management with international organisation***

This action will be implemented under indirect management with the United Nations International Children's Emergency Fund (UNICEF).

The entity shall will perform activities related to:

- developing legal frameworks, for qualification standards
- developing a legal representation mechanism for children in civil cases and transactions (guardian ad litem)

- the terms of reference
- standard operating procedures (SoPs)
- training programmes, tools and guidelines and promotion materials for the CRCs (including children’s rights knowledge, outreach, case-handling, child-friendly procedures, supervision, strategic litigation, detention monitoring, indicators for data generation, reporting to national and international bodies, etc.), and
- tools, guidelines and materials for children’s rights curricula in two pilot universities.

The envisaged entity was selected on the following basis:

Its operational capacity, highly specialised expertise in the field, consolidated experience in Turkey in implementing projects focusing on children, high value added in terms of established cooperation with Turkish stakeholders.

In case the envisaged entity would need to be replaced, the Commission’s services may select another replacement entity using the same criteria.

**(4) Scope of geographical eligibility for procurement and grants**

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply.

<b>Action 7</b>	<b>EU Support for Home Affairs</b>	<b>EUR 5 200 000</b>
-----------------	------------------------------------	----------------------

**(1) Description of the Action, objective, expected results and key performance indicators**

The overall objective is to make progress on the alignment of EU *acquis* and improve the institutional capacity of Turkey regarding Chapter 24.

The specific objectives are:

- to make national asylum procedures more effective, in compliance with international principles and national legislation
- to improve inter-service cooperation in Integrated Border Management (IBM)
- to strengthen the customs control capacity in the areas of nuclear security and smuggling via parcel carriers.
- Expected results:
  - refugee status determination procedures aligned with EU and international standards; effective access to efficient asylum procedures ensured, implemented in a standardised way throughout Turkey
  - operability of the National Coordination and Joint Risk Analysis Centre (NACORAC) improved
  - radiation control capacity improved
  - mail and fast freight cargo control capacity enhanced
- Key performance indicators:

- number of applications relating to International Protection cases processed and concluded
- number of cases reviewed by the Quality Assurance Board
- number of government personnel informed about mechanisms for reporting fraud
- number of cases overviewed in order to initiate a resettlement process
- gaps and need analysis report on the operability of NACORAC
- number of personnel from NACORAC and other border management institutions trained
- radiation control plan for Directorate-General Customs Enforcement in place
- number of personnel trained in the use of devices for detecting radioactive material
- number of gap or needs analyses and reports with recommendations for mail and freight cargo border control procedures carried out
- a portfolio of risk profiles for mail/freight cargo transshipments
- number of training sessions held on mail examination and express couriers
- establishment of a pilot open-source intelligence team

## **(2) Assumptions and conditions**

In all activities, the implementation of the action requires continued commitment by the Turkish authorities to achieving the objectives planned and the results expected. Success also depends on whether the beneficiary institutions are able to maintain a stable workforce with high enough staffing levels.

Continuing good operational cooperation and dialogue on migration between the EU and Turkey remains necessary to ensure that this action can achieve its full results.

Failure to comply with the requirements set out above may lead to a recovery of funds under this programme and/or the re-allocation of future funding.

## **(3) Implementation modalities**

### **(3) (a) *Indirect management with an international organisation***

‘Reinforce effectiveness of national asylum procedures in compliance with international standards and national legislation’ will be implemented under indirect management with an international organisation, the United Nations High Commissioner for Refugees (UNHCR), by a Contribution Agreement, with expertise to be sought from the European Asylum Support Office (EASO). The contracting authority will be the Commission, through the EU Delegation to Turkey.

This implementation entails making national asylum procedures more effective, in compliance with international principles and national legislation. The aim is to establish efficient asylum procedures.

The chosen organisation was selected on the following basis:

Given its proven competence and experience in the field of protecting and assisting refugees around the world and in Turkey, it is proposed that the Action be implemented with the help of the UNHCR, the leading UN agency working with refugees.

‘Supporting the institutional capacity of DG PA's "National Coordination and Joint Risk Analysis Centre" (NACORAC)’ will be implemented under indirect management with

an international organisation, the International Centre for Migration Policy Development (ICMPD), with expertise provided by the European Border and Coast Guards Agency (EBCGA) through a contribution agreement. The contracting authority will be the Commission, through the EU Delegation to Turkey. This implementation entails improving inter-service cooperation in integrated border management (IBM), with a view to improving their alignment with EU standards, terminology and procedures. The operability of the NACORAC will be improved, with a view to making it fully operational by 2021.

Given the ICMPD's particular competence in and experience with carrying out research, projects and activities on migration-related issues and making policy recommendations to states' governmental agencies, as well as to external governmental and intergovernmental agencies, it is proposed that the action be implemented with its assistance.

'Improving the control capacity of DG Customs Enforcement' will be implemented under indirect management with an international organisation, the International Organisation for Migration (IOM), with expertise provided by the World Customs Organisation<sup>3</sup> through a Contribution Agreement. The contracting authority will be the Commission, through the EU Delegation to Turkey.

This implementation entails improving DG Customs Enforcement's ability to conduct checks to ensure nuclear security and to combat smuggling by parcel carriers. Its capacity to conduct radiation control capacity and mail and fast freight cargo control capacity will be improved.

The IOM is the leading international organisation in the field of migration, with proven competence and experience in migration management and refugee response in Turkey. It is therefore proposed that the Action be implemented with its assistance.

In case the envisaged entity would need to be replaced, the Commission's services may select another replacement entity using the same criteria.

#### **(4) Scope of geographical eligibility for procurement and grants**

Geographical eligibility will apply, in terms of the place of establishment for participating in procurement and grant award procedures and in terms of the origin of supplies purchased, as established in the basic act and set out in the relevant contractual documents.

### **2.3 PROVISIONS APPLICABLE TO ALL ACTIONS**

Where resources are granted through the budget of Turkey, or where Turkey contributes to the selection of the specific interventions to be supported, State aid rules applicable in Turkey, and notably the State aid obligations laid down in Customs Union Decision 1/95, shall be complied with.

## **3 BUDGET**

---

<sup>3</sup> IOM's partnership with WCO will be confirmed.

### 3.1 INDICATIVE BUDGET TABLE - ANNUAL ACTION PROGRAMME FOR TURKEY

		Indirect management		Direct management	Total EU contribution (EUR)	IPA-II beneficiary or other third party contribution (EUR)	Total (EUR)
		with IPA-II beneficiary	with entrusted entity				
		EU contribution (EUR)	EU contribution (EUR)	EU contribution (EUR)			
<b>Objective 1</b>	<b>01 Democracy and governance</b>	<b>107 880 000</b>	<b>6 000 000</b>		<b>113 880 000</b>	<b>135 120 000</b>	<b>249 000 000</b>
	Action 1: EU support for participation in EU programmes and agencies	<b>90 000 000</b>			<b>90 000 000</b>	<b>135 000 000</b>	<b>225 000 000</b>
	Action 2: Jean Monnet Scholarship Programme	<b>12 000 000</b>			<b>12 000 000</b>		<b>12 000 000</b>
	Action 3: EU support for civil society		<b>6 000 000</b>		<b>6 000 000</b>		<b>6 000 000</b>
	Action 4: EU support for strengthening the audit capacity of the Audit Authority	<b>1 880 000</b>			<b>1 880 000</b>	<b>120 000</b>	<b>2 000 000</b>
	Action 5: Town twinning between Turkey and the EU Phase – II (Twinning for a green future)	<b>4 000 000</b>			<b>4 000 000</b>		<b>4 000 000</b>
	<b>02 Rule of law and fundamental rights</b>		<b>8 120 000</b>		<b>8 120 000</b>	<b>150 000</b>	<b>8 270 000</b>
	Action 6: Supporting fundamental rights in Turkey		<b>2 920 000</b>		<b>2 920 000</b>	<b>150 000</b>	<b>3 070 000</b>
	Action 7: EU support for home affairs		<b>5 200 000</b>		<b>5 200 000</b>		<b>5 200 000</b>
	<b>TOTAL</b>	<b>107 880 000</b>	<b>14 120 000</b>		<b>122 000 000</b>	<b>135 270 000</b>	<b>257 270 000</b>

## **4 PERFORMANCE MONITORING ARRANGEMENTS**

Under its performance measurement framework, the Commission monitors and assesses progress towards the specific objectives set out in the IPA II Regulation, using predefined indicators which are clear, transparent and measurable. The progress reports referred to in Article 4 of the IPA II Regulation will be taken as a point of reference in assessing the results of the IPA II assistance.

The Commission will collect performance data (process, output and outcome indicators) from all sources. These will be aggregated and analysed, to track any progress towards the targets and milestones set for each action in the programme, as well as in the Indicative Strategy Paper.

In the specific context of indirect management by IPA II beneficiaries, national IPA coordinators (NIPACs) will collect information on how the actions and programmes are implemented (using process, output and outcome indicators). They will also coordinate the collection and production of indicators from national sources.

Overall progress will be monitored through:

- a) a result-orientated monitoring (ROM) system;
- b) monitoring by IPA II beneficiaries;
- c) self-monitoring by EU delegations;
- d) joint monitoring by the Commission (DG NEAR) and the IPA II beneficiaries. An IPA II monitoring committee, supported by sector-specific monitoring committees, will regularly monitor compliance, coherence, effectiveness, efficiency and coordination in implementing financial assistance.

## **5 EVALUATION**

### **Action- and project-level evaluations**

Some of the actions in this programme – depending on their relative importance – will be evaluated by independent consultants, either via a joint mission or through an implementing partner. The Commission may conduct a mid-term, final or ex-post evaluation of actions concerning fundamental rights and home affairs.

These evaluations will be conducted in line with DG NEAR's guidelines on linking planning/programming, monitoring and evaluation.<sup>4</sup> They will be carried out at various levels, for problem-solving, accountability and learning purposes.

The evaluation reports will be shared with the IPA II beneficiary and other key stakeholders. The implementing partner and the Commission will analyse their conclusions and recommendations. Where appropriate, in agreement with the IPA II beneficiary, they will jointly decide on any follow-up action to be taken and any adjustments needed, including (if appropriate) reorienting the project.

---

<sup>4</sup> [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/near\\_guidelines.zip](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/near_guidelines.zip). If there are no plans for an evaluation, the European Commission may, in the course of implementation, decide to undertake such an evaluation, either of its own volition or at the partner's initiative. The need for evaluation must be explained.