

Project Title	Support to Establishment of Ombudsman Institution in Turkey
Cris Decision number	2011/022-985
Project no.	TR2011/0123.14
MIPD Sector Code	2. Justice, Home Affairs and Fundamental Rights
ELARG Statistical code	23
DAC Sector code	15130
Total cost (VAT excluded) ¹	EUR 2 134 550
EU contribution	EUR 2 000 000
EU Delegation in charge/Responsible Unit	EU Delegation in Ankara
Management mode	<p>Decentralised:</p> <p>The CFCU will be Implementing Agency and will be responsible for all procedural aspects of the tendering process, contracting matters and financial management, including payment of project activities. The director of the CFCU will act as Programme Authorizing Officer (PAO) of the project.</p> <p>Mr. Muhsin ALTUN (PAO-CFCU Director) Central Finance and Contracts Unit Tel: +90 312 295 49 00 Fax: +90 312 286 70 72 E-mail: pao@cfcu.gov.tr mailto:muhsin.altun@cfcu.gov.tr Address: Eskişehir Yolu 4.Km. 2.cad. (Halkbank Kampüsü) No:63 C-Blok 06580 Söğütözü/Ankara TURKEY</p>
Implementing modality	Project
Project implementation type	Grant
Zone Benefiting from the action	Turkey

¹ The total project cost should be net of VAT and/or of other taxes. Should this not be the case, clearly indicate the amount of VAT and the reasons why it is considered eligible.

1. Basic Information

- 1.1. CRIS Number: TR2011/0123.14
- 1.2. Title: Support to Establishment of Ombudsman Institution in Turkey
- 1.3. Sector: Justice, Home Affairs and Fundamental Rights
- 1.4.1. Location: Turkey, Ankara

Implementing Arrangements

1.5. Implementing Agency:

“The Central Finance and Contracts Unit (CFCU) will be the Implementing Agency and will be responsible for all procedural aspects of the tendering process, contracting matters and financial management including payment of project activities. The Director of the CFCU will act as Programme Authorizing Officer (PAO) of the project. The contact details of the CFCU Director are given below.

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1.6. Beneficiary (including details of SPO): Ombudsman Institution

Co-beneficiaries: Grand National Assembly of Turkey (GNAT) and Ministry of Justice (MoJ).

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Financing

- 1.7. Overall cost: 2 134 550 EUR
- 1.8. EU contribution: 2 000 000 EUR
- 1.9. Final date for contracting: 2 years after the signature of the Financing Agreement
- 1.10. Final date for execution of contracts: 2 years after the last day of the contracting deadline
- 1.11. Final date for disbursements: 1 year after the end date for the execution of contracts

2. Overall Objective and Project Purpose

2.1. Overall Objective

To promote and enhance the performances of the public authorities in Turkey in terms of rule of law, respect for human rights and freedoms, transparency and fairness, and good governance.

2.2. Project Purpose

Support to the establishment of the Ombudsman Institution in Turkey at its inception phase of operations to develop into a prominent body in line with EU standards and the Paris Principles.

2.3. Link with AP/NPAA/EP/SAA/Progress Report

According to 2008 Accession Partnership Subtitle 3.1., the implementation of legislation aimed at establishing a fully operational Ombudsman system is one of the short-term priorities under the title of public administration.

In the NPAA 2008, Law on Ombudsman was planned to be adopted in the year of 2009. Turkey 2010 Progress Report cites that the constitutional reform provided the basis for establishment of an Ombudsman institution and by this way some progress has been made towards establishing this institution.

2.4. Link with MIPD

The MIPD 2011-2013 Turkey states that the constitutional amendment package addresses long-standing priorities of Turkey's accession process in relation to the judiciary, social and economic rights, the establishment of an Ombudsman and the right of protection of personal data amongst others. According to this document, one of the indicators to measure developments towards the objectives of Justice, Home Affairs and Fundamental Rights sector is the establishment of an effective Ombudsman institution.

2.5. Link with National Development Plan (where applicable)

7th and 8th Five-Year-National-Development-Plans state: “For an effective and fast dispute settlement mechanism between public administration and the citizens, a Public-Supervisory (Ombudsman) System that would be an independent body to supervise the administration, to deal with the public complaints, shall be established. Accordingly, importance shall be attached to the establishment of the necessary infrastructure, and the system will comprise all the administrative procedures and activities without exception.”

2.6. Link with sector strategies and national/sectoral investment plans (where applicable)

Establishing the Ombudsman institution is foreseen as a short term priority in the Judicial Reform Strategy (2009) and its action plan (subtitle 8.8.). The action plan cites that necessary legislative and constitutional amendments will be made to establish the Ombudsman institution in Turkey.

3. Description of Project

3.1. Background and justification

An ombudsman is an independent public authority assigned to hear complaints or grievances about the way public services are delivered, to investigate such matters and to solve or rectify them. Turkey currently has no separate ombudsman institution responsible for inspecting public services, but the efforts to establish an ombudsman institution in Turkey go back to the end of 1990s. In 1997, a commission was set up to draft Ombudsman Law with the participants of academicians, representatives of related ministries and judge-rapporteurs; the draft law prepared by the above mentioned commission was submitted to the Prime Ministry and subsequently to the GNAT in 1999, but was shelved after the 2002 elections. It was updated in 2004 and passed into law by the GNAT on June 15, 2006 as part of the European Union reform

process. However, former President vetoed it on July 1, 2006 on the grounds that the Constitution did not contain any provision forming a basis for the establishment of the Ombudsman Institution. The GNAT adopted the law without any change upon the veto of the President. Yet, the Constitutional Court annulled the law for similar reasons.

It is not the first time that a twinning project is launched for the needs of strengthening the capacity of the Ombudsman Institution. First twinning project was launched in 2004. In 2005, the Turkish Ministry of Justice had already selected its twinning partners. However, the statutory law for the creation of the Ombudsman Institution failed to pass before the GNAT in due time and the previous project did not provide further results.

The constitutional amendment package that was approved in a referendum held on Sept. 12, 2010 introduced the Ombudsman Institution and recognized the right to appeal to the Ombudsman. The Ombudsman Institution is regulated under Article 74 of the Constitution, titled “Right of Petition”. The title of the article was changed as “Right of Petition, Right to Information and Appeal to the Ombudsman” and the ombudsman, who would act as a mediator between state and citizens, is charged with assessing complaints about the functioning of the administration. Relying on this constitutional amendment, the ombudsman bill has been reintroduced to Parliament. The bill has been debated in the Constitutional Committee and the EU Harmonization Committee of GNAT and the reports of these committees have been submitted to the Plenary. It is expected that after the completion of plenary procedures this bill will be enacted into law in the new legislative period of GNAT, which will begin on October 1, 2011.

The establishment of an ombudsman system will be of crucial importance in the EU harmonization process. The Ombudsman will address natural and legal persons facing malfunctioning of the public administration and violation of their rights. In the event of establishing the Ombudsman Institution in Turkey, controversies between the state and citizens will be resolved by the ombudsman. This will enable citizens to exercise their rights without having to go to court.

At present, there are three different bodies which monitor issues related to human rights in Turkey: Prime Ministry Human Rights Presidency has been set up, *inter alia*, to “maintain coordination between the state agencies dealing with human rights” (The Presidency is intended to be replaced with the Human Rights Institution whose draft bill is on the agenda of GNAT). The

Parliamentary Human Rights Committee and Petition Committee monitor and report human rights violations and investigate the complaints lodged by individuals. However, none of these bodies qualify as an Ombudsman Institution, due to their lack of formal independence vis-à-vis the executive and legislative branches of public power.

The Ombudsman Institution in Turkey will assume a prominent and vital position in the ongoing legal and political reformation. By both reviewing the conducts of the administration and promoting general enhancements of human rights, the Ombudsman will have an outstanding position to contribute to and galvanize the actual enforcement process. Furthermore, an independent and impartial Ombudsman will contribute effectively to an assessment of the actual progress of the reform pace, which is of vital importance in the accession process.

Adoption of ombudsman system in Turkey will reduce the number of filed cases before the courts. A well-functioning ombudsman system will assist to overcome the alleged maladministration and human rights abuses at administrative level. This Institution will not only reduce the judiciary's burden, but also allow citizens to have their demands met more quickly without having to apply to courts. In order to prevent the misunderstandings, it must be underlined that the adoption of ombudsman system is in no way the replacement of courts. Instead, this new institution will offer an alternative method to solve problems and contribute to the settlement of culture of compromise in Turkey.

Modern Turkey has no previous experience of an Ombudsman Institution in its currently recognized form. It is therefore very important that the inaugurated Institution is provided with immediate support by participation in a twinning program. The project will assist the initiation and ensure swift operational adequacy of the Institution. To this end it is most important that a basic understanding of the rather special character and notion of the Institution is instilled at an early stage. The twinning project therefore foresees early visits to some EU Member State Institutions, providing a thorough introduction to the Ombudsman concept in practice, yet not imposing a predestinated approach on the incumbent Ombudsmen.

In line with the above mentioned facts, the proposed project highlights the need to improve both institutional and personnel capacity of Turkish ombudsman institution which will create necessary conditions for the work of Turkish Ombudsman, so as to prepare the institution for the execution of obligations stipulated by the constitution and the draft law, which will contribute to more responsible behavior of Turkish administration in general. Due to the fact that

functions and role of ombudsman institution and the opportunities which will be provided by this institution are not well-known by large masses, this Project aims at raising the awareness of public about the ombudsman praxis.

3.2. Assessment of project impact, catalytic effect, sustainability and cross border impact

Once the Ombudsman has become operational (i.e. as soon as the head of the authority takes up the post), it will become a member of the project Steering Committee and the project will be reviewed jointly with the new institution in order to adjust the project fiche as required.

The Ombudsman, once established, will assume an important role in ongoing policy and legal reforms in Turkey. An independent and accountable Ombudsman institution will put the issue of human rights and protection of citizens in the spotlight. If well organized and properly run, this project will be conducive to attain proper functioning of the ombudsman system.

Strengthening of Ombudsman's office will contribute to a more efficient control of the work of state bodies and public services, as well as creating citizen's trust in authorities, which will result in further democratization of society and affirmation of the principles of the rule of law.

As regards sustainability, the approach of training of trainers will help to give further trainings to the target groups. Besides, outputs of seminars, workshops and general trainings will be taken into consideration while drafting secondary legislation. Furthermore, awareness raising activities will ensure sustainability of the project.

3.3. Results and measurable indicators

3.3.1. Organizational structure of the Ombudsman improved in accordance with the EU best practices and institutional capacity of the institution strengthened.

- The organigramme, staffing and resources are adequate to handle cases in a timely and effective manner
- All staff have precise job descriptions and objectives within 6 months after the establishment
- Organizational model including office chart, internal rulebook and operational manuals is formulated within 6 months after the establishment
- The Needs Analysis report issued within 6 months after the establishment
- Strategic management plan released within a year after the establishment

- Media coverage of the Ombudsman Institution. Number of headlines, news and columns regarding the Ombudsman. Percentage of positive and negative remarks about the Ombudsman
- The number of personnel received training on ombudsman praxis
- 10 trainers are trained
- 60 personnel of the Ombudsman are trained
- 10 expert/junior experts are placed in the respective EU/member state institutions
- Study visits for Ombudsperson, deputy Ombudspersons and 49 experts/junior experts
- Percentage of administrative responsiveness to the Ombudsman's mediation is expected to reach European average by the end of the project
- Decrease in the number of cases taken before the administrative courts by 15 per cent per year after Ombudsman has become operational

3.3.2 The assessment of the existing legislation underlying the Ombudsman in light of the acquis and EU best practices.

- Release of four interim and a final report in a month following the each workshop
- Degree to which legislators take the final reports of the workshops into consideration, to what extent the recommendations in the reports are reflected in the legislation process in a year in the aftermath of the release of the final report

3.3.3 Wider public awareness on the role and importance of the institution ensured through a nationwide professional public awareness campaign

- Number of applications submitted to Ombudsman increased by 15 % in each quarter of the public awareness campaign.
- Leaflets/handbooks delivered to people through governorships and sub-governorships
- Number of entrance to the website of Ombudsman increased. Number of entrances to the web-site of the ombudsman per month increased after the public awareness campaign by 20% for the first year
- Public opinion results that prove high level of awareness and positive attitude towards the Ombudsman Institution in the majority (over 50 per cent) of the public
- The Ombudsman is integrated into the international network (IOI and EOI membership)
- Court awareness of the distinctive and preventive role of the Ombudsman increased by 50 per cent.

3.4. Activities

All activities will be achieved under a Twinning and Technical Assistance contracts which will cost 2.000.000 EUR (IPA Contribution).

The activities of the proposed Project are structured according to three crucial areas: capacity building and organizational improvement of the Ombudsman, analysis and eventual improvement of legislation and raising awareness of public about Ombudsman by promotional activities. These fields are to a great extent intertwined and supplemented by each other, so certain project activities will contribute to the execution of results from various fields.

3.4.1. Organizational structure of the Ombudsman improved in accordance with the EU best practices and institutional capacity of the institution strengthened (Means: Twinning)

3.4.1.1. Needs Analysis and Drafting Internal Procedures and Operational Manuals

Needs analysis regarding organizational structure through formulating practical organization models, including the office chart, internal rulebook, job descriptions and staff objectives will be conducted. Needs analysis will be comprised of structural and training needs of the Institution, work flow management, fiscal management, human resources management, performance standards and technology management. The personnel of the Ombudsman will work in close cooperation and collaboration with the twinning experts and contribute in providing a comprehensive report.

National experts and twinning experts will convene to detect the needs for the new institution. National experts will inform the twinning experts on the issues related to legislation and regulations issued for the Ombudsman Institution. Related legislation will be translated into English. Twinning experts will obtain the knowledge and experience from EU countries in order to enable Turkish Ombudsman to emulate their experience and organizational model. National and twinning experts will focus on drafting policy, internal procedures and operational manuals and goals of the organization that are shared by all management and staff will be identified.

3.4.1.2. Developing Strategic Management Plan for the Ombudsman Office

Law Nr. 5018 (Public Financial Management and Control Law) requires all public institutions to develop a strategic plan. In accordance with Law Nr. 5018, a strategic management plan for five years will be developed on the basis of the findings of Needs Analysis.

Workshops will be organized to prepare the strategic management plan. Experts from relevant public institutions, academicians working in relevant field, representatives from NGOs and twinning experts will participate in the workshops.

3.4.1.3. Drafting a public relation strategy and introduction of a public relation unit (Means: TW)

An indispensable prerequisite for the success of an Ombudsman Institution is the ability to disseminate the output of its activities to the public. By reporting on effectively resolved cases, the Ombudsman can promote public trust in the Institution and entice individuals to address the Institution, but also effectuate a learning process, which can bring about general improvements within the public authorities. Moreover, one of the most effective tools of the Ombudsman is public criticism. Criticism expressed in media is generally difficult to circumvent by mere ignorance or administrative silence. It is therefore crucial for an Ombudsman to grow an appropriate relation with mass media. Another aspect of these activities is awareness raising campaigns. Advocacy campaigns directed to either the public or the civil servants or, preferably, both, may have a preemptive effect, and well-designed campaigns can often have a greater general impact than the successes in the case handling. The project will invest significant efforts in supporting the establishment of a public relations unit and contribute to its development.

Along with the public relation strategy, media coverage of the Ombudsman Institution will be statistically observed by a media monitoring center. This will help keep track of media coverage and awareness of the new institution.

3.4.1.4. Training of Trainers

The aim of the project and sustainability will be achieved through pool of trainers. All trainers will participate in the study visits and contribute in drafting training materials and delivering training seminars in the Ombudsman institution. Members of the project team may

also be nominated as trainer and take part in the seminars. Ten persons from the Ombudsman will be trained. Training of trainers programme will be developed in accordance with the experts' specific needs who will serve in the Ombudsman. The training programme will also include relevant topic necessary for becoming trainers which will later allow the transfer of knowledge to a larger group of experts.

3.4.1.5. Training of the Relevant Personnel of the Ombudsman

The roles of Ombudsman and deputy ombudsmen as well as experts and junior experts are of crucial importance. Because these personnel have roles in the decision making process and handling the complaints, they will be trained under this project by the pool of trainers. Trainings will focus on daily functioning of the institution such as complaint handling procedure, filing techniques, registering, investigating, decision making process, data protection standards and best practices. The number of trainees will be as follows:

Ombudsman and deputy ombudsmen (11)

Experts and junior experts (49)

3.4.1.6. Placement of 10 experts/junior experts to the respective EU/member state institutions

With a view to maintaining sustainability and better achieving project objective 10 experts/junior experts from the Ombudsman will be placed to the respective EU/member state institutions. The placement for each person will take place 1-3 months and thus they will have the opportunity to experience daily functioning of the respective institutions.

3.4.1.7. Organizing study visits for Ombudsperson and Deputy Ombudspersons to 3 different EU member states institutions having best practice on ombudsman

Study visits to corresponding member state institutions, at which these persons will be presented to profound experience of ombudsman operations and practices, will encourage and embolden the Ombudsman and set a general framework for later initiatives and activities. These visits will provide the participants with proactive measures, monitoring, legal review, public relations strategies and organizational issues. The visits shall also refer to the relation between the Institution and other public authorities, especially the judiciary and enable Turkish Ombudsman to enhance cooperation with these institutions on operational level and give the personnel of the Ombudsman the opportunity to make contacts with colleagues from respective institutions.

3.4.1.8. Study Visits for Experts and Junior Experts of Turkish Ombudsman

According to the Ombudsman draft bill, it is envisaged to employ 49 experts and junior experts in total in Turkish Ombudsman. Because this staff will play a crucial role in handling complaints and making investigations, increasing their skills related to the workload of Ombudsman is of utmost importance. Through study visits it is aimed to examine the systems, structure and the working methods of the relevant EU institutions and to better understand daily practices of the respective institutions and problems they faced.

To achieve this goal, 5 study visits will be organized and in each visit 10 experts/junior experts will take part. When determining the member states to which these visits will be paid, it is expected that each group will be able to go to different countries in order to collect different experiences of these countries.

3.4.2. The assessment of the existing legislation underlying the Ombudsman in light of the acquis and EU best practices (Means: Twinning)

3.4.2.1. Workshops on the existing legislation

In the aftermath of establishment of Ombudsman, it is of utmost importance to review and detect the shortcomings and implementation gap resulting from the existing legislation underlying the Ombudsman. Therefore, a monitoring unit (comprised of experts of the Ombudsman) will be devised to fulfill this mission. Findings produced by the monitoring unit will be evaluated in the workshops. These workshops organized quarterly for a year aim to issue reports (four interim reports and a final report) based on the findings revealed by the monitoring unit and the participants' contributions. Representatives from GNAT, MoJ, NGOs, Human Rights Institution (once established), experts from EU institutions and member states and academicians will be the participants in these workshops to present remedies that would resolve the shortcomings steaming from either practice or legislation. The final report will be submitted to governing and opposition parties with the expectation of realization of proposals submitted in the workshops on the amendment of the existing legislation.

3.4.3. Wider public awareness on the role and importance of the institution ensured through a nationwide professional public awareness campaign (Means: TA)

3.4.3.1. Launching a public awareness campaign through media and Internet (Means: TA)

An awareness raising committee comprised of representatives of the main beneficiary and co-beneficiaries will be established. The committee will be in charge of running the raising awareness campaign through media and Internet. Besides, short films will be displayed on national TVs.

3.4.3.2. Publication of materials for the citizens (Means: TA)

Rights of the citizens stipulated in the laws, complaints procedure, remedies will be published in leaflets/handbooks and distributed to the 81 governorships and 892 sub-governorships throughout Turkey.

In addition, posters will be the other mean to reach ordinary people. Posters will be displayed in the billboards of major cities.

3.4.3.3. Designing a website

The website will contain rights of the citizens, complaint procedure, the respective legislation and it will enable the Ombudsman to receive online complaints via Internet. If the Ombudsman has already a website in place, then the project will support and contribute to the content and materials of the website.

3.4.3.4. Organizing two international symposiums

The organization of two international symposiums on ombudsman praxis in two big cities of Turkey will contribute to general awareness raising activities within the academics, judiciary, national and international community.

3.4.3.5. Organizing twenty regional symposiums for awareness raising in all segments of the society

In order to raise awareness, twenty regional symposiums will be held in major cities of all seven counties of Turkey, in which people from different segments of the society participate and get informed about the role and importance of Ombudsman.

3.4.3.6. Public Opinion Poll

Public opinion poll will be held by the end of the campaign. This will provide information about the awareness level and perception of the Ombudsman Institution. A report based on the findings of the poll will be issued.

3.4.3.7. Facilitate Ombudsman Institution joining international network and organizations

In order to entrench principles of operation and to reassure the sustainability of the Institution in accordance with the European Ombudsman Standards and Paris Principles, the

Ombudsman Institution needs to be integrated into international network of Ombudsman institutions such as the International Ombudsman Institute and the European Ombudsman Institute. Such integration would help safeguard the independence of the Institution and provide institutionalized protection. Under the auspices of this project, Turkish Ombudsman will be heavily endorsed to establish dialogue channels and develop close ties with the relevant international institutions.

3.4.3.8. Increasing court awareness of the Ombudsman

It is of utmost importance that Administrative judges familiarize with the duties and functions of the Ombudsman. For an efficient functioning of public administration, institutions need to work in close collaboration. For this purpose, judges need to be aware that Ombudsman Institution does not conflict with the Judiciary, rather carries out a preventive role. Therefore, under the auspices of the MoJ, administrative judges will be convened in a seminar to be informed about the distinctive and preventive role of the Ombudsman.

In order to evaluate the perception of Ombudsman among the judges, surveys will be conducted both prior to and in the aftermath of the seminar. Seminar will be built upon the responses of the judges in the first survey. One day seminar will be held in Justice Academy in Ankara. Court awareness of the role of the Ombudsman is envisaged to increase through the seminar. Increasing court awareness will contribute to cooperation and responsiveness.

3.5. Conditionality and sequencing

The signatures of the contracts for the project are conditional on (1) the adoption of the Law on Ombudsman (2) the formal establishment of the Ombudsman authority including appointment of the head of the authority and of staff to make the authority operational (3) a detailed and published assessment of alignment of the new system with EU standards within 1 year of the establishment of the agency.

3.6. Linked Activities

Since this project is the first one in its field, there is no linked activity.

3.6.1. Lessons learned

Full contribution of beneficiary country personnel in the project must be provided, and the workshops and other activities must be held out of the facilities where they are in charge. This

would prevent the lack of concentration stemming from the unexpected interruptions of their daily occupations.

Since the project will be run through a twinning covenant, the project team shall have a very good cooperative approach. Particularly, the resident twinning advisor and his counterpart should work in close collaboration and mutual understanding. Personal relations definitely matter in terms of the success of the project. Thus, cultural diversities shall be taken into consideration and respected for a better cooperation.

4. **Indicative Budget (amounts in EUR)** The budget is revised so as to include a separate TA component for Result 2.

			SOURCES OF FUNDING										
			TOTAL EXP.	TOTAL PUBLIC EXP.	EU CONTRIBUTION		NATIONAL PUBLIC CONTRIBUTION					PRIVATE CONTRIBUTION	
ACTIVITIES	IB (1)	INV (1)	EUR (a)=(b)+(e)	EUR (b)=(c)+(d)	EUR (c)	% (2)	Total EUR (d)=(x)+(y)+(z)	% (2)	Central EUR (x)	Regional/Local EUR (y)	IFIs EUR (z)	EUR (e)	% (3)
Twining			1 579 000	1 579 000	1 500 000	95	79 000	5	79 000				
Technical Assistance			555 550	555 550	500 000	90	55 550	10	55 550				
TOTAL IB			2 134 550	2 134 550	2 000 000		134 550		134 550				
TOTAL INV			-	-	-		-		-				
TOTAL PROJECT			2 134 550	2 134 550	2 000 000		134 550		134 550				

NOTE: DO NOT MIX IB AND INV IN THE SAME ACTIVITY ROW. USE SEPARATE ROWS

Amounts net of VAT

- (1) In the Activity row use "X" to identify whether IB or INV
- (2) Expressed in % of the **Public** Expenditure (column (b))
- (3) Expressed in % of the **Total** Expenditure (column (a))

The Turkish authorities commit themselves to provide national co-financing according to the above provisions. The NAO will verify that co-financing has been provided in line with the above provisions before submitting requests for funds and final declarations adjusting payment requests to the above ratio as necessary.

For Twinning contracts joint co-financing will be provided to cover 5% of the costs of the Twinning contract. Additional parallel co-financing will be provided in order to cover costs of activities not eligible for IPA support in line with the Twinning Manual.

In the context of beneficiary staff participating in missions outside of Turkey paid for under a contract, the maximum amounts eligible for accommodation costs and daily allowances ("per diems") are the official rates provided for by EuropeAid for the destination country (see website for the latest rate). Provided the total cost of daily allowance and accommodation charged to the contract remains below these maximum rates, the applicable Turkish rules and regulations for per diems shall be applied when reimbursing these costs for public servants from the beneficiary institutions. Where a contract foresees the reimbursement of such expenses for Turkish public servants and other beneficiaries of IPA projects during missions inside of Turkey, the maximum costs reimbursed under the contract will be those provided for domestic missions under the applicable Turkish legislation provided that they are subject to the same ceiling for maximum rates. This provision cannot be construed and applied in contradiction with the IPA Framework Agreement and in particular the IPA Implementing Regulation.

5. Indicative Implementation Schedule (periods broken down per quarter)

Tender dossier will be prepared by SEI.

Contracts	Start of Tendering	Signature of contract	Project Completion
Twining contract	I Q 2012	I Q 2013	IV Q 2015
Technical Assistance contract	III Q 2012	I Q 2013	IV Q 2015

6. Cross cutting issues (where applicable)

6.1. Equal Opportunity

Equal opportunity principles and practices in ensuring equitable gender participation in the Project will be guaranteed. Participation in this project will be open to both males and females involved in the sector. Records of professionals' participation in all project related activities will reflect this and will be kept with the project documentation.

6.2. Environment

N/A

6.3. Minorities and vulnerable groups

According to the Constitution of Turkey, the word "minorities" encompasses only groups of persons recognized as such on the basis of multilateral instruments to which Turkey is a party. The project will in no way harm the rights of any individuals.

In its nature, this project will have a profound impact on improvement of protection and respect of the citizen's rights, including national minorities and vulnerable groups. The Ombudsman can lobby with the Government and its executive and administrative structures to adhere to local and international set of principles and regulations directed towards protection of rights of minorities and vulnerable groups.

One of the tasks of the Ombudsman will be to promote the realization of the rights and interests of children together with the other actors in the field of child policy. The UN Convention on the Rights of the Child will constitute the basis of the work of the Ombudsman. The Ombudsman will not only deal with individual cases, but also will concentrate on lobbying for children at the level of strategic policy-making. All activities foreseen in this project fiche will cover the child related aspects.

6.4. Civil Society/Stakeholder involvement

Although the project preparation team could not find the opportunity to work on the project fiche together with the representative of the civil society, having received information about the content of the project, the representative gave a very positive reaction to the purpose and the activities. It is worth mentioning that they would very much like to contribute to the project especially in the implementation phase.

ANNEXES

- 1- Log frame in Standard Format
- 2- Amounts contracted and Disbursed per Quarter over the full duration of Programme
- 3- Description of Institutional Framework
- 4 - Reference to laws, regulations and strategic documents:
- 5- Details per EU funded contract (*) where applicable:

ANNEX 1: Logical framework matrix in standard format

LOGFRAME PLANNING MATRIX FOR Project Fiche	Programme name and number	
Support to Establishment of Ombudsman Institution in Turkey	Contracting period expires 2 years after the signature of Financing Agreement.	Disbursement period expires 1 year after the end date for the execution of contracts.
	Total budget: 2.134.550 Euro	IPA budget:2.000.000 Euro

Overall objective	Objectively verifiable indicators	Sources of verification
To promote and enhance the performances of the public authorities in Turkey in terms of rule of law, respect for human rights and freedoms, transparency and fairness, and good governance.	<ul style="list-style-type: none"> -Percentage of administrative responsiveness to the Ombudsman’s mediation is expected to reach European average by the end of the project - Decrease in the number of complaints of malfunctioning of the administrative bodies. -Decrease in the number of cases taken before the administrative courts by 15 per cent per year after Ombudsman has become operational -Rule of law index improved by 5 points by 2 years from the end of the project. - Human Rights index improved by 5 points by 2 years from the end of the project. 	<ul style="list-style-type: none"> -Annual Turkey Progress reports and other documents issued by the EU entities. - Annual Report by the World Justice Project on Rule of Law Index -Annual Report by United Nations OHCHR on Universal Human Rights Index -World Bank Worldwide Governance Indicators - Reports of relevant international organizations for protection of human rights and citizens’ freedoms - Reports of citizens’ associations acting in the field of protection of human rights and citizens’ freedoms - Workload statistics of the Administrative Courts by MoJ National Statistics Program

Project purpose	Objectively verifiable indicators	Sources of verification	Assumptions
Support to the establishment of the Ombudsman institution in Turkey at its inception phase of operations to develop into a prominent body in line with EU standards and the Paris Principles.	Capacity of the Ombudsman's Office improved and more efficient protection of citizens' rights and freedoms and independence of the Ombudsman institution ensured	-Regular Progress Reports -Other documents issued by the European Commission -Statistics of Turkish Ombudsman and other relevant institutions	- A rounded legal framework in the field of human rights protection
Results	Objectively verifiable indicators	Sources of verification	Assumptions
1. Organizational structure of the Ombudsman improved in accordance with the best European practices and the human resources capacity of the institution strengthened.	-The organigramme, staffing and resources are adequate to handle cases in a timely and effective manner -All staff have precise job descriptions and objectives within 6 months after the establishment -Organizational model including office chart, internal rulebook and operational manuals is formulated within 6 months after the establishment -The Needs Analysis report issued within 6 months after the establishment -Strategic management plan released within a year after the establishment -Media coverage of the Ombudsman Institution. Number of headlines, news and columns regarding the Ombudsman. Percentage of positive and negative remarks about the Ombudsman -The number of personnel received	- Public opinion surveys - Project documentation - Periodical reports on the progress of the project -Annual reports of the Ombudsman's Office on all levels - Statistics of media monitoring service - Agreement on engagement of expertise - Periodical reports of the Ombudsman's Office - Internet presentation of the Ombudsman's Office - Surveys conducted among the relevant stakeholders and	- The Ombudsman Draft Law enacted, its budget allocated, recruitments completed and the Office fully established - Established cooperation with state bodies, media and associations of citizens engaged in the protection of human rights - Readiness of employees to continual training and improvement

	<p>training on ombudsman praxis</p> <ul style="list-style-type: none"> -10 trainers are trained -60 personnel of the Ombudsman are trained -10 expert/junior experts are placed in the respective EU/member state institutions -Study visits for Ombudsperson, deputy Ombudspersons and 49 experts/junior experts -Percentage of administrative responsiveness to the Ombudsman's mediation is expected to reach European average by the end of the project -Decrease in the number of cases taken before the administrative courts by 15 per cent per year after Ombudsman has become operational -Release of four interim and a final report in a month following the each workshop -Degree to which legislators take the final reports of the workshops into consideration, to what extent the recommendations in the reports are reflected in the legislation process in a year in the aftermath of the release of the final report -Number of applications submitted to Ombudsman increased by 15 % in each quarter of the public awareness 	<p>public.</p> <ul style="list-style-type: none"> - Positive remarks of the European Commission in the country progress reports. - Workload statistics of the Administrative Courts by MoJ National Statistics Program - Workshop reports on the existing legislation - Amendments on Ombudsman Law - Ombudsman Website Logs -Surveys conducted by MoJ among administrative judges 	
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<p>2. The assessment of the existing legislation underlying the Ombudsman in light of the acquis and EU best practices</p> <p>3. Wider public awareness on the role and importance of the institution ensured through a nationwide professional public awareness campaign</p>	<p>campaign.</p> <ul style="list-style-type: none"> -Release of four interim and a final report in a month following the each workshop -Degree to which legislators take the final reports of the workshops into consideration, to what extent the recommendations in the reports are reflected in the legislation process in a year in the aftermath of the release of the final report -Leaflets/handbooks delivered to people through governorships and sub-governorships -Number of entrance to the website of Ombudsman increased. Number of entrances to the web-site of the ombudsman per month increased after the public awareness campaign by 20% for the first year -Public opinion results that prove high level of awareness and positive attitude towards the Ombudsman Institution in the majority (over 50 per cent) of the public -The Ombudsman is integrated into the international network (membership of IOI and EOI) -Court awareness of the distinctive and preventive role of the Ombudsman increased by 50 per cent. 		
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Activities	Means	Costs	Assumptions
3.4.1.1. Needs Analysis and Drafting Internal Procedures and Operational Manuals	Twinning	1.579.000 €	<ul style="list-style-type: none"> - Availability of capacities of the Ombudsman's Office for successful execution and coordination of planned Project activities - Availability of appropriate international and local expertise - Established contacts with Ombudsman's Offices in EU countries and countries of the region
3.4.1.2. Developing Strategic Management Plan for the Ombudsman Office			
3.4.1.3. Drafting a public relation strategy and introduction of a public relation unit			
3.4.1.4. Training of Trainers 3.4.1.5. Training of the Relevant Personnel of the Ombudsman			
3.4.1.6. Placement of 10 experts/junior experts to the respective EU/member state institutions			
3.4.1.7. Organizing study visits for Ombudsperson and Deputy Ombudspersons to 3 different EU member states institutions having best practice on ombudsman			
3.4.1.8. Study Visits for Experts and Junior Experts of Turkish Ombudsman			
3.4.2.1. Workshops on the existing legislation			
3.4.3.1. Launching a public awareness campaign through media and Internet			
3.4.3.2. Publication of materials for the citizens	Twinning		
3.4.3.3. Designing a website			
3.4.3.4. Organizing two international symposiums	TA Contract	555.550 €	
3.4.3.5. Organizing twenty regional			

symposiums for awareness raising in all segments of the society 3.4.3.6. Public Opinion Poll 3.4.3.7. Facilitate Ombudsman Institution joining international network and organizations 3.4.3.8. Increasing court awareness of the Ombudsman			
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ANNEX II: Amounts (in €) Contracted and disbursed by quarter for the project (IPA contribution only)

Contracted	IQ 2013	II Q 2013	III Q 2013	IVQ 2013	IQ 2014	II Q 2014	III Q2014	IVQ 2014	IQ 2015	IIQ2015
Twinning Contract	1 500 000									
Technical Assistance	500 000									
Cumulated	2 000 000	2 000 000	2 000 000	2 000 000	2 000 000	2 000 000	2 000 000	2 000 000	2 000 000	2 000 000
Disbursed										
Twinning Contract		500 000		500 000			500 000			
Technical Assistance		100 000			200 000		200 000			
Cumulated		600 000	600 000	1 100 000	1 300 000	1 300 000	2 000 000	2 000 000	2 000 000	2 000 000

** As for the %5 co-financing, the beneficiary will provide two rooms for the RTA, project assistant and language assistant, a telephone line Open to international phone calls and internet access.

