

Standard Summary Project Fiche

IPA decentralised National Programmes

Project number: TR 07 02 16

TWINNING NO: TR 07 IB JH 05

1. Basic Information

1.1 CRIS Number: [...]

1.2 Title Support to Turkey's Capacity in Combating Illegal Migration and Establishment of Removal Centres for Illegal Migrants

1.3. Sector: [JLS]

1.4 Location: Turkey

Implementing arrangements:

1.5 Implementing Agency:

The Central Finance and Contracts Unit (CFCU) will be Implementing Agency and will be responsible for overall coordination and monitoring of project implementation, 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 of the project.

Mr. Muhsin ALTUN (PAO-CFCU Director)

Central Finance and Contracts Unit

Phone: +90 -312- 295 49 00

Fax: +90 -312- 286 70 72

E-mail: muhsin.altun@cfcu.gov.tr

Address: Eskişehir Yolu 4.Km. 2.Street. (Halkbank Kampüsü) No:63 C-Blok

06580 Söğütözü/Ankara Türkiye

1.6 Beneficiary:

Department of Foreigners Borders and Asylum of the General Directorate of Security under the Ministry of Interior will be the beneficiary.

Department of Foreigners Borders and Asylum

İlkadım Caddesi No: 89

06100 Dikmen

Ankara
Tel: +90 312 412 32 20
Fax: +90 312 466 90 11

Please also refer to Annex 3 for further details on institutional framework.

1.7 Overall cost: € 19,433,333

1.8 EU contribution: € 15.000.000

1.9 Final date for contracting: 2 years after signature of the FA

1.10 Final date for execution of contracts: 4 years after signature of the FA

1.11 Final date for disbursements: 5 years after signature of the FA

2. Objectives

2.1 Overall Objective:

To reform the overall system of controlling illegal immigration in line with the EU standards and practices.

2.2 Project purpose:

In controlling illegal migration, to strengthen the institutional capacity and to introduce standards for legislative and administrative alignment with the EU *acquis* and best practices.

2.3. Link with AP/NPAA/ EP/SAA

2006 Accession Partnership

Short-term priority:

- Continue efforts to implement the National Action Plan on Migration and Asylum, to combat illegal migration and to conclude urgently a readmission agreement with the EU.

Medium-term priority:

- Adopt and implement the *acquis* and best practices on migration with a view preventing illegal migration.

The objectives set out in this project furthermore reflect the priorities nos. 1, 2 in chapter 24.4 of the Turkish Government's 2003 **NPAA**. These are:

- Identification of training needs of the personnel and developing training programmes based on the needs identified;
- Establishment of removal centers for aliens.

2.4. Link with MIPD

The Multi-annual Indicative Financial Framework for the period 2007 - 2009 foresees a financial envelope for EU assistance to Turkey of 1.6 billion euro. As a candidate country, Turkey is eligible for all five IPA components: I) Institution Building, II) Cross-border Cooperation, III) Regional Development, IV) Human Resource Development and V) Rural Development.

MIPD identifies the relevant priorities and actions required to address the three objectives of the pre-accession strategy.

The Institution Building component, representing the largest budgetary allocation, will address all three objectives.

As concerns the adoption and implementation of the acquis, the main areas of activity, reflecting the volume of legislation to be transposed and implemented as well as the investments required, will be: agriculture and food safety; justice, liberty and security (particularly border management; **migration** and visa policy; and international cooperation among law enforcement agencies); and environment.

According to the first component of the MIPD (Multi-annual Indicative Planning Document for Turkey), I- Institution building; for 2007-2009, the eligible areas of intervention for the Institution Building components are defined by the Accession Partnership.

The priorities for assistance under the Institution Building component will be transposition and implementation of the Acquis for the **migration** and asylum policy, Border management; Visa policy and practice, Fight against organised crime, drugs under the chapter of Justice, Liberty and Security.

2.5. Link with National Development Plan

According to point 727 of the 9th National Development Plan, to efficiently manage asylum and migration flows, a separate Asylum and Migration unit will be established and necessary legislative and administrative arrangement will be made in order to set up reception and removal centers on border regions.

2.6 Link with national / sectoral investment plans

This project is linked NAP on Asylum and Migration and NAP on Integrated Border Management.

3. Description

3.1 Background and justification:

Turkey, at the crossroads of Asia, Middle East and Europe, bordering eight countries and lapped by 5,000 miles of coastline, has seriously been confronted with various forms of this transnational crime, which without doubt, pose a threat to its social order, human and democratic values.

As a consequence of various developments taking place at the regional and global level, Turkey, due to its geographical situation, needed to tend an ever-growing illegal migratory pressure.

Turkey is in a situation of receiving illegal immigrants from Iraq, Afghanistan, Pakistan, Iran, Bangladesh, Somali, Mauritania, Palestine and other Asian and African countries who are mainly entering to the country illegally, especially from mountainous, rough green borders in the eastern and south eastern region of the country, trying to go to EU countries.

People from Balkan States and Commonwealth of Independent States (CIS) often choose Turkey as a target country to work and stay.

Turkey can be also described as a source country for its citizens trying to go to EU countries.

Statistics on the illegal migrants apprehended by the law enforcement agencies in the last three years are as following:

- 2004 : 61.228

- 2005 : 57.428

- 2006: 51.983

It is also expected that the migration flows towards Turkey will increase in next years along with EU membership of Turkey.

Although there are “guesthouses” with the capacity of approximately 900 persons in various parts of the country, there is no centre as such devoted for the purpose of controlling the illegal migrants to be removed.

Despite so many efforts within the framework of EU accession process, law enforcement’s combating strategies, there is deficiency in the institutional capacity to process, keep under control and return the apprehended/readmitted/to be removed illegal migrants.

For a proper and swift management, illegal migrants should be accommodated in removal centres pending procedures for readmission to their home countries. For these centres, the fulfilment of humanitarian standards is indispensable. It is foreseen to employ qualified staff in these centres having been trained in migration and asylum law and procedures. Furthermore, these centres will provide the basis for the later establishment of a specific asylum/migration unit taking over the responsibilities of the Department of Aliens, Borders and Asylum of the General Directorate of Security within the Turkish National Police of the Ministry of Interior, which is currently the main actor in charge of handling asylum and migration procedures.

Turkey’s effort in this field will -in a broader sense- facilitate coordinated migration policies between different countries in a world where migration has become a determining feature of international relations and can as such no longer only be handled by nation-specific actors. Furthermore, based on a successful implementation of those centres, Turkey can play a leading role for determining further standards of such policies.

The National Action Plan on Asylum and Migration¹ is the major step taken in “harmonizing Turkey’s procedures and practices for asylum and migration with EU standards”, whereby “burden-sharing” is also mentioned - that means material support should be given to Turkey for the infrastructural needs. During the time period from 1996 to 2006 approximately 580,000 illegal migrants have been registered in sum. At the end of 2005, 57,000, at the end of 2006, 52,000 and from January 1 to July 7, 2007 14,500 illegal migrants have been registered.²

Due to conflicts in the Middle East, and to the disastrous situation in parts of Eastern and Central Africa, it can be predicted that there will be again an increasing trend in migration flows in the near future. Readmission agreements are foreseen to return the illegal migrants back to their home countries. In terms of implementing the readmission agreements removal centres can play an important role

This project will help to achieve a better capacity to cope with illegal migration via establishing two removal centres and developing standards for their management as well as addressing overall needs for legislative and administrative alignment with the EU *acquis* and best practices. Those removal centres are going to be taken as models for further ones to be established.

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

Increased migration flows, which is high on the global and EU agenda, is also effecting Turkey considerably. It is a complex phenomenon carrying with it different issues to be tackled, including rights of migrants, need for international protection, cooperation with other countries, data collection and protection.

Turkey will benefit from this project in increasing the institutional capacity in order to response the above mentioned challenges swiftly and in a controlled/regulated manner. A more controlled migration management would reduce the numbers of illegal migrants arriving Turkey also with the aim of transiting to EU countries. Pending deportation procedures, illegal migrants will be controlled under better humanitarian conditions.

After the project implementation period, operational costs of refurbished removal centres will be financed through the national budget. Guidelines developed by this project on the operation of the centres will be used and included in the training of the staff. Agreed recommendations will lead to proposals on legislative alignment and issuing of necessary administrative regulations by the beneficiary. By this project, a sustainable training program will be developed.

The strengthening of the combating strategy on illegal migration flows to Turkey planned resulting from this project will inevitably have some cross border impact on the pattern of population movements in the context of illegal migration. Implementation of the existing readmission agreements will be more effective.

¹ Endorsed in March 2005

² Directorate of the Department for Refugees, Migration and Citizenship Affairs / Statistical Data Input Bureau of the Turkish National Police (2007): Unpublished Statistics.

3.3 Results and measurable indicators:

Result 1: Functioning of at least two well-structured removal centres

Measurable indicators in relation with activities:

- At least two removal centres will be operational by project end (36 months)
- Guidelines developed on how to manage removal centres by the end of twinning project (18 months)
- In-service training program adopted and at least 60 staff received those trainings by the end of twinning project. (18 months)
- Key staff to work on removal (and reception centres) received specialised English language training by project end³

Result 2: Adoption of recommendations on legislative and administrative alignment with the EU *acquis* and best practices

Measurable indicators in relation with activities:

- At least 15 key staff received advanced trainings by the end of twinning project (18 months)
- At least 100 staff (including the ones in provinces) received basic trainings by the end of twinning project (18 months)
- Recommendations agreed and adopted on legislative and administrative practices by project end (36 months)
- Necessary legislative proposals on migration drafted and presented to the Parliament by project end (36 months)
- “Common Manual for Return Policy and Practices” published and disseminated to all provinces by the end of twinning project (18 months)
- At least four field visits conducted by the Task Force on Migration by the end of twinning project (18 months)

Comment [a1]: Reception centres projesinde olduğu gibi...

3.4 Activities and Means:

Component 1: Functioning of two well-structured removal centres (Activities under this component will feed into Result 1)

Activity 1.1: Refurbishment/construction of at least two removal centres at the most suitable locations for migration management.⁴ This will include also fully furnishing the centres.⁵ This activity will be conducted by supply and works contracts.

³ Language training will be delivered to both removal and reception centres staff. This will be conducted by one TA contract under this project.

⁴ The locations are indicatively determined as Erzurum and Ankara

TA for preparation of feasibility study, detail design and tender documents will be done via a separate contract under Support to European Integration (SEI) funds whereas supervision of works will be done via another TA contract under reception centres project.

Activity 1.2⁶: Development of guidelines on the management of removal centres. (Gap analyses, trainings, internships, study visits, seminars-workshops and drafting of guidelines)

Activity 1.3: Adoption of an in-service training program for the staff to be employed in the removal centers.

Activity 1.4: Study visits, internships for the staff to work for removal centres⁷ in order to get input and inspiration on which system is the most suitable for Turkey's need and get the best experience on how to run and work in such a centre.

Activity 1.5: Specialised English Language trainings delivered to the key staff to work on removal (and reception centres). Language training will be delivered to both removal and reception centres staff. This will be conducted by one TA contract under this project. The Ministry of Interior commits itself to assign the staff that received internship on the fields related to migration issues.

Component 2⁸: Adoption of recommendations on legislative and administrative alignment with the EU *acquis* and best practices (Activities under this component will feed into Result 2)

Activity 2.1: Gap analyses on legislation and administrative practices via workshops and seminars.

Activity 2.2: Advanced trainings for the 15 key staff as training of trainers (who already received trainings on migration alignment with EU standards), study visits, internships⁹ to get insight on how EU standards are implemented in EU member states.

Activity 2.3: Basic trainings for the staff to work in migration field including the ones in provinces.

Activity 2.4: Seminars-workshops on the EU *acquis*, best practices and Council of Europe Recommendations

Activity 2.5: Drafting and adoption of agreed recommendations.

⁵ Future EU projects in the advanced stages of works, will include the purchase of necessary IT equipment for the centres. Any IT equipment should be compatible with the relevant IT systems already in place, i.e: Asylum Information System and Country of Origin Information System to be set up within the 2006 EU funded project.

⁶ Activities 1.2 to 1.4 under component 1 will be conducted by the twinning project

⁷ The Ministry of Interior commits itself to assign the staff that received internship on the fields related to migration issues.

⁸ All activities of component 2 will be conducted by the twinning project

⁹ *ibid*

Activity 2.6: Necessary legislative proposals on migration drafted and presented to the Parliament by project end

Activity 2.7: Developing operational standards for aliens police and practical ‘Common Manual for Return Policy and Practices’.

Comment [a2]: Aşağıda silinen kısım çok detaylı. Kontrat aşamasında kullanılabilir. Interview teknikleri de bu projede olmamalı..

Component 3¹⁰: Support to the activities of the Task Force on Asylum and Migration concerning the studies on illegal migration(Activities under this component will feed into Result 2)

Activity 3.1: Mapping to identify regions for field visits

Activity 3.2: Conducting field visits to meet with the relevant authorities and NGOs.

Activity 3.3: Taking decisions on necessary reforms in the area of illegal migration.

Activities other than 1.1 and 1.5 will be conducted by twinning project.

3.5 Conditionality and sequencing

Prior to signature of the Financing Agreement, the Turkish Government will provide a clear commitment for:

- a. Recruitment and training of the necessary number of staff and provision of adequate office spaces by the beneficiary
- b. Making clear budgetary provisions to cover out of national funds all running costs related to the full functioning of the centres once they are ready.

The letter from the Minister of Interior would cover both the projects on reception and the one on removal centres.

The duration of twinning component will be 18 months, where works and supplies will last for 36 months. Twinning outputs will be used in the management of the removal centres once they are operational.

The design and construction of the removal centres and respective facilities will be developed by taking into account the best practices identified in the EU Member States in this field. The removal centres will be operating in accordance with Council of Europe recommendations. Access to the persons in custody will be allowed to the specialised international and national organisations, including the NGOs, as well as to the lawyers assisting the persons in custody.

3.6 Linked activities:

Related EU Twinning Projects:

¹⁰ All activities of component 3 will be conducted by the twinning project

- TR 02 JH 02 Support for the Development of an Action Plan to implement Turkey's Integrated Border Management Strategy

Output: An action plan to determine the legal and institutional reforms, training activities, and infrastructure and equipment investments expected to be realised for an integrated border management system in alignment with the EU requirements.

- TR 04 JH 04 Development of a Training System for Border Police

Purpose: To prepare a training strategy, programme and curriculum in line with the EU standards for the new border police.(ongoing)

- TR 03 JH 05 Visa Policy and Practice

Output: Legislative framework on visa issues as well as visa practices in accordance with EU *acquis* and implementation of document security.

- TR 02 JH 03 Asylum-Migration

Output: An action plan on asylum and migration strategy in line with EU legislation. It also improved the operational and administrative (coordination, human resources, equipment) capacity of the agencies responsible for management and implementation of Turkish asylum and migration policy.

5. TR 03 JH 03 Strengthening Institutions in the Fight against Trafficking in Human Beings

Purpose: To adopt an anti-trafficking strategy and implement it with sectoral action plans. In addition to that it is aimed to assist and set up basic standards of a framework of both national and international institutional networks. (completed)

Other donor activities:

IOM project Technical Cooperation in Migration funded by the UK Embassy on "Migration Management in Turkey: The process of EU Approximation"

Purpose: To facilitate a dialogue and conceptual understanding of the fundamental principles and the EU *Acquis* related to migration management, furthering the process of integration into the European Union. Key policy makers will be provided the tools for adapting administrative practices, legal norms and policy practices in line with effective management and EU best practices. Further, the project will complete the groundwork for implementation of selected activities of the Turkish National Action Plan on Asylum and Migration. (ongoing- will be finalized January 2008)

3.7. Lessons learned

Some study visits and meetings have been carried out to the EU member states and non-EU member states. During those activities the opportunity to see the reception centres, detention centres etc. has been obtained. The study visits to the UK, Denmark and Czech Republic have been realised under the Twinning Project on Asylum and Migration implemented between March 2004 and March 2005. Other visits have been held on the basis of bilateral cooperation. Through

the visits, it has been seen that there has been no common standards on the reception centres concerning what facility should be.

These lessons learned will of course be fundamental to ensure that the mandatory results of the present project are reached within the set temporary and budgetary limits.

4. Indicative Budget (amounts in M€)

Activities	TOTAL PUBLIC COST	SOURCES OF FUNDING									
		<u>EU CONTRIBUTION</u>				<u>NATIONAL PUBLIC CONTRIBUTION</u>					
		<u>Total</u>	<u>%</u>	<u>IB</u>	<u>INV</u>	<u>Total</u>	<u>Type of cofinancing (J/P)</u>	<u>%</u>	<u>Central</u>	<u>Regional</u>	<u>IFIs</u>
1- <u>Twinning</u>	1,200,000	1,200,000	100	1.200.000							
2- <u>Works</u>	14,173,333	10,630,000	75		10.630.000	j	25	3,543,333			
3- <u>Supply</u>	3,560,000	2,670,000	75		2.670.000	j	25	890,000			
4- <u>TA</u>	500,000	500,000	100	500.000							
TOTAL	19,433,333	15,000,000	75	1,700,000	13.300.000			4,433,333			

Unused funds are subject to transfer among different components.

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

Contracts	Start of Tendering	Signature contract	of	Project Completion
Twinning	IV/2007	III/2008		I/2010
Works ¹¹	II/2009	I/2010		I/2012 ¹²
Supply	II/2010	I/2011		I/2012
TA	I/2008	II/2008		II/2009

Through the MoI's endorsement of the project contract, the Turkish government will guarantee the national co-financing of the investment component of the project. In addition to this, the

¹¹ Supervision of the works will be done under the reception centers project within the same time schedule

¹² Does not include one year maintenance period

amount for national co-financing within the investment component will be included in the MoI analytical budgets for the years 2006-2009.

6.2 Cross Cutting Issues

6.1. Equal Opportunity

Equal opportunity principles and practices in ensuring equitable gender participation in the project will be guaranteed. Male and female participation in the project will be based on EU standards and assured by official announcements published to recruit the necessary staff for the project. The main criteria for recruitment will be qualifications and experience in similar projects, not sex or age. Both men and women will have equal opportunities and salaries

Appropriate professional qualifications and experience will be the factors for personnel recruitment and evaluation. When recruiting personnel for this project, there will be made no distinction based on sex, race, or religion.

However since the share of female staff is around 5% within the Turkish National Police, albeit with a rising trend, the beneficiary will pay special attention to assure the highest possible participation of women in the project. All periodical progress review reports and other interim reports will include a specific explanation on measures and policies taken with respect to participation of women and equal opportunity for women and men and will provide measurements of achievement of this goal.

6.2 Environment

This project will not be harmful to environment.

6.3 Minority and vulnerable groups

According to the Turkish Constitutional System, the word minorities encompass only groups of persons defined and recognized as such on the basis of multilateral or bilateral instruments to which Turkey is a party. This project has no negative impact on minority and vulnerable groups. Indeed this project will target the needs of especially vulnerable groups such as women, minors and disabled.

ANNEXES TO PROJECT FICHE

1. Logical framework matrix in standard format
2. Amounts contracted and disbursed per quarter over the full duration of programme
3. Reference list of relevant laws, regulations and strategic documents
4. List of abbreviations
5. Details per contract

LOGFRAME PLANNING MATRIX FOR Project Fiche	Programme name and number	
	Contracting period expires 2 year after FA	Disbursement period expires 5 years after FA
	Total Budget: 19,500,000	EC Assistance budget: 15.000.000

Overall objective	Objectively verifiable indicators	Sources of Verification
To reform the overall system of controlling illegal immigration in line with the EU standards and practices.	The National Action Plans (Asylum&Migration and Integrated Border Management) implemented.	-Draft legislation -EU Progress reports -Monitoring by the EC Delegation

Project Purpose	Objectively verifiable indicators	Sources of Verification	Assumptions
In controlling illegal migration, to strengthen the institutional capacity and to introduce standards for legislative and administrative alignment with the EU <i>acquis</i> and best practices.	2 removal centres established and functioning. Staff trained on the management of removal centres	-Draft legislation -EU Progress reports -Monitoring by the EC Delegation - Governmental approval of the recommendations - Report on Task Force	- Turkish willingness to strive towards alignment with EU <i>acquis</i> .

	<p>Recommendations adopted on legislative and administrative alignment</p> <p>Common manual for return policy and practices published and disseminated to all provinces</p> <p>Task Force continued meetings</p>	meetings.	
Results	Objectively verifiable indicators	Sources of Verification	Assumptions
<p>- Functioning of well-structured removal centres with social premises, health-care, psychological support facilities.</p> <p>-Adoption of recommendations on legislative and administrative alignment with the EU <i>acquis</i> and best practices</p> <p>- Submission of legislative</p>	<p>2 removal centres established and functioning in line with the guidelines developed</p> <p>At least 60 staff received in-service trainings on the operation of removal centres</p> <p>At least 15 staff received advanced trainings</p> <p>At least 100 staff received</p>	<p>-Draft documents regular reviews by representatives of the EC</p> <p>--Twinning project reports</p> <p>-EC delegation information</p> <p>-Project reports</p>	<p>-Full commitment of the Turkish government institutions with regard to their responsibilities under twinning rules to ensure that the project results are reached.</p>

alignment proposals to the Parliament	<p>basic trainings</p> <p>20 Staff Received English Language Training</p> <p>Recommendations agreed and adopted</p> <p>Proposals for legislative amendments submitted to the Parliament</p> <p>Common manual for Return Policy and Practices published and disseminated to all provinces</p> <p>At least 4 field visits conducted by the Task Force</p>		
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Activities	Means	Costs	Assumptions
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<p><u>recommendations on legislative and administrative alignment with the EU <i>acquis</i> and best practices</u></p> <p>Activity 2.1: Gap analyses on legislation and administrative practices via workshops and seminars.</p> <p>Activity 2.2: Advanced trainings for the key staff as training of trainers (who already received trainings on migration alignment with EU standards), study visits, internships to get to get insight on how EU standards are implemented in EU member states.</p> <p>Activity 2.3: Basic trainings for the staff to work in migration field including the ones in provinces.</p> <p>Activity 2.4: Seminars-workshops on the EU <i>acquis</i>, best practices and Council of Europe Recommendations</p> <p>Activity 2.5: Drafting and adoption of agreed recommendations.</p>	<p>Twining</p>		
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<p>Activity 2.6: Necessary legislative proposals on migration drafted and presented to the Parliament by project end</p> <p>Activity 2.7: Developing operational standards for aliens' police and practical 'Common Manual for Return Policy and Practices'.</p> <p><u>Component 3: Support to the activities of the Task Force on Asylum and Migration concerning the studies on illegal migration</u>(Activities under this component will feed into Result 2)</p> <p>Activity 3.1: Mapping to identify regions for field visits</p> <p>Activity 3.2: Conducting field visits to meet with the relevant authorities and NGOs.</p> <p>Activity 3.3: Taking decisions on necessary reforms in the area of illegal migration.</p>			