SUPPORT TO THE IMPLEMENTATION OF HUMAN RIGHTS REFORMS IN TURKEY

PROJECT NO: TR 0401.01

1. BASIC INFORMATION

Title: Support to the Implementation of Human Rights Reforms in Turkey

Sector: Political Criteria

Location: Turkey

Duration: 1st stage of Multi-Annual Programme
2 years for commitment; 3 years for disbursement
(2nd stage to be supported from AP 2005/6)

2. OBJECTIVES

2.1 Programme Objective(s):

Full compliance of human rights actually enjoyed by Turkish citizens and the civil society as a whole with principles, standards and practices in accordance with the ECHR.

2.2 Project Purpose:

The purpose of the project is to support Turkey in the implementation of human rights reforms. In this context the project will have three major interlocking components, i.e.

1. Development and implementation of standards for good conduct by law-enforcement officials

This component aims to develop and implement standards for good conduct for law enforcement bodies (police and gendarmerie) in line with the principles of European Human Rights law and practice, and the legislative and administrative details of the reform packages and the judgements of Court of Human Rights. The monitoring of the implementation of the standards for good conduct will be also be developed under this component.

2. Strengthening the cooperation between Human Rights Presidency, Human Rights Boards, MoI and MoJ and the strengthening of the related capacities;

This component aims at strengthening the cooperation between Human Rights Presidency (HRP), (Sub-) Provincial Human Rights Boards (HRBs), Ministry of Interior (MoI) and Ministry of Justice (MoJ) as well as strengthening their respective capacities.
3. Involvement of the civil society in the implementation of the human rights reform programme.

This component includes civil society related activities aimed at increasing awareness of the general public and involving relevant organisations and NGO in the human rights reform programme.

2.3. Accession Partnership and NPAA Priority

**AP Revised 2003, Political Criteria:**

Guarantee in law and in practice the full enjoyment of human rights and fundamental freedoms by all individuals without discrimination and irrespective of language, race, colour, sex, political opinion, religion or belief in line with relevant international and European instruments to which Turkey is a party.

Pursue and implement reforms concerning freedom of expression including freedom of the press.

Pursue and implement reforms concerning freedom of association and peaceful assembly.....

Encourage the development of civil society.

Adapt and implement provisions concerning the exercise of freedom of thought, conscience and religion by all individuals and religious communities in line with Article 9 of the European Convention on Human Rights. Establish conditions for the functioning of these communities, in line with the practice of EU Member States.

Strengthen the independence and efficiency of the judiciary and promote consistent interpretation of legal provisions related to human rights and fundamental freedoms in line with the European Convention on Human Rights.

Extend the training of law enforcement officials on human rights issues and modern investigation techniques, in particular as regards the fight against torture and ill-treatment, in order to prevent human rights violations.

Implement measures to fight against torture and ill-treatment by law enforcement officials, in line with Article 3 of the European Convention on Human Rights and the Recommendations of the European Committee for the Prevention of Torture. Adopt further measures to ensure that prosecutors conduct timely and effective investigations of alleged cases and that courts impose adequate punishments on those convicted of abuses.

**NPAA, Political Criteria:**

Legislative and administrative measures expanding freedom of expression will be implemented effectively.

Measures will be taken to ensure that the freedom of the press will be applied according to universal norms.

The legislative and administrative reforms concerning associations, foundations, meetings, and demonstration marches will be implemented effectively.

Public awareness will be raised on the rights of individuals during arrest, detention, and custody and the procedures for complaint if these rights are denied.

Human rights training for law enforcement officials will be intensified and expanded.
The ongoing human rights training of public officials, especially members of the judiciary and law enforcement officials, will be expanded, and training programs designed to raise awareness on ECHR and ECtHR case law, as well as EC law, will be developed further.

2.4. Contribution to the National Development Plan

Not applicable.

2.5. Cross Border Impact

Not applicable.

3. DESCRIPTION

3.1. Background and justification:

Turkey’s accession process and human rights

Turkey has recently embarked on a substantial and comprehensive programme of legislative reforms designed to ensure that it meets the Copenhagen criteria for admission to the European Union, namely stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities. At the Copenhagen European Council in December 2002 the Union encouraged Turkey to pursue energetically its reform process and invited the Commission to strengthen the accession strategy for Turkey. At the Thessalonica European Council in June 2003 a revised Accession Partnership was adopted setting out the priorities that Turkey should pursue.

Seven packages of reforms have been adopted by Turkey in 2002 and 2003 with a view to the development of a free and democratic society, including freedom of expression and the media, freedom of association, the prevention of torture and ill-treatment and the civilianisation of society. However, there are some continuing concerns over the actual implementation of these reforms. Some observers are concerned that there may be a measure of resistance to the spirit of the reforms in some circles. Particular concerns have been expressed by the United Nations Committee Against Torture in its report of May 2003 and by the Council of Europe Committee for the Prevention of Torture in its report of June 2003 that the commitment to ‘zero tolerance’ to any forms of torture or ill-treatment may not be fully effective either in respect of the punishment of past violations or the prevention of future abuses. There are similar though less specific concerns over the actual implementation the reforms in respect of free expression and association. Finally there is a need to ensure that the members of the public in Turkey are fully aware of their new rights and that any difficulties in asserting them are removed.

In order to address these concerns the European Commission requirements to develop and finance a comprehensive programme of support with a view to facilitating the implementation of the reforms by eliminating the lack of information on progress and by stimulating dialogue among the relevant governmental institutions and with civil society. This will have three major components: first the
provision of training for those working in government; secondly the development of effective and objective monitoring of progress in implementing the reforms; and thirdly awareness raising on their new rights for members of civil society.

**Civil society and human rights**

There is a degree of scepticism in some sectors of Turkish society on the extent to which the Government is genuinely committed to the implementation of the reform packages and the delivery of human rights on the ground. There are continuing allegations of ill-treatment of suspects during interrogation and concerns over the extent to which the promised freedoms of expression and association will be honoured by local and regional officials. Favourable reports have been received on the programme of seminars and round tables for members of civil society held in various cities from April 2003 to March 2004. But there will be a continuing need to inform members of the public and NGOs of the extent of the Government’s commitments and to provide mechanisms through which the practical implementation of the reforms and the confidence of the public in the process can be assessed.

**The Human Rights Presidency (HRP)**

The Human Rights Presidency (HRP) was established in 2001 within the Office of the Prime Ministry. Its principal functions are to act as a co-ordinating body for state agencies in dealing with human rights, to monitor the implementation of all legislation concerning human rights and make recommendations for improvement, to co-ordinate training for state agencies in this field and to investigate and report on claims of human rights violations. Its office is located in Ankara and it reports directly to the Deputy Prime Minister responsible for human rights. The HRP has already established a reputation in civil society through the series of seminars and round tables throughout Turkey organised during 2003 and 2004 in cooperation with the Council of Europe and the European Commission. But there are some concerns over the potential effectiveness of its Provincial and Sub-provincial Human Rights Boards (HRBs). Though the office in Ankara is open to complaints from all parts of Turkey, the success of its role in receiving and investigating claims of human rights violations is clearly dependent on the independence and effective operation of the network of 930 Provincial and Sub-Provincial HRBs through which complaints can be channelled to the office in Ankara. Following an amendment to the legislation in November 2003, the composition of these Boards has been made more representative of all sectors of civil society, including universities, lawyers, doctors, trade unions, the media, muktsars and NGOs. But their location in and dependence on administrative services in the offices of sub-provincial governors has raised concerns over the extent to which they will be perceived by potential complainants to be independent.

**Human Rights Boards (HRBs)**

Human Rights Boards (HRBs) play a key role implementing awareness raising measures, information campaigns, receipt of complaints, etc., and in ensuring that the offices through which individuals must lodge their complaints are perceived as independent and that there is effective and secure communication with the Ankara office. There is also a need for support in providing information to the general public in Turkey on their rights under the reform packages and how they may be enforced. This will involve producing a wide range of publications and strengthening the
information technology at the head office so that individuals and NGOs may have direct access to relevant materials through a user-friendly web-page. This will involve the provision of training for staff of the desks at regional level in receiving and recording complaints and in giving appropriate advice and assistance to individuals and NGOs on the work of the HRBs and Presidency.

**The Ministry of the Interior (MoI)**

In the Turkish administrative system, sub-governors are career officials of the Ministry of the Interior. Both governors and sub-governors are responsible for ensuring that all governmental agencies operate within the boundaries of the law and in particular that the Police and Gendarmerie within their provinces or sub-provinces comply with their obligations under human rights law and practice. The jurisdiction of the Police and the Gendarmerie is divided on a strict territorial basis, under which the Police are responsible for all aspects of law enforcement in towns and cities and the Gendarmerie in all other areas. Both the Police and the Gendarmerie, and other security services, are directly answerable to governors and sub-governors in their area and in the case of complaint the governor or sub-governor must examine the case. Individuals who wish to complain of an administrative failure or a violation of their rights are expected to raise the matter in the first instance at sub-governors offices. As will be seen below, the work of provincial and sub-provincial human rights boards are currently located in those offices and sub-governors act as chairs of meetings of the human rights boards. Governors and sub-governors are thus expected to play a crucial role in the practical delivery both of human rights and of the more general reform programme. Effective awareness measures in the objectives and implementation of the reform programme as a whole for all governors and sub-governors is therefore an essential element in the actual implementation of the reform programme on the ground. The Ministry of the Interior has already initiated a human rights training programme in some parts of the country in association with the HRP and similar programmes have been initiated by the Police and the Gendarmerie. But it is accepted that a more comprehensive programme of training in human rights and the implementation of the reform packages is needed to ensure that the requirements for accession to the European Union are met in all parts of the country.

**The Ministry of Justice(MoJ)**

In recent years Ministry of Justice has been holding several training programmes directed towards judges and public prosecutors on human rights. The main aim of all the training work is to establish a comprehensive approach to guarantee human rights within the competence of the judiciary. Besides, in last three years Turkey has achieved enormous reforms in the legislative field. With these reforms, various laws have been amended in order to bring Turkey’s legislative system in line with the international human rights applications. Surely, making these amendments is not enough to ensure fully respect to human rights but also right and full implementation is necessary. For this reason Ministry of Justice has organised 6 regional seminars on the practice of legislative reforms, for some 900 judges and public prosecutors in order to archive uniform implementation of the reforms.

Human rights is the vital and continuously developing issue and judiciary is one of the prominent institutions to guarantee enjoyment of human rights. Therefore MoJ is intending to carry out its important duties to ensure the full implementation of the recent and future reforms in the field of human rights.
Other bodies

The involvement of organisations playing a crucial role in the interaction between the State and the civil society on issues concerning citizen’s rights is also foreseen in the programme. Relevant staff from Radio and Television Supreme Board, Directorate of Press, Directorate for Foundations will be invited to participate in seminars, training and awareness raising initiatives. Modalities will be determined on a later stage.

3.2. Sector rationale:

Not applicable.

3.3. Results:

Below the key results under the three components are summarised.

Component 1: Standards for good conduct

The key results under this component are:

- Standards for good conduct, and associated by-laws/regulations relating to their implementation by police and gendarmerie developed and approved by MoI/MoJ/Prime Ministry or Turkish Parliament (by month 12)
- Standards for good conduct for police and gendarmerie verifiably implemented.

Component 2: Strengthened cooperation between key stakeholders

The strengthening of the cooperation between HRP, HRBs, MoI and MoJ as well as their respective capacities require the achievement of the following key results:

- HRP capacity developed/upgraded in carrying out its functions
- HRBs capacity developed/upgraded in carrying out their respective functions
- Ministry of Interior adequately equipped to support the implementation of human rights
- Ministry of Justice adequately equipped to support the implementation of human rights
- Strengthened coordination between HRP, HRBs, MoI and MoJ

Component 3: Civil Society and Human Rights Reform Programme

Involving the civil society effectively in the implementation of the human rights reform programme implies:

- Public awareness campaign for the general public on the content of the human rights reform programme and the implications for their daily lives
- Establishing and effectively operating human rights telephone hotline-199
- Establishing and updating of a web page and database of relevant human rights documents with different levels of authorization

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- Code of conduct relating to implementation of human rights developed for various professional groups
- Dialogue strengthened between HRP/HRBs and relevant NGOs on the implementation of the human rights reform programme.

3.4 Activities:

Below the main activities and related achievements under the programme are summarised. All 1st stage activities and related achievements are to be accomplished under the AP 2004. In addition, the main 2nd stage activities and related achievements – anticipated to be supported under future APs - are also outlined in as far as they can be foreseen at this point of time.

Component 1: Standards for Good Conduct

3.4.1.1 Development of implementation of standards for good conduct

Law enforcement in line with the ECHR requires the development of standards for good conduct relating to human rights and fundamental freedoms of all individuals without discrimination and irrespective of language, race, colour, sex, political opinion, religion or belief. A Human Rights Advisory Committee (HRAC) will be established that will be charged with the drafting and monitoring of the implementation of standards for good conduct. The HRAC is anticipated to be established by month 1. The HRAC will be composed of senior officials of the HRP, representatives of MoI (HQ, Police, Gendarmerie), judges and prosecutors, bar associations and NGO representatives (not more than 10 members).

After the establishment of the HRAC, its members will be fully familiarised with EU legislation and practice based on the ECHR. This involves the organisation of short courses on human rights in Strasbourg or other appropriate European human rights centres for HRAC members. HRAC will be fully trained in this regard by month 3. The organisation of the short courses will require TA.

After the training, the HRAC will develop the standards for good conduct, and related by-laws/regulations for effective implementation by law enforcement bodies (by month 9). EU experts will be consulted as appropriate. It is expected that the standards, for good conduct, and related by-laws/regulations for effective implementation by police and gendarmerie will be approved by MoI/MoJ/Prime Ministry (and as appropriate by the Turkish Parliament) by months 12.

3.4.1.2 Implementation of the approved standards

Implementation by Police and Gendarmerie

C. 500 high ranking officers of the Police and Gendarmerie will be trained to apply approved standards and implement the related organisational arrangements.

This will include round-table meetings with counterparts of EU Member States and specialised short courses in Turkey and/or appropriate MS. These short courses and round tables will equip leading policy makers related to Police and Gendarmerie with experience of best practice in other
European States in respect of the protection of freedom of expression, notably in minority languages, and association, interrogation and statement taking, the control of public disorder and action against terrorism within accepted human rights standards. This part of the training programme is anticipated to be accomplished by Month 15.

Implementation of approved standards implies that all police and gendarmerie staff are to be trained. This training will be conducted by trained trainers. It is anticipated that 200 trainers will be trained in the 1st stage; the remaining c. 300 trainers will be trained in the 2nd stage. As a result c. 100,000 police and gendarmerie trained will be trained during the 1st stage and 300,000 in the 2nd.

All above training activities will be implemented by means of a TA contract.

Implementation by Judges and prosecutors

Judges and prosecutors are required to be adequately equipped to guarantee the enjoyment of human rights. To that end, judges and prosecutors will increase their knowledge relating to

1. the standards of conduct etc.;
2. the legislative and administrative details of the reform package (including the enforcement measures related to the standard of conduct); and
3. the principles of European Human Rights law and practice.

25% of (nearly) will be trained during the 1st stage; remaining judges and prosecutors will be trained in the 2nd stage. For some 150 selected judges and prosecutors short courses on human rights in Strasbourg or other appropriate European human rights centres: c.150 in stage 1, and c. 150 in stage 2.

To adequately equip judges and prosecutors to impose adequate punishment relating to abuse of human rights, selected international materials on human rights (e.g. the international human rights book on ECHR) need to be translated in the first stage, and published and disseminated to some 9,000 judges and prosecutors in the second.

All training of judges and prosecutors as well as the production of translated materials will be implemented through a TA contract.

3.4.1.3 Implementation of human rights related standards of conduct externally monitored by the HRAC

In order to monitor the implementation of human rights, special Field Inspections Teams (FITs) will be set up with the support of EU experts. After developing the mandate and related procedures, 2 pilot FITs will established in the 1st stage. FITs may be composed of members of HRBs, who represent various regional and local interests (including civil society). Expert support will include advice on mandate, training, procedures, job-descriptions and composition - as appropriate.

After the 2nd stage, c. 7 FITs are anticipated to be operational in terms of conducting field inspections. This will result in 24 pilot inspections in first stage, and an additional c. 200 inspections in the 2nd stage.

Inter alia on the basis of the FIT report, the HRAC will regularly (e.g. quarterly) issue monitoring reports (including findings and recommendations) on the implementation of standards by law
enforcement officials to the HRP. The 1st MR is expected by month 21; a second by month 24. As appropriate, the HRAC will ensure the practical implementation of recommendations approved by the MoJ/MoJ or Turkish Parliament.

TA will be required to support the 1st stage of implementation.

Component 2: Strengthened cooperation between key stakeholders

In order to strengthen the capacity of all the agencies involved i.e. HRP, HRBs(Provincial and sub-provincial HRBs), MoJ and MoI in the programme in implementing sound human rights policies and practices, the following main activities will be carried out.

3.4.2.1 Strengthening of HRP

This involves support for the HRP to develop its own capacity in carrying out its functions. The related main activities are:

- Advice on best practices and best organizational structure of the HRP to carry out its duties in an efficient and effective way
- Organizational structure of the HRP strengthened

Analysis of the organizational structure.

The interventions will ensure that an efficient and rational model is developed. An evaluation of the current structure, of the interaction with the existing institutional framework and with the work of the local HRBs should produce recommendations and identify needs and potential inadequacies. Links and cooperation with similar European institutions could also be reinforced.

The current mandate of the HRP in the context of its current and future responsibilities/tasks will be reviewed and mandate upgraded - if opportune also in the second stage.

On the basis of the assessment, specific areas should be strengthened in order to boost capacity in fundamental and underdeveloped elements of the organization. Areas of interventions will be:

- identification of the best organizational structure
- establishment of specific units (training, public relations)
- training needs assessment
- preparation of ad-hoc courses both for the HQ staff

External advice on organizational structure of the HRP may support the HRP in carrying out its duties in an efficient and effective way. In the first stage, advice will be provided through a TA contract.

Job-descriptions of all HRP staff will be drafted. In the second stage the job-descriptions will be upgraded as appropriate.

Training of HRP Staff
Under this component HRP staff will be trained to technically carry out their functions. This inter alia implies

- Analysis of Training needs, both for the staff at HQ and for the local HRBs to be carried out.
- A training strategy for the staff of HRP will be developed and approved. If required, the strategy will be upgraded in the second stage of the project.
- The training strategy of the first stage will be implemented.

Under this heading, a general training will be implemented for headquarters staff in ECHR and international human rights standards, and human rights reform packages and related standards. This will include expert exchange programmes for the selected HRP staff with other national human rights institutions in Europe and a first round of exchanges will take place in the first stage. The second round of the exchange programs will be left to the second stage.

This component will also involve the implementation of the 1st stage of any other training to be identified in the first stage.

**Coordination and Monitoring**

Human rights reforms implementation programmes will be effectively coordinated and monitored by HRP and HRAC in order to verify their implementation and to increase the level of confidence in civil society and within the European Union that the objectives of reform programme are actually met.

Key activities involve:

- Support to the increase of efficiency and effectiveness of the local HRBs will be monitored by HRP on the basis of the monthly reports sent by HRBs (24 monthly reports will be sent by each HRB to the HRP). The assessment of the monthly reports will continue at the second stage (48 monthly reports in the second stage).
- Monitoring procedures of progress in improvement of police and gendarmerie attitude will be developed and implemented by HRAC and HRP by preparing 8 quarterly MRs at the first stage (and an additional 8 quarterly MRs at the second stage).
- Further monitoring of the actual enjoyment of human rights in Turkey, will be implemented through 4 half yearly public opinion surveys and by reports on the utilisation of Hotline by HRP.

In all cases, TA will be required to support the HRP in carrying out the above tasks.

In order to carry out effectively the tasks required by the project in its role of coordinating authority, it is very crucial that basic IT equipment be “timely delivered” to the Human Rights Presidency. The existence of proper equipment put in place at the HRP Headquarters is in fact necessary for the delivery of appropriate early training to the staff on both general and specific matters. Early provision of equipment is also needed to carry out the duties and tasks which are already required to HRP as stated in the law establishing the body, namely collection and elaboration of data, preparation of reports etc. This IT infrastructure will be procured through a separate contract.

**3.4.2.2 Strengthening of HRBs**
In order to strengthen HRBs’ capacity in carrying out their respective functions, the following key activities will be implemented.

Organizational Structure

The objective of this part of the project is to provide support for the HRP in developing the capacity of Provisional and Sub-Provincial HRBs in carrying out their functions.

The above involves

- reviewing the current mandate of the HRBs (including the associated reporting lines with HRP) in the context of their current and future responsibilities/tasks by HRP.
- Job-descriptions of all HRBs key positions will be drafted and approved by HRP
- Advice on improvement of the organizational structure of the HRBs to carry out their duties in an efficient and effective way will be provided by HRP

Training of HRBs

Key persons of HRBs will be trained to technically carry out their functions under this component. To that end the following activities will be implemented:

- Training needs analysis. Training needs will be analysed for the local HRBs through expert advice to the HRP and HRAC. During the training needs analysis previous trainings provided to this target group will be reviewed. Needs analysis will be upgraded in the second stage –as appropriate.
- Development of a training strategy. A training strategy for the staff and members of HRBs will be developed and approved by HRP and HRAC. The training strategy will be upgraded for the second stage –as appropriate.

It is anticipated that 25% of the staff and members of HRBs will be trained in (1) ECHR and international human rights standards, and (2) human rights reform packages and related standards by HRP and HRAC as part of the first stage. At the second stage 100% of the staff and members of HRBs will be trained by HRP and HRAC. If required, other training will be identified and implemented in the 1st and 2nd stage.

In all cases, TA will be required to support the HRP in carrying out the above activities. In relation to this, the TA will inter alia identify equipment and office needs. After the development and approval of a related IT strategy (to be implemented both in the 1st and 2nd stage), the TA will develop the technical specifications for the corresponding procurement under a separate supply contract.

3.4.2.3 Ministry of Interior (MoI)

The main activities will be directed at organisational strengthening and at awareness initiatives for representatives of provincial and municipal authorities throughout Turkey.

Organizational Structure

The activities related to organisational strengthening involve:
• Current mandates of human rights related units of the MoI will be reviewed in the context of current and future responsibilities/tasks in the context of implementation by month 3;
• External advice of EU Experts will be taken on organizational structure of human rights related units of the MoI to carry out its duties in an efficient and effective way by month 6;
• Human rights related units of the MoI, Police and Gendarmerie will be reorganised and job-descriptions of MoI staff will be drafted by month 15.

Training related activities

Training related activities - to be implemented through TA - are

• Training needs of MoI staff (Sub-provincial governors, municipal authorities) will be analysed by month 15;
• Training strategy for relevant staff of MoI will be developed and approved by month 17;
• Training strategy will be implemented and 400 sub-provincial governors and municipal authorities will be trained in accordance with ECHR and international human rights standards, human rights reform packages. This training will be held in 10 regional centres and will be ended by month 24;
• Expert exchange with Human Rights Institutions in Europe for selected MoI staff (through twinning or otherwise) will be carried out in the 2nd stage of the programme.

By the end of the 1st stage is anticipated that c. 400 staff will have been trained. For stage 2 the training of 500 staff is anticipated.

3.4.2.4 Ministry of Justice

For the MoJ the strengthening includes two main elements: strengthening of the organisational structure and the training of the related staff to technically carry out their functions.

Organisational strengthening

The organizational structure of 5 related MOJ units (i.e. the directorates for International Law, EU Affairs, Prisons, Training Department, and Justice Academy) will be strengthened through TA.

The organisational strengthening has three elements:

- Review of the current mandate of the relevant MOJ units in the context of human rights implementation by months 10
- External advice on organizational structure of the relevant MOJ units to carry out its duties in an efficient and effective way – as appropriate
- The drafting of job-descriptions of all related MOJ staff (by month 13)

Training related activities

The training of the related staff to technically carry out their functions – and to be implemented through TA - involves the following activities:

- Training needs analysis for the relevant staff of MOJ (by month 15)
- Training strategy for the relevant staff of MOJ developed and approved (by month 18)
- Training strategy implemented by month 24.
It is that by the end of the 1st stage c. 25 staff will have been generally trained; by the end of the 2nd stage its is expected that selected staff will have participated in expert exchange programmes with human rights institutions in Europe.

3.4.2.5  Coordination between HRP/HRBs, MoI and MoJ

It is envisaged that regular meetings - both at working levels and at the policy level – will be organised on a quarterly basis. Such meeting will inter alia ensure that key activities (such as training) will be properly coordinated.

This will involve establishing direct communication lines. To support this, direct communication lines will need to be established both at working levels and the policy level. This will imply:
- Set-up of adequate and timely information exchange. To this end about 3 round tables need to be held by months 3;
- Strengthening of MoI and MoJ contact units by month 15.

The above strengthening requires the review of reporting lines and procedures between the HRP and HRBs and strengthen the related responsibilities/tasks both in the context of their current and future ones. In this context, it is anticipated that
- Round tables with the concerned institutions (minimum 3 by month 3) and regional visits (minimum 5 by month 5) will conducted to help identify the equipment and technology needs;
- Develop infrastructure technology strategy. The strategy will indicatively be approved by month 4 by the HRP
- Infrastructure technology strategy implemented. Implemented is expected to be completed by month 10 and will supplies.

Selected procurement as well as related IT training activities will be co-funded from EC resources.

Component 3:  Civil Society and Human Rights Reform Programme

The ensure active involvement of the civil society (including the general public, bar, other professional associations and NGOs) in the implementation of the human rights reform programmes, and to build confidence in civil society that the objectives of the reform programme are being effectively implemented throughout the country, the following activities will be implemented.

3.4.3.1  Public Awareness Campaign

A public awareness campaign for the general public will be launched on the content of the human rights reform programme and the practical implications for their daily lives. The following steps will be followed for this and will require related TA:
- Information needs will be identified by HRP. Analysis will be verified and upgraded at the next stage – as appropriate.
- Information needs for different target groups will be identified and assessed.
- An awareness campaign strategy covering (1) TV and radio promotional materials and advertisements, (2) press campaign (information and articles), (3) development, preparation and dissemination of relevant info packages (leaflets, pamphlets, posters, etc.), (4) organization of human rights competitions in high schools and universities, etc. will be conceived by HRP. The strategy may require revision at the second stage.
- After its approval by HRP, the 1st stage of the awareness campaign strategy will be implemented under the auspices of the HRP. The 2nd stage will also be implemented by HRP – as appropriate.

3.4.3.2 Establishing a Human Rights Telephone Hotline - 199

A human rights telephone hotline-199 will be established and maintained so that members of civil society may have a direct and immediate means of communication with the headquarters of the HRP regarding urgent complaints or concerns respecting the privacy.

Selected procurement as well as related IT training activities will be co-funded from EC resources.

The resources (dedicated staff, IT and equipment) to carry out the tasks related to establishment of the hotline and to gain pilot experience will procured during the 1st stage. After assessment at the end of the 1st stage, the HRP will develop jointly with a strategy to phase in its own resources during the 2nd stage.

According to procedures to be developed, the intermediary functioning will be carried out. To reach this end, the following activities will be done:

- A seminar with main stakeholders or their representatives will be held. The experience in TR and elsewhere will be taken into consideration (by month 3)
- A strategy with the cooperation of key institutions involved will be developed and is anticipated to be approved after month 6
- The 1st stage of the strategy will be implemented. The 1st stage will be a pilot stage and will start operating by month 6 (in the 2nd stage nation-wide coverage is foreseen)

All equipment and services for the 1st stage will be procured.

3.4.3.3 Establishment of a Web Page and Database

A web page and a databank of relevant human rights documents with different levels of authorisation will be established and updated so that Provincial and Sub-Provincial HRBs and their staff and members of civil society can have direct access to relevant human rights documents.

The following activities will be carried out;

- Workshop with key stakeholders or their representatives will be held benefiting from expert experience in TR and elsewhere (by month 3)
- A strategy will be developed and approved by HRP by month 6
- The 1st stage of the strategy will be implemented. The 1st stage will be a pilot stage and will start operating by month 6 (in the 2nd stage full web-page services are foreseen)
All related equipment and services for the 1st stage will be procured.

3.4.3.4 **Development of a code of conduct**

A code of conduct will be developed relating to implementation of human rights by the HRP in close cooperation with the related professional associations. The below mentioned steps will be implemented by the HRP supported by TA;

- Key professional associations in the human rights area (bar, doctors, etc.) will be identified by HRP.
- A round table with the relevant stakeholders will be held.
- Relevant codes of conduct (venue to be decided) will be drafted.
- Related professional associations will approve proposed codes of conduct.
- Codes of conduct related to human rights disseminated to the related professional associations by HRP in close cooperation with the professional associations
- The actual implementation of the codes will be monitored by the respective professional associations and will be reported upon to the HRP through quarterly monitoring reports. The 1st MR is anticipated to be submitted by month 18. At the end of second stage – as appropriate – 10 quarterly reports are foreseen to be received.

3.4.3.5 **Strengthening dialogue between HRP/HRBs and relevant NGOs**

Awareness and understanding of the nature of the reform programme will be promoted by the continuation of the series of seminars and round tables initiated by the Joint Council of Europe/European Commission Initiative. These will be organised by the HRP in a similar way to the current programme, but with increasing emphasis on the practical mechanisms through which obstacles to the enjoyment of the rights can be surmounted.

This will involve a greater emphasis on the measures being adopted by government agencies and the work of the HRP and Provincial and Sub-provincial HRBs rather than the formal provisions of the European Convention. The seminars and round tables will therefore involve a dialogue between members of civil society and those who are committed to implementing the reform programme and protecting their rights.

The impact of this activity will be monitored and reported on by the HRP as the project develops. This will be based partly on structured feedback from those attending the seminars and roundtables. Recommendations of round tables taken into consideration in the operations of the HRP, HRAC and professional organisations

Seminars and round tables organised both in the 1st and 2nd stage of the programme with TA support.

3.5 **Linked activities:**

A number of initiatives have already been undertaken under the leadership of the HRP with a view to promoting these objectives.
• The Turkish Government has established a task force, composed of representatives of the Ministry of Justice, the Ministry of the Interior, the Ministry of Foreign Affairs and the HRP, to monitor and supervise the implementation of the reform package.

• The HRP has established a network of Provincial and sub-Provincial HRBs with the task of promoting awareness of human rights in civil society and among public officials, investigating allegations of violations and examining obstacles to their enjoyment; a revised regulation governing the composition and operation of these boards was adopted in November 2003.

• In April 2003 the Gendarmerie established a Centre for Investigating and Evaluating Human Rights Violations.

• The European Commission and the Council of Europe have undertaken a Joint Initiative to Promote Awareness about Human Rights and Democratic Principles involving a series of seminars and round tables throughout Turkey from April 2003 to May 2004 for judges and prosecutors, governmental officials, members of HRBs, NGOs and members of civil society.

3.6 Lessons learned:

The design of this project has taken into consideration the recommendations contained in the European Commission Regular Reports on Turkey. The NPAA and AP priorities for Turkey were also considered. The experience of the European Commission/Council of Europe Joint Initiative on Human Rights and Democratisation, started in 2002 and due to come to an end in December 2004, have also been utilised in the preparation of the programme. In particular, the high political significance of the issues dealt with in the programme evidences the need for a continuous and productive dialogue among all the institutions involved, including the European Commission. Good coordination among ongoing activities in the same field is also necessary, to avoid overlapping or uncovered areas. The project in its implementation will therefore take into careful consideration the outcomes and results of similar projects and activities ongoing in the field. A thorough coordination will be put in place with all the stakeholders and other international agencies and donors.

4. INSTITUTIONAL FRAMEWORK

The HRP will act as the SPO in the overall implementation of the project. In doing so the HRP will ensure close co-ordination with the Ministry of Interior and the Ministry of Justice who will assume responsibility for the implementation of the activities as described under 3.4.2.3 and 3.4.2.4 respectively, as well as the elements under component 1 directly related to their respective realms.

It is important that all the participating agencies in Turkey and their European Union partners and relevant representatives of civil society should have an appropriate measure of consultation on the implementation of the programme. The primary mechanism for this is the establishment of a Steering Committee, with representation from all the major Turkish stakeholders, from the Consultant and from the European Commission and the EUSG. The body will take support in developing long-term strategies, deliver policy recommendations, supervise the proper implementation of the programme. It will address the major problems that the programme might face. The Steering Committee shall be called to meet at the beginning of the programme and every
three months or when a serious problem arises. The responsibilities of the Steering Committee are the following:

- To make an assessment of emerging needs for a sound programme implementation.
- To examine the overall work programme and the annual work plans.
- To recommend strategies in the light of national human rights priorities and Accession Partnership
- To make recommendations on the translation of newly developed strategies into policy.
- To conduct reviews of programme reports and other documentation.
- To conduct a final review of the implementation.
- To recommend strategies for future sustainability and follow up activities.

It could be suitable to establish a number of Sub-Committees or Project Implementation Units, to deal with the implementation of the various components of the programme.

Some flexibility will be needed in allocating resources and providing for amendments to the initial budget as the programme develops. These decisions should in principle be made by consensus within the Steering Committee.

5. DETAILED BUDGET

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<th>National Co-financing*</th>
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(*) For the urgent IT infrastructure need as justified under 3.4.2.1

6. IMPLEMENTATION ARRANGEMENTS

6.1 Implementing Authority and Implementing Agency

The Central Financing and Contracting Unit (CFCU) will be the Implementing Agency responsible for all the procedural aspects of the tendering process, contracting matters and financial management (including payments) of the project activities.

Beneficiary:
6.2 Contracts

The technical assistance components of the programme will be implemented in the form of a single Technical Assistance contract. It is anticipated that under this TA contract sub-contracts need to be concluded for the implementation of specific activities (e.g. the implementation of an awareness campaign, round table organisation, etc.). There will be two separate supply contracts, the earlier one (supply contract-I as scheduled in annex-II) being for urgent IT infrastructure needs of HRP. For supply contract-II, the TA will develop the technical specifications.

6.3 Non-standard aspects

Not applicable.

7. Implementation Schedule

The implementation schedule for this project is outlined in Annex 2. Time indications for the implementation of activities identified in section 3.4 are indicative.
8. **Equal Opportunity**

The beneficiary and the stakeholders are equal opportunity employers. Appropriate professional qualifications and experience will be the main factors of personnel recruitment and evaluation. Both women and men have identical prospects. Nevertheless, 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.

9. **Environment**

Not applicable.

10. **Investment criteria** (applicable to all investments)

Not applicable.

11. **Conditionality and sequencing**

The success of the programme will largely depend upon the continued commitment of the Turkish Government to implement the reform programme envisaged in the changes to the legislation, and the close cooperation between the key stakeholders and the technical assistance.

This project is the 1st stage of a multi-annual programme which is envisaged to benefit from continued EC financial cooperation to support the Turkish authorities in achieving the overall programme objective as stated under 2.1, i.e. full compliance of human rights actually enjoyed by Turkish citizens and the civil society as a whole with principles, standards and practices in accordance with the ECHR.

**Annexes**

1. Logframe Matrix
2. Implementation chart
3. Contracting and disbursement schedule by quarter for full duration of programme