Standard Summary Project Fiche

Project number: TR 06 01 03

Twinning number: TR 06 IB JH 03

1. Basic Information

1.1. CRIS Number (Year 1):

1.2. Title: Training of Gendarmerie Officers on European Human Rights Standards

1.3. Sector: Political Criteria

1.4. Location: Ministry of the Interior, Gendarmerie General Command

1.5. Duration: 18 months

2. Objectives

2.1. Overall Objective

To consolidate a functioning democratic system, including respect for the rule of law and human rights and other Copenhagen Criteria.

2.2. Project Purpose

- To increase the knowledge and skills in European human rights and ethical standards among Turkish Gendarmerie through training, and other capacity-building activities, facilitating effective implementation of these standards at the national level.

- To improve and place statement-taking activity in the process of judicial investigations in the context of a shift towards evidence-based prosecutions

2.3. Accession Partnership and NPAA priority

A short-term priority in the AP is to strengthen legal provisions and undertake all necessary measures to reinforce fight against torture practices, and ensure compliance with the European Convention for the Prevention of Torture.

Another short-term priority that is relevant for the project is to extend the training of law enforcement agencies on human rights issues and investigation techniques, in particular in order to strengthen the fight against torture and ill-treatment.

Promote human rights with the active support of an independent, adequately resourced National Human Rights Institution in accordance with the relevant UN principles.

The NPAA identifies the following priorities regarding prevention of torture:
Human rights training programs for civil servants, particularly law enforcement officers, have been intensified and broadened. Comprehensive training programs, especially on ECHR provisions and ECtHR case law, continue in collaboration with the Council of Europe and the European Union.

The Government is determined to prevent torture and maltreatment and to allow zero tolerance in this regard. The legislative and administrative measures for the swift execution of justice will be implemented fully. All envisaged legislative and administrative measures, including legal and penal reforms, will be taken with sensitivity to the prevention of torture and maltreatment. During the implementation of the measures special account will be taken of Article 3 of the ECHR and the recommendations of the CPT. Added emphasis will be given to mechanisms for monitoring, supervision, and reporting.

In this connection,

- Modern investigation techniques and medical monitoring systems to prevent maltreatment and human rights violations will be implemented effectively.

- Human rights training for law enforcement officials will be intensified and expanded.

2.4. Contribution to National Development Plan (and/or Structural Funds Development Plan/SDP)

N/A

2.5. Cross Border Impact

N/A

3. Description

3.1 Background and justification

As an expression of the importance of and respect shown to human rights, it is emphasized in the Article 2 of the Constitution of the Republic of Turkey that the Republic of Turkey is “a democratic, secular and social state governed by rule of law, respecting human rights”.

In this scope, in order to ensure protection and development of human rights on an international level, Turkey became party to many international conventions concerning human rights and fundamental freedoms. Turkey ratified the European Convention on Human Rights in 1954, the granted the right to individual application to the European Court of Human Rights (ECtHR) in 1987 and the compulsory jurisdiction of the ECHR in 1990.

The legal status of the above mentioned conventions under domestic law is stipulated under Article 90 of the Turkish Constitution (International agreements duly put into effect bear the force of law. No appeal to the Constitutional Court shall be made with regard to these agreements, on the grounds that they are unconstitutional. In case of contradiction between international agreements regarding basic rights and freedoms approved through proper procedure and domestic laws, due to different provisions on the same issue, the provisions of international agreements shall be considered.)
In recent years, significant improvements have been achieved in Turkey in the field of human rights which has also been acknowledged in reports published by international agencies and institutions.

The Turkish Government, in the course of progress towards accession to the European Union, and in response to the obligation of the acquis of the EU and its Member States, is following the National Programme for the Adoption of the Acquis. However the objectives of the process of law approximation is not only to implement the relevant amendments to existing legislation but as importantly, to strengthen those institutions responsible for the enforcement or implementation of existing law, new procedures and processes.

In October 2001 the Turkish Grand National Assembly passed an extensive constitutional reform package that aims to improve human rights. The reforms, which must be implemented through adoption of new legislation, apply to different areas but most importantly in the field of human rights and fundamental freedoms. Furthermore, the Turkish Parliament approved seven “harmonisation packages” in February, April and August 2002, January, February, July and August 2003 and May 2004 which included a number of articles designed to bring penal procedures and other laws in line with the new principles of the Constitution, as well as to fulfil some of the political criteria indicated in the AP and NPAA.

As a result of these changes, the rights enjoyed by persons detained by law enforcement authorities has improved considerably. Rules concerning conditions in prisons and detention houses have been brought in line with the norms of the European Convention of Human Rights (ECHR), and the recommendations of the European Committee for the Prevention of Torture (CPT).

The Report of the European Committee for the Prevention of Torture (CPT) of April 2002 notes that the Constitutional and legislative changes referred to above constitute in principle a significant reinforcement of the legal framework to combat torture and ill-treatment and states that it is just as important to avoid their effect being undermined by other developments.

In fact, in the framework of the fight against torture and ill-treatment, the Turkish Government has also designed other initiatives to address the problem, such as intensive training on human rights for law enforcement officials and various decrees issued by the Ministry of Interior and the Ministry of Justice.

The CPT reports recommends official standards be established with a view to ensuring that interrogation facilities throughout Turkey are of an appropriate design and properly equipped. Statement-taking rooms must conform standards, the CPT reports that these standards should address among others all issues of lighting, colour schemes, seating arrangements, ventilation and heating as well as the size of the rooms concerned.

The CPT also recommends that the electronic recording of all interrogations is highly desirable and states that this does not only represent an important safeguard for persons detained but also offers considerable advantages for law enforcement officials: “In particular, it can provide a complete and authentic record of the interrogation process, thereby reducing the opportunity for defendants to later falsely deny that they have made certain admissions whilst at the same time greatly facilitating the investigation of any allegations of ill-treatment.”

The CPT also reports that the questioning of criminal suspects is a specialist task, which calls
for specific training and states that most importantly the precise aim of such questioning must be made clear to those taking statements: “that aim should be to obtain accurate and reliable information in order to discover the truth about matters under investigation, not to obtain a confession from someone already presumed to be guilty”.

Currently, courses on human rights take part in the curriculum of Gendarmerie Schools Command. However, this training is of limited scope. Thus, the Turkish Gendarmerie aims to develop the knowledge and skills by means of training of law enforcement personnel and other capacity establishing activities on European human rights standards and effective implementation of these standards at national level.

Finally, as the CPT has stressed on many occasions, the best possible safeguard against ill-treatment is for all officials involved in the law enforcement process themselves to unambiguously reject resort to such methods. Only if the progress already made in combating torture and other forms of ill-treatment reflects a real change in mentality (and not just a reluctant compliance with orders from above) will there be a solid basis for further improvement.

The CPT is aware of the intensive efforts in the field of professional training made within the Turkish police service, and has observed on the spot the positive results. The general calibre of police officers in Turkey has risen considerably since the time when the Committee began its activities in the country, in 1990. It is important that a similar development is guaranteed within the Gendarmerie. In their response to the preliminary observations made by the CPT’s delegation at the end of the December 2005 visit, the Turkish authorities emphasised the measures put into practise in recent years by the General Command of the Gendarmerie with a view to strengthening respect for human rights and rule of law; the CPT would like to receive a detailed and up to date account of those measures.

In her statement on 13th of September 2004 Silvia Casale, Chairman of the European Committee for the Prevention of Torture (CPT), underlined with respect to Turkey that:

- Among EC member states, it is hard to find a state that puts into force more enhanced precautions against torture and mistreatment than are adopted in Turkey
- It is correct that the EU Commission has stated the necessity of Turkey to carry on its efforts, however the available information at the CPT shows that Turkey is on the right way without any doubts.

In line with the recommendations of the CPT, one of the important areas that have to be addressed is human rights training. The principal problem about the human rights violations in Turkey is not the lack of the legislation but the attitude and behaviour of the executors, especially the lack of training. For this reason, importance should be given to training at every stage.

The subjects that need to be covered with a view to struggle against human rights violations in Turkey are as follows:

- Ensuring the continuity and prevalence of the activities aiming to inform and educate the personnel in the field of human rights
Rising the awareness of people in the field of human rights
Informing citizens about the complaint mechanisms and ways relating to alleged violations of human rights
Enhancing cooperation among the agencies on national level
Ensuring effective cooperation with international agencies
Making up deficiencies in technical equipments to ensure the alignment of detention rooms with international standards
Extending developed criminal laboratories throughout the country.

Another issue that has to be addressed in this context is the statement-taking activity and its place in judicial investigations.

It is with these matters in mind, that the Ministry of the Interior through the Turkish Gendarmerie would wish to utilise the experience and knowledge of a long-term RTA and short term experts of the Member State so as to develop an enhanced level of knowledge and expertise through the twinning of institutions - operation and coordination with other law enforcement authorities, prosecutors and lawyers.

**Human Rights Units of the Agencies in Turkey**

The following institutions have been established in order to ensure the alignment of the studies on human rights carried out in Turkey with the studies around the world and to enhance the studies on this subject in Turkey;

- Turkish Grand National Assembly Parliamentary Commission of Human Rights
- Human Rights High Council
- Human Rights Advisory Council
- Human Rights Inquiry Delegation
- National Committee for 10-year Human Rights Education
- Prime Ministry Human Rights Department
- Provincial and Sub-Provincial Human Rights Boards
- Deputy General Directorate of European Council and Human Rights under the Ministry of Foreign Affairs
- Ministry of Interior Human Rights and International Agencies Department
- Ministry of Interior Human Rights Violations Investigation Bureau
- Ministry of Health Human Rights Department
In addition, there are nearly 150 NGOs related to human rights in Turkey.

**The Organization of Gendarmerie General Command**

The Gendarmerie is active on virtually 92% of Turkish territory. The Gendarmerie serves almost half of the country’s population (34 million people). This number rises up to 44 million in summertime with population movements and with increases in tourist numbers.

**Human Rights Units of the Gendarmerie (Its Structure)**

On 26 April 2003, JIHIDEM was established within the structure of Gendarmerie General Command Headquarters, Beştepe, —General Planning and Principles Division, Foreign Relations and Human Rights Department—, with the purpose of developing measures with a proactive approach against allegations on fundamental rights and freedoms stated in our Constitution and instruments and agreements on which our country pledged within the frame of international rules of law.

By taking JIHIDEM into action, it was aimed for our citizens to remove their hesitations concerning the human rights violation allegations firsthand by getting in contact with the Gendarmerie General Command directly.

In JIHIDEM, Inspection and Evaluation Specialists (Group of Lawyers), Statistical Personnel, Translator and Call Operators are on duty under the command of Central Chief.

Our citizens or foreigners, who think that he or she, a relative or any person was subjected to human rights violations, can apply to JIHIDEM by internet (www.jandarma.gov.tr), telephone, fax, petition, letter or in person.

The following conditions should be met in order for applications to be accepted and assessed under the scope of JIHIDEM:

- The perpetrator of the event subject to the complain is the personnel of the Gendarmerie.
- The concerning Gendarmerie personnel has been assigned for a duty foreseen in the laws.
- This action has been humiliated people or violated fundamental rights and freedoms.
- The action has been carried out during the performance of the duty or was about the duty.
- This action has been accepted as a crime in Turkish Penal Code, other laws and the international conventions to which our State is a Party.
- Furthermore the application has been made within the legal period as from the date of the event alleged according to its type.
When it is evaluated that the allegation is under the scope of JIHIDEM, the investigation is required after forwarding message to Unit Command which is equal to minimum Gendarmerie Regional Commands/ Brigade Commands.

If necessary, the allegations are investigated by inspector who will be appointed by the Gendarmerie General Command Headquarters.

When crime components are determined as a result of the investigation, the case is sent to the Office of public Prosecutor. In addition to this, the necessary evaluation is made about the concerned person with respect to administration.

The person, who made application, is informed about the result and progress.

The allegations that are not under the scope of JIHIDEM are sent to the other branches of the Gendarmerie General Command if they are related to their work; if they are not about Gendarmerie, the necessary guidance is provided to the person making application.

3.2. Linked Activities

This project would complement the project “Enhancement of the Professionalism of the Turkish Gendarmerie in its Law Enforcement Activities” and the “Programme on Judicial modernisation and Penal Reform” project.

Another related project is “Police, Professionalism and the Public”, implemented with the Council of Europe and the EC in January 2002-2004 under the Civil Society Development Programme, which aims to develop professionalism and respect for Human Rights in the Turkish National Police and the Gendarmerie in its behaviour and relations with the public.

Similarly, a Project on “Training of Law Enforcement Personnel on Human Rights”, a joint initiative with the Council of Europe and the EC, was implemented in May-June 2005 in Turkey with the participation of 40 personnel, 20 of which are gendarmerie officers and 20 police officers, as well as in Denmark, the Netherlands and Belgium with the participation of 18 gendarmerie officers.

Finally, this project would also complement the twinning project “Improvement of Statement Taking Methods and Statement Taking Rooms in the Republic of Turkey- TR02-JH-01”. This project aimed the training of approximately 200 trainers and 800 police officers on taking statements as well as to evaluate evidence collected in the investigation process correctly so as to be able to utilise the knowledge derived from evidence during statement-taking.

The present project will take into account the results, in particular the standards concerning physical conditions of statement-taking rooms developed and adopted by the Turkish National Police established by the Improvement of Statement Taking Methods and Statement Taking Rooms in the Republic of Turkey” project.

3.3. Results

The results to be achieved by this project are:

1. To increase knowledge and skills of Turkish gendarmerie on European human rights
standards and standards of good conduct, and support the effective implementation of these standards.

2. The production of a human rights concept for the Gendarmerie with a view to its adoption and future implementation by the institution, covering a period of 5 to 10 years after its drafting.

3. Standards concerning physical conditions of statement-taking rooms developed and adopted by the Turkish Gendarmerie; pilot statement-taking rooms (30 in total) equipped with appropriate means.

4. Strengthening Co-operation and Coordination between the Gendarmerie, the Police, the Prosecutors and Lawyers in Judicial Investigations

3.4. Activities

3.4.1. To increase knowledge and skills of Turkish gendarmerie and police officers on European human rights standards and standards of good conduct, and support the effective implementation of these standards

This module aims at providing the Turkish Gendarmerie with special training with a view to increase their knowledge and skills on European human rights standards and standards of good conduct. The module will analyse the current human rights training concept and curriculum of the various training institutions of the Gendarmerie so as to establish the gaps and needs of the gendarmerie in this field. Based on this assessment training will be delivered.

The target groups of this module and the activities under this module are as follows:

1. Trainers of the Gendarmerie Schools,

2. Trainers of JIHIDEM and Gendarmerie Hq

3. Creation of a pool of trainers to ensure a catalyst effect and future dissemination of the knowledge and skills acquired

1. Trainers of the Gendarmerie Schools,

50 trainers of the Gendarmerie Schools

Activities:
- Evaluation and assessment of the current situation regarding training structures and curriculum on European human rights standards and standards of good conduct for both in service and pre-service training
- Identification of training needs on European human rights standards and standards of good conduct
- Study visit of 20 trainers to MS institutions delivering training to law enforcement officials.
- Training on
27.09.2006

- Basic training on human rights,
- Advanced training on human rights issues,
- Training of trainers of the trainers, training on techniques how to deliver training
- Other topics are determined as below

2. JIHIDEM

Under this component 30 trainers of JIHIDEM and Gendarmerie HQ will be trained.

JIHIDEM, which is responsible for investigating human rights complaints, was established in 2003. Since the personnel who work for JIHIDEM must have much more knowledge and experience on the human rights regulations and practices, JIHIDEM personnel must be subjected to a special training which is arranged for them to carry out the role of investigation and duty of special human rights.

Since its establishment in 2003, JIHIDEM has received 795 complaints of which 188 were falling under the area of responsibility of JIHIDEM. 607 of these complaints were outside the scope of JIHIDEM activities. On a subject basis these complaints are classified as follows:

- 116 complaints concerning ill treatment,
- 26 complaints concerning the right to effective application
- 13 complaints concerning torture
- 12 complaints concerning the right to liberty and security of person
- 11 complaints concerning the right to life
- 6 complaints concerning the rights of the defendant
- 3 complaints concerning the right to respect of private life
- 1 complaint concerning the right to property.

18 complaints out of 188 have been submitted to the judicial authorities, It was established that for 35 of these complaints judicial investigations had already been initiated. In 3 incidents disciplinary measures were taken with respect to the personnel that was involved. In 130 cases it was established that those concerned false allegations.

There are three groups of staff employed at the JIHIDEM:
- Staff working at the call center,
- Experts on investigations and assessment of human rights violations, majority of which are lawyers,
- Chief of JIHIDEM

Activities:

For staff working at the call center:
- Training on communication skills and techniques
- General training on human rights

For experts of investigations and assessment of human rights violation:
- Training specialised training on human rights law

For chief of JIHIDEM

19.09.2006
- Training an management techniques

- In addition to training of JIHIDEM staff, a public relations campaign will be developed for JIHIDEM aiming to raise awareness of the public in large on its activities as well as human rights in general.

3. Creation of a pool of trainers to ensure a catalyst effect and future dissemination of the knowledge and skills acquired

- Training of 200 Gendarmerie officers from Regional, Provincial and District Gendarmerie Unitsto build a pool trainers so as to ensure a catalyst effect

It is important to make an increasing influence on the personnel who especially has a role and hierarchical position enough to transfer his/her knowledge and experience to other officials. It is important to include the Regional and Province Gendarmerie Commands which did not participate the training projects held in the past in the program

- These 200 trainers will train deliver pilot training for 2000 further gendarmerie officers in eight regions of the country.

- Develop a training manual for the human rights trainers pool.

- After delivery of pilot trainings deliver 5 two-day “pool developing” training seminars in order to build on the experience gained at the pilot trainings and discuss/share lessons learned.

- Study visits by 30 gendarmerie and police officers, selected among those 200 who attended the trainings to an EU Member state where they can examine and observe an institution that is delivering training to law enforcement officials.¹

- Training on techniques how to deliver training

- In parallel with the training activities, a reference publication will be prepared and published to be used throughout the Gendarmerie services dealing with human rights issues.

Indicative list of subjects to be addressed through training

- Investigating human rights violations, arising from use of law enforcement authorities, in light of European Court of Human Rights (ECHR) decisions and precautions required for preventing the violations in this context.

- Actual applications, which can set an example about the “community supported law enforcement” applications which are conducted in European countries.

- The studies that Law Enforcement Agencies in European countries carry out, the cooperation with non-governmental organizations on protecting and improving human rights.

¹ The Gendarmerie would like to sent a further 70 officers to such study visits, their costs to be covered from thebudget of the Gendarmerie. The Gendarmerie would like to benefit from the technical assistance of the MS institution in the preparation of this visit. This is planned not as an activity to be placed under the twinning coontract and covered from the twinning budget.
• Precautions that can be taken in order to control groups, which have difficulty in communication (such as refugees, stateless persons, people with psychological disorders, alcoholics and drug addicts) and persuading them for cooperating with law enforcement agencies.

• Law enforcement precautions that can be taken in order to prevent domestic violence, especially towards woman, and discrimination.

• Negotiation techniques and action style that the law enforcement officers should follow during sensational events like public unrest, hijacking.

• Applications in field of terror crimes and legislation that regulate fight against terrorism in European Council Member states.

• Reflections of the New Punishment Justice system to human rights applications in Turkey.

• Statement-taking methods.

3.4.2. Develop a Human Rights Concept to ensure effective implementation of European human rights standards and standards of good conduct

This component will concentrate on the elaboration of a human rights concept. This concept will be designed for future implementation by the Gendarmerie and cover a period for 5 to 10 years as of its finalisation. It will be based on the assessment of the present situation of the Gendarmerie, assess the needs of the institution to adhere with European human rights standards and will constitute a guiding document for its future activities.

Under this component the following activities will be carried out:

- Establishing a working group for the drafting of the human rights concept.

- Workhops with members from other institutions dealing with Human Rights like the HRP, TNP MoJ in order to elaborate, discuss and further develop the Human Rights Concept.

3.4.3. Setting up Standards regarding the Physical Conditions of Statement-taking Rooms

This component aims at developing standards for the physical conditions of statement-taking rooms in line with CPT recommendations. These standards will then be implemented in 30 (one statement-taking room for each province except for districts) pilot statement-taking rooms across the country with the use of an investment package including equipment and limited works. These standards will built on the standards established by the project “Improvement of Statement Taking Methods and Rooms- TR02-JH-01” which was implemented with the Turkish National Police.

Under this component the following activities will be carried out:
- Assessment of the current situation in Turkey and identification of shortcomings and needs for improvement.

- Assistance in the development of standards regarding the physical conditions of the statement taking rooms

- Study visit for 10 members of the Turkish Gendarmerie to examine in some detail the arrangements that are place in on of the Member States

- Provision and instalment of essential equipment and furnishings as set out in the newly developed standards for 30 statement-taking rooms in different regions of the country to enable a proper statement-taking activity

The key inputs to be provided through the investment package directly linked to the specific activities are as follows:

**Equipment:**

- Speed Dome camera and control unit
- Digital registration unit for voice and vision
- Headphone and microphone
- Specially designed, comfortable chair and table
- PC to be used in recording
- Aircondition

**Total Equipment:** 11,250 Euro x 30 = 337,500 Euro

**Works:**

- Construction of double-layer walls for sound-proofing. The layering of these walls with a soft material to avoid suspects cause any physical damage to themselves. Painting of the walls and ceiling. Instalment of microphones in the room for an optimum sound registration. Construction of a mirrored wall and a separate section with a separate entrance for suspect identification by witnesses and/or victims

**Total Works:** 12,000 Euro x 30 = 360,000 Euro

In total, 30 statement-taking rooms to be renovated and equipped

**TOTAL** 697,500 Euro

3.4.4. Strengthening Co-operation and Coordination between the Gendarmerie, the Police, the Prosecutors and Lawyers in Judicial Investigations
The twinning project “Improvement of Statement Taking Methods and Rooms in Turkey” has elaborated a new model of cooperation with a view to increase judicial co-operation between law enforcement authorities (police and prosecutors) and lawyers. This model has proven to be effective in addressing serious issues presented by lack of co-operation and co-ordination among the relevant institutions and its impact on the overall human rights issues and judicial investigations, statement-taking activity in particular.

Building on the model of cooperation that was developed by the project “Improvement of Statement Taking Methods and Rooms” the present project will continue to assist the implementation of the new model of cooperation with a view to elaborate a formal and regular mechanism through which the model will be implemented beyond the lifetime of the project.

Activities:
- Establishment of a Joint Working Group consisting of members of the MoI, MoJ and Bar Associations
- Analysis of the new model of cooperation developed by the project “Improvement of Statement Taking Methods and Rooms” and building on the achievements of this project, elaborate on a formal and regular mechanism through which the model will be implemented beyond the lifetime of the project.
- The delivery of a 7 of regional training seminars for law enforcement authorities about co-operation in judicial investigations and law enforcement/the new model of cooperation.

3.5. Lessons learned

The design of this project has taken into consideration the recommendations contained in the CPT’s and European Commission Regular Reports on Turkey. The NPAA and AP priorities for Turkey, especially prevention torture and maltreatment and allowance zero tolerance in this regard, were also considered.

The project will be taken into account and build on the results achieved by the project “Improvement of Statement Taking Methods and Rooms in Turkey”. In particular it will benefit from the standards that have been established for the pilot statement taking rooms constructed through this project.

4. Institutional Framework

The Twinning Project will be implemented by the Gendarmerie General Command in close co-operation with other Law Enforcement Institutions in Turkey: the National Police and the Ministry of Justice.

The Gendarmerie General Command will be responsible for the provision of the necessary resources to enable the RTA to function properly. The Gendarmerie General Command will also arrange for the nomination of module co-ordinators.
5. Detailed Budget (Euro)

<table>
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<th>Project Components</th>
<th>Investment Building</th>
<th>Institution Building</th>
<th>Total EU financing (I+IB)</th>
<th>National co-financing</th>
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Turkey’s co-financing of institution building not indicated here will cover provision of office equipment and space for the RAA, organisational costs of trainings (rental fees, accommodation, catering as well as local and international travel of trainees) and other costs non-eligible for pre-accession funding, as specified in the “Reference Manual on Twinning Projects”.

6. Implementing Arrangements

6.1. Implementing Agency

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

The Central Financing and Contracts Unit

Mr. Muhsin ALTUN
Programme Authorising Officer
Central Finance and Contracts Unit
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Tel: + 90 312 472 37 00
Fax: + 90 312 472 37 44

6.2. Beneficiary
The main beneficiary is the Turkish Gendarmerie General Command.

6.3. Twinning contact person

The Turkish Project Leader
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*The name of the project leader might be changed regarding his assignment to other duty.

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A Project Steering Committee (PSC) will be set up comprising of senior representatives of the Ministry of Interior, Turkish National Police, the Ministry of Justice and the Member State(s) PL and RTA The PSC will monitor, supervise and co-ordinate the overall progress and implementation of the project. The PSC will provide guidance for the different components of the project, will define priorities, approve and monitor budgets and approve the results. The PSC, will be chaired by the Programme Authorising Officer (PAO), who will have the overall responsibility for all issues concerning the management and monitoring of the project.

The PAO will be Muhsin ALTUN of the CFCU.

The Resident Twinning Advisor (RTA) will be located within the Gendarmerie General Command, which will provide office space and logistical support. They will work closely with the PAO and the officers and institutions involved in the PSC, and will co-ordinate the short-term experts supporting implementation of the all components described above.
27.09.2006

6.4. Non-standard aspects

N/A

6.5. Contracts

The *twinning covenant* is in the focus of the project (estimated value is Euro 1,250,000).

One *supply contract* is envisaged which covers the equipment inputs (estimated value is Euro (337,500).

One *works contract* is envisaged which covers the construction inputs (estimated value is Euro 360,000)

7. Implementing Schedule

The Twinning project is scheduled for 24 months duration.

- Start of twinning selection: 4 Quarter / 06
- Start of twinning activity: 1 Quarter / 07
- Tendering of equipment: 1 Quarter/07
- Contracting of equipment: 4 Quarter/07
- Tendering of works: 1 Quarter/07
- Contracting of works: 4 Quarter/07
- Project completion: 3 Quarter / 08

8. 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.

9. Environment

N/A

10. Rates of return
11. Investment Criteria

11.1. Catalytic effect

The project is a necessary step toward Turkey’s alignment with the EU acquis and Copenhagen Political Criteria.

11.2. Co-financing

25% of the amount of technical material and equipment will be met as the national contribution share.

11.3. Additionality

N/A

11.4. Project readiness and size

11.5. The materials and technical definitions necessary for the project have been completed in Annex 4 and listed.

11.6. Sustainability

The project is planned in compliance with the EU acquis and Copenhagen Political Criteria. After the project implementation period, the running of statement-taking rooms will be financed through the Turkish budget. And training on human rights issues will be continued by the trainers pool.

11.7. Compliance with state aids provisions

N/A

12. Conditionality and sequencing

This project adopts a logical approach in design and implementation, starting from the drafting of an overall strategy as the first result, and the subsequent development and implementation of more detailed programmes and activities plans.

However, although conditionality and sequencing are built in within each sectoral area and in terms of the development of the overall strategy, it is important that the individual sectors are allowed to progress at their own speed and sectors where progress is rapid should not be restricted by less rapid ones.

Projects to be implemented through twinning require the full commitment and participation of the senior management of the beneficiary institution. In addition to providing the twinning partner with adequate staff and other resources to operate effectively, the senior management
must be whole-heartedly involved in the development and implementation of policies and institutional change required to deliver the project results.

ANNEXES TO PROJECT FICHE
1. Logframe Matrix
2. Detailed Implementation Chart
3. Convention and Disbursement Schedule by Quarter Valid for the Period of Full Implementation of the Program
Annex I: Logframe Matrix

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Project number:</th>
<th>Date of up-dating: 17/08/2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increasing the knowledge and skills of law enforcement personnel on european human rights standards.</td>
<td>Contracting period expires: 30.11.2008</td>
<td>Disbursement period expires: 30.11.2009</td>
</tr>
<tr>
<td>Total Budget: 1.947.500 EURO</td>
<td>EC Contribution: 1,773,125EURO</td>
<td></td>
</tr>
</tbody>
</table>

**Overall objective**

To consolidate a functioning democratic system, including respect for the rule of law and human rights and other Copenhagen Criteria.

**Objectively verifiable indicators**

- Increased compatibility with Copenhagen Political Criteria.
- Improvement in the statement-taking methods of the Turkish Gendarmerie and Police.
- Evaluation of the CPT
- EU regular report on progress involving the developments Turkey achieved on accession.

**Assumptions and Risks**

- Full commitment of the Law Enforcement Agencies and Government institutions with responsibilities in carrying out their roles set out in the strategy and project fiche.
- Commitment of the Law Enforcement Agencies and Government to strive towards alignment with EU Acquis.
- Full coordination and cooperation among law enforcement agencies.
- Sufficiency and appropriateness of material infrastructure and communication means.

<table>
<thead>
<tr>
<th>Project Purpose</th>
<th>Objectively verifiable indicators</th>
<th>Sources of verification</th>
<th>Assumptions and Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>- To increase the knowledge and skills in European human rights and ethical standards among Turkish Jandarma through training, and other capacity-building activities, facilitating effective implementation of these standards at the national level. - To improve and place statement-taking activity in the process of judicial investigations in the context of a shift towards evidence-based prosecutions</td>
<td>- Increased awareness on European Human Rights Standards and the presentation of this in various fields such as training, internal/external communication and law enforcement officers action/intervention on duties. - Increased ability of using the information related to implementation within the context of European Convention of Human Rights (ECHR) in their duties. - Standards concerning physical conditions of statement-taking rooms</td>
<td>- Annual Progress Reports. of the EC - Reports of the CPT - Project Reports.</td>
<td>- Full commitment of the Law Enforcement Agencies and Government institutions with responsibilities in carrying out their roles set out in the strategy and project fiche. - Commitment of the Law Enforcement Agencies and Government to strive towards alignment with EU Acquis. - Full coordination and cooperation among law enforcement agencies. - Sufficiency and appropriateness of material infrastructure and communication means.</td>
</tr>
</tbody>
</table>
developed and adopted by the Turkish Gendarmerie at the end of the project. Pilot statement-taking rooms (30 in total) equipped with appropriate means.

### Mandatory Results

<table>
<thead>
<tr>
<th>Objectively verifiable indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Target groups training completed at the end of the project.</td>
</tr>
<tr>
<td>- A public relations campaign developed for JIHIDEM and awareness of the public on JIHIDEM increased</td>
</tr>
<tr>
<td>- Pool of trainers established</td>
</tr>
<tr>
<td>- Pilot training delivered by the pool of trainers to 2000 further gendarmerie personnel</td>
</tr>
<tr>
<td>- Training manual for the pool of trainers developed.</td>
</tr>
</tbody>
</table>

### Sources of verification

- Project reports

### Assumptions and Risks

- Full commitment of the Law Enforcement Agencies and Government institutions with responsibilities in carrying out their roles set out in the project fiche.
- Providing sufficient training opportunities for personnel.
- Allocation sufficient opportunities of financial and human resources by the Turkish Government

Issues resulting from the replacement of the available or newly-assigned key personnel

- Gendarmerie General Command guarantees to provide equal training
2. The production of a human rights concept for the Gendarmerie with a view to its adoption and future implementation by the institution, covering a period of 5 to 10 years after its drafting

- Working group for the preparation of the human rights concept established.
- Human rights concept drafted at the end of the project.
- Human Rights Concept
- Project Reports

3. Standards concerning physical conditions of statement-taking rooms developed and adopted by the Turkish Gendarmerie; pilot statement-taking rooms (30 in total) equipped with appropriate means.

- Standards regarding the physical conditions of the statement taking rooms agreed upon.
- Project reports.
- Development of standards regarding the physical conditions of the statement taking rooms

4. Strengthening Co-operation and Coordination between the Gendarmerie, the Police, the Prosecutors and Lawyers in Judicial Investigations

- Elaboration of a formal and regular mechanism through which the model of cooperation will be implemented beyond the lifetime of the project.
- Project reports

<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Cost</th>
<th>Assumptions and Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1. Training of trainers at the Gendarmerie Schools</td>
<td>Twinning Contract</td>
<td>1.250.000</td>
<td>- Full commitment of the authorities involved.</td>
</tr>
<tr>
<td>1.2. Training of JIHIDEM officers</td>
<td></td>
<td></td>
<td>- Twinning assistance from an appropriate agency/ies in EU Member State</td>
</tr>
<tr>
<td>1.3. Creation of a pool of trainers to ensure a catalyst effect and future dissemination of the knowledge and skills acquired</td>
<td></td>
<td></td>
<td>- Effective monitoring of project</td>
</tr>
<tr>
<td>2.1. Establishing a working group for the drafting of a human rights concept.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
2.2. Workshops with members from other institutions dealing with Human Rights like the HRP, TNP, MoJ in order to elaborate, discuss and further develop the Human Rights Concept.

3.1. Assessment of the current situation in Turkey and identification of shortcomings and needs for improvement.

3.2. Assistance in the development of standards regarding the physical conditions of the statement-taking rooms.

3.3. Study visit for 10 members of the Turkish Gendarmerie to examine in some detail the arrangements that are place in one of the Member States.

3.4. Provision and instalment of essential equipment and furnishings as set out in the newly developed standards for 30 statement-taking rooms in different regions of the country to enable a proper statement-taking activity.

4.1. Establishment of a Joint Working Group consisting of members of the MoI, MoJ and Bar Associations.

<table>
<thead>
<tr>
<th>Task</th>
<th>Contract Type</th>
<th>Implementation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.2. Workshops with members from other institutions dealing with Human Rights like the HRP, TNP, MoJ in order to elaborate, discuss and further develop the Human Rights Concept.</td>
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<tr>
<td>3.1. Assessment of the current situation in Turkey and identification of shortcomings and needs for improvement.</td>
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<tr>
<td>3.2. Assistance in the development of standards regarding the physical conditions of the statement-taking rooms</td>
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<tr>
<td>3.3. Study visit for 10 members of the Turkish Gendarmerie to examine in some detail the arrangements that are place in one of the Member States.</td>
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<tr>
<td>3.4. Provision and instalment of essential equipment and furnishings as set out in the newly developed standards for 30 statement-taking rooms in different regions of the country to enable a proper statement-taking activity.</td>
<td>Supply Contract</td>
<td></td>
</tr>
<tr>
<td>4.1. Establishment of a Joint Working Group consisting of members of the MoI, MoJ and Bar Associations.</td>
<td>Twinning contract</td>
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</tbody>
</table>

- Timely availability of adequate resources, in particular timely delivery of supply and works contracts.
### 4.2. Analysis of the new model of cooperation developed by the project “Improvement of Statement Taking Methods and Rooms in Turkey- TR02-JH-01” and building on the achievements of this project elaborate a formal and regular mechanism through which the model will be implemented beyond the lifetime of the project.

### 4.3. The delivery of a series of regional training seminars for law enforcement authorities about co-operation in judicial investigations and law enforcement/the new model of cooperation
ANNEX 2: Detailed Implementation Chart

<table>
<thead>
<tr>
<th>IMPLEMENTATION DIAGRAM</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
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<tr>
<td>I-Twinning</td>
<td>D</td>
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<td>II-Supplies and works</td>
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</table>

Design D
Tendering and Contracting C
Implementation and payments I

19.09.2006
## ANNEX 3: Contracting and Disbursement Schedule (in quarters/Euro)

<table>
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<td>Twinning</td>
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<tr>
<td>Supplies and works</td>
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<td>523.125</td>
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<tr>
<td>Cumulative (Total)</td>
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<td>1,250.000</td>
<td>1,250.000</td>
<td>1,773,125</td>
<td>1,773,125</td>
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<td>1,773,125</td>
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<tr>
<td>Disbursement</td>
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<td>Twinning</td>
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</tr>
<tr>
<td>Supplies and works</td>
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<td>470.813</td>
<td>470.813</td>
<td>523.125</td>
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<tr>
<td>Cumulative (Total)</td>
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<td>700.000</td>
<td>800.000</td>
<td>1,213.875</td>
<td>1,313.875</td>
<td>1,570.813</td>
<td>1,670.813</td>
<td>1,773,125</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>