

ADDENDUM No 2

TO THE FINANCING AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF TURKEY AND THE COMMISSION OF THE EUROPEAN COMMUNITIES CONCERNING THE NATIONAL PROGRAMME FOR TURKEY 2007 UNDER THE INSTRUMENT FOR PREACCESSION ASSISTANCE - TRANSITION ASSISTANCE AND INSTITUTION BUILDING COMPONENT

The European Union (hereinafter referred to as "the Union"), represented by the European Commission (hereinafter referred to as "the Commission"), which is represented for the purposes of signing this amendment by Alexandra Cas Granje, Director of Directorate B in DG Enlargement,

and

The Government of the Republic of Turkey (hereinafter referred to as "the beneficiary country"), represented for the purposes of the signature of this addendum by the H. E. Ambassador Haluk Ilıcak, National IPA Coordinator (NIPAC), of the other part,

Having regard to the Financing Agreement concerning the National Programme for Turkey 2007 concluded between the Commission and the beneficiary country (hereinafter referred to as "the Financing Agreement"),

HAVE AGREED AS FOLLOWS:

Article 1 – Nature and Subject

Following the adoption of the Commission Decision C(2012)7774 on 31 October 2012 amending the Turkey National Programme 2007, Annex A of the Financing Agreement for Turkey National Programme 2007 signed on 24 December 2008 is herewith modified as attached.

In the Article 6 (1) of the Financing Agreement, the execution deadline of the following projects is modified accordingly:

- a) TR0702.06 "Implementation of the Nitrate Directive" is extended until 24 May 2013.
- b) TR0701.04 "Technical Assistance for Empowement of Women and Women NGOs in the least developed regions of Turkey" and TR0702.28 "Support Activities to Strengthen the European Integration Process" is extended until 24 December 2013.
- c) TR0702.10 "Establishment of an accredited Calibration Laboratory" is extended until 24 January 2014.
- d) TR07/02.11 "Technical Assistance for Establishment of a Market Surveillance Support Laboratory for Personal Protective Equipment" is extended until 24 June 2013.
- e) TR07.02.17 "Strengthening Turkey's capacity in dealing with refugees, asylum seekers and illegal migration (Establishment of Reception and Removal System)" is extended until 24 December 2014.

The disbursement deadline is extended accordingly following the end date of execution period.

Article 2

All other Terms and Conditions of the original Financing Agreement for Turkey National Programme 2007 remain unchanged.

Article 3

This addendum to the Financing Agreement is drawn up in duplicate in the English language.

Article 4 – Entry into force

This addendum to the Financing Agreement for Turkey National Programme 2007 shall enter into force on the date on which it has been signed by both parties.

SIGNATURES

For the Government of the Republic of
Turkey,

*H. E. Ambassador M. Haluk Ilıcak, National
IPA Coordinator (NIPAC), Undersecretary
the Ministry for EU Affairs*

For the European Union,

*Alexandra Cas Granje, Director of
Directorate B in DG Enlargement*

signature: _____

signature: _____

Done at Ankara,06.12.2012.....

Done at Brussels,23.11.2012.....

ANNEX

**NATIONAL PROGRAMME FOR TURKEY UNDER THE IPA-TRANSITION ASSISTANCE
AND INSTITUTION BUILDING COMPONENT FOR 2007**

1. IDENTIFICATION

Beneficiary	<i>Republic of Turkey</i>
CRIS number	<i>2007/019-329</i>
Year	<i>2007</i>
Cost	<i>EUR 256 202 720</i>
Implementing Authority	<p>The Implementing Agency responsible for the programme is the Central Finance and Contracting Unit (CFCU) at the Undersecretariat of the Treasury except for:</p> <p>Project TR 07 03 04 "Participation in EU programmes and agencies", where implementation will consist in the payment of the EC part of the financial contribution to the programmes by the National Fund.</p>
Final date for concluding the Financing Agreements	<i>At the latest by 31 December 2008</i>
Final date for contracting	<p>2 years following the date of conclusion of the Financing Agreement, except for projects:</p> <p>TR0702.13 for which the final date for contracting will be 2 years and 3 months following the date of conclusion of the Financing Agreement.</p> <p>TR0701.04, TR0702.10 and TR0703.01, for which the final date for contracting will be 2 years and 6 months following the date of conclusion of the Financing Agreement.</p> <p>TR0702.07, TR0702.17 and TR0702.18, for which the final date for contracting will be 3 years following the date of conclusion of the Financing Agreement.</p> <p>No deadline for audit and evaluation projects covered by this Financing Agreement, as referred to in Article 166(2) of the Financial Regulation.</p> <p>These dates apply also to the national co-financing.</p>

Final dates for execution	<p>2 years following the end date for contracting, except for projects: TR0702.13 for which the final date for execution of the individual contracts will be 2 years and 3 months following the end date for contracting.</p> <p>for the project TR0702.06 for which the final date for execution of the individual contracts will be 2 years and 5 months following the end date for contracting; for projects TR0702.11 and TR0701.04 the final date for execution of the individual contracts will be 2 years and 6 months following the end date for contracting', for project TR0702.10 the final date for execution of the individual contracts will be 2 years and 7 months following the end date for contracting and for the projects TR0702.17, TR0702.28 the final date for execution of the individual contracts will be 3 years following the end date for contracting.</p> <p>These dates apply also to the national co-financing.</p>
Sector Code	15162 (priority axes 1 - PC); 15140 (priority axes 2 – ACQUIS); 15150 (priority axes 3 - CSD)
Budget line concerned	22.02.01
Programming Task Manager	DG ELARG Unit B3 (European Commission, Brussels)
Implementation Task Manager	Head of Operations section (EU Delegation to Turkey)

2. PRIORITY AXES / PROJECTS

2.a Priority axes

The programme's strategic reference is the Multi-Annual Indicative Planning Document (MIPD) 2007-2009. As reflected in the MIPD, IPA – notably through component I 'Institution Building' – will support the EU pre-accession strategy for Turkey adopted in the conclusions of the European Council of December 2004. This corresponds to three priority axes for this programme: progress towards fully meeting the Copenhagen political criteria, adoption and implementation of the *EU acquis* and promotion of an EU-Turkey Civil Society Dialogue.

– Progress towards fully meeting the Copenhagen political criteria

Assistance will be provided to consolidate the reforms that have been adopted and to improve their implementation on the ground. This will include supporting institutions concerned by the reforms within the judiciary, the law enforcement services and parts of the public administration. Assistance will also be given to promote women's rights, human rights and children rights.

– Adoption and implementation of the EU acquis

As concerns the adoption and implementation of the *acquis*, assistance will be concentrated on areas of activity with a large volume of legislation to be transposed and implemented as

well as with high investments requirements. Under this programme, these areas are: justice, liberty and security (particularly border management; and migration and visa policy) and environment as well as to a lesser extent food safety and customs and taxation. Assistance will also be provided to ensure alignment and institution building in the areas of energy, financial control, fisheries, the internal market, social policy and employment, statistics, transport.

– Promotion of an EU-Turkey Civil Society Dialogue

The promotion of the Civil Society Dialogue will target groups and organisations that are interested and influential in the process of Turkey's integration. This includes media, youth, academic institutions, local authorities, professional organisations, social partners, and NGOs. Priority subjects to be addressed in 2007 are culture and arts, and fisheries and agriculture. Continuing well-established forms of assistance, support is provided for Turkey's participation in Community programmes and agencies as well as in the Jean Monnet Scholarship programme.

2.b Description of projects grouped per priority axes and (if relevant) per measure¹

The IPA 2007 project have been selected among the priorities identified in the 2007-2009 MIPD after analysis of the Turkish authorities and consultation with the European Commission, according to the priorities identified in the Accession Partnership, the screening process and subsequent negotiations in the different chapters of the *acquis*. As in previous years, projects were also appraised according to the sequencing of assistance in a given sector, the capacity of the beneficiary institution for implementation and the maturity of the projects at the time of establishing the financing proposal.

¹ All budget amounts provided relate only to the IPA contribution.

1. Progress towards fully meeting the Copenhagen political criteria

This priority axis will include 4 projects focussing on the political criteria and public administration reform themes. Projects have been selected on the basis of their importance and priority for strengthening the reform process in the given areas.

Political Criteria

TR 07 01 01 Development of Work with Juveniles and Victims by the Turkish Probation Service (EUR 1.948 million)

The overall objective of this project is to strengthen the rights of victims, and to improve rehabilitation work with juvenile offenders. Training activities targeted at probation services are foreseen as well as awareness-raising initiatives. In addition, new service delivery models and methodologies will be set-up in order to streamline best practices.

The project will be implemented through a twinning agreement (EUR 1.79 million) and a supply contract (EUR 0.158 million). The call for proposals for the twinning agreement is planned to be launched in the fourth quarter of 2007. The tendering for the supply contract is planned to start during the first quarter of 2008.

TR 07 01 03 Training of Military Judges and Prosecutors on Human Rights Issues (EUR 2 million)

This project will contribute to strengthen respect for human rights in Turkey, in particular as regards, the European Convention for the Protection of Human Rights and Fundamental Freedoms and its related case Law. To achieve this aim, the project will devise training for military judges and prosecutors as well as awareness raising activities, including an international conference on military justice.

The project will be implemented through a *direct grant agreement* with the Council of Europe (CoE). The CoE is the "guardian of European values and principles" and joint projects present a significant opportunity for Turkey to consolidate reforms in the area of human rights. Given the political sensitivity of the issue of military justice, the effective implementation of the project requires previous experience of collaboration with Turkish authorities. The Council of Europe is the sole institution combining the above mentioned features. Given the *de facto* monopoly situation of the CoE, the award is made in accordance with the Implementing Rules, Article 168.1.c.

The award procedure of the direct agreement is planned to be started during the first quarter of 2008.

TR 07 01 04 Empowerment of Women and Women NGO's in the least developed regions of Turkey (EUR 5 million)

The overall objective of this project is to advance women rights in the least developed regions of Turkey (South East Anatolia, Eastern Black Sea and East Anatolia region), with a view to reducing regional disparities. In particular, the project will contribute to facilitating women's access to local, social and judicial services. The project will also strengthen women NGOs project management capacity, especially in the area of awareness raising, through a grant scheme.

The project will be implemented through a service contract (EUR 2 million) and a grant scheme (EUR 3 million). The service contract includes research and training activities as well as technical assistance for the management of the grant scheme. Only non-profit and non-governmental organisations can propose projects under this scheme. Governmental organisations and municipalities can however be proposed as partners.

The tendering procedure for the service contract is planned to be launched in the first quarter of 2008. The grant scheme is to be started during the second quarter of 2008.

Public Administration

TR 07 01 05 Support to further implementation of local administration reform in Turkey (EUR 4 million)

The overall objective of the project is to ensure effective, transparent and participatory local government in Turkey, in particular through full implementation of the new local administration legislation adopted in 2003 - 2005. The project is geared towards a wide range of actors in local government such as elected representatives, professional managers and staff of local authorities or city councils. It will involve actions such as the development of a handbook, training and awareness-raising events. An important component of the project is to enhance inter-municipal cooperation between Turkish local authorities and partnerships between Turkish and EU local authorities. The Ministry of Interior's capacity to develop and implement policies in favour of an effective, transparent and participatory local government is also to be strengthened, mainly through training of relevant staff.

The technical assistance as formulated in the project, falls under UNDP's globally established thematic area of democratic governance and will be implemented through a *direct grant agreement* with this organisation; UNDP is the only organisation that has an in depth working knowledge of municipal and local administration affairs in Turkey and on the other hand a unique and unmatched capacity to draw from international best practices in the EU. Given the *de facto* monopoly situation of the UNDP, the award is made in accordance with the Implementing Rules, Article 168.1.c.

The award procedure of the direct agreement is planned to be started in the first quarter of 2008.

2. Adoption and implementation of the EU acquis

This priority axis will comprise 28 projects covering 14 acquis chapters. Projects have been selected on the basis of their priority for accession negotiations and preparations and in the light of costly investments needed for harmonisation (notably projects in the area of border management, migration and visa policy) and where the volume of legislation to be harmonised is very large.

Agriculture and fisheries

TR 07 02 01 Plant passport system and registration of operators (EUR 1.105 million)

The overall objective of this project is to contribute to preparing the plant health sector of Turkey for EU accession. Its specific objective is to establish a plant passport system on a pilot basis, which should lead to reducing the outbreak risk of quarantine organisms and to ensure traceability of strategic phytosanitary products all around the country.

This project will provide technical and institutional support required for establishment of such a pilot plant passport system. This should result in: secondary legislation concerning a plant passport system and registration of operators for products covered by the project being aligned with the acquis and effectively enforced; the administrative and technical capacity of the Ministry of Agriculture and Rural Affairs (MARA) and provincial directorates are strengthened in order to improve the efficacy of plant health controls, and the current network system is reinforced to ensure registration of all types of operators.

The Institution Building component (EUR 1 million) of this project will be implemented through a twinning agreement. A supply contract (EUR 0.105 million) is foreseen to strengthen the computing capacity of the current network system of MARA. The call for proposals for the twinning agreement and the tendering procedure for the supply contract are indicatively to start respectively in the 4th quarter of 2007 and in the 2nd quarter of 2008.

TR 07 02 02 Introduction of stock assessment to the Fisheries Management System of Turkey (EUR 2.2 million)

Within the overall objective of preparing MARA for the introduction of the Common Fisheries Policy in Turkey, this project aims to establish the necessary support systems for ecosystem based fisheries resource management. Through this project the framework conditions for the establishment of a sound integrated fisheries resource management will be set up and the capacity of MARA for fish resource management will be improved.

This project shall be implemented through a twinning agreement (EUR 1 million), which will provide guidance and assistance, mainly to enable the legislative alignment and a service contract (EUR 1.2 million), which will offer technical assistance in three main areas, comprising the preparation of elaborated strategic approximation documents, needs assessment and training of MARA personnel.

The twinning agreement and service contracts are planned to be launched respectively in the first and fourth quarter of 2008.

Customs Union and taxation

TR 07 02 03 Modernisation of the Turkish Customs Administration –IV (EUR 3.775 million)

This project is part of a series of projects over several years to modernize the Turkish Customs Administration. Its aim is to adequately equip the Regional Customs laboratory of Istanbul and provide guidance and training to its staff with a view to allowing a reliable analysis and (customs tariff) classification of goods at international standards, and fully implementing foreign trade measures.

The project will be implemented through a service (EUR 0.25 million) and a supply contract (EUR 3.525 million). The tendering procedures are planned to be launched in the 1st quarter of 2009 for the service contract and in the 1st quarter of 2008 for the supply contract.

TR 07 02 04 Introduction of quality management in the Revenue Administration (EUR 1.184 million)

The overall objective of the project is to improve the administrative capacity and efficiency of the tax administration in line with the Fiscal Blueprints. By improving the quality of the taxpayer's services it aims to contribute to the voluntary compliance with the tax system and an increase in the tax revenues. This project aims at greatly contributing to the alignment of the Turkish Tax System with relevant EU directives.

The project will be implemented through a service contract, which will provide a specialised and targeted training for the staff of the Turkish Revenue Administration. It will apply the Excellence Model in Revenue Administration and Total Quality Education of human resources. By doing, it aims at developing a comprehensive, innovative, effective and high quality taxpayer services system.

The tendering procedure is planned to be launched in the first quarter of 2008.

Energy

TR 07 02 05 Rehabilitation of the frequency control performance of Turkish Power System for synchronous operation with UCTE (EUR 2.5 million)

This project is to provide assistance in preparing the Turkish Power System for future parallel operation with the Union for the Co-ordination of Transmission of Electricity (UCTE) regarding power and frequency control, steady state and transient stability. It contributes to supporting the creation of a gradually integrated regional energy market as part of a wider European energy market and to the removal of restrictions on cross-border trade and third party access. The beneficiary of the Project is the Ministry of Energy and Natural Resources.

This project will be implemented through a *direct grant agreement* with the UCTE. The UCTE is the association of transmission system operators in continental Europe, providing a reliable market base by efficient and secure electric "power highways". Given the *de facto* monopoly situation of the UCTE, the award is made in accordance with the Implementing Rules, Article 168.1.c.

The award procedure is planned to be launched in the 1st quarter of 2008.

Environment

TR 07 02 06 Implementation of the EU Nitrate Directive (EUR 5.824 million)

The purpose of this project is to increase Turkey's capacity in reducing nutrient pollution caused by the agricultural sources on surface and ground water resources and soil by strengthening the infrastructure and the capacity of the Ministry of Agriculture and Rural Affairs (MARA) for implementation of the EU Nitrate Directive.

This project will be implemented through a twinning agreement (EUR 1 million), which will concentrate on aspects of legislative alignment and on relevant assistance and training for MARA staff in this context, a service contract (EUR 2 million), which will allow the provision of technical assistance for the identification of technical needs and specifications and to provide technical analytical support and training and a supply contract (EUR 2.824 million), which will enable the equipping of laboratories (including mobile labs) to measure the level of pollution caused by agricultural sources.

The call for proposals for the twinning agreement and the tendering procedures for the supply and service contracts are planned to be launched in the 4th quarter of 2007.

TR 07 02 07 Institution building on air quality in the Marmara region (EUR 5.785 million)

The overall objective of the project is to improve the environmental conditions in Turkey by implementation and enforcement of the EU environmental *acquis* in the area of ambient air quality. Framework conditions are to be established for efficient, effective and transparent implementation of the requirements of the EC Air Quality Framework Directive (AQFD) in the Marmara Region which will serve as a model for Turkey as a whole.

This project will be implemented through a twinning and a supply contract. The twinning agreement (EUR 1.9 million) will concentrate on implementing the AQFD and daughters directives requirements, the development of the institutional and technical capacity and on increasing awareness of priority groups and decision makers. The supply contract (EUR 3.885 million) will aim at establishing a Regional Ambient Air Monitoring System through the procurement of relevant hardware and software equipment for the regional network.

The call for proposals for the twinning agreement and the tendering procedure for the supply contract are planned to be launched in the 4th quarter of 2007 and in the 4th quarter of 2008 respectively.

TR 07 02 08 Capacity building in the field of environment (EUR 3 million)

The overall objective of the project is to facilitate alignment, implementation and enforcement of the EU environmental *acquis*. The specific aim is to strengthen the institutional and technical capacities of the Ministry of Environment and Forestry and other governmental institutions including local authorities and municipalities through training and technical assistance in relation to the alignment and implementation of EU environmental *acquis*. It will include the carrying out of regulatory and sectoral impact assessments on adoption of environmental legislation and the planning of environmental investments through participatory processes. The project will also aim at improving the access and use of environmental information and public participation in environmental decision-making.

The project will be implemented by the Regional Environmental Centre (REC) Country Office in Turkey through a *direct grant agreement*. REC is an independent and non-advocacy support organisation in Turkey offering services primarily for the environmental sector by acting as a neutral platform and catalyst by bringing together all relevant stakeholders to address common problems and foster effective dialogue across the environmental spectrum. The REC Country Office in Turkey (REC Turkey) was specifically established with the request of the Turkish Government assigned to mainly focus on the priority area of supporting and facilitating the EU accession process in the field of environment. Given its unique expertise and experience in the environmental sector, its particular knowledge of the Turkish context and its ability to work and collaborate with government institutions, NGOs and other stakeholders, the REC is considered the sole institution that can effectively carry out this project. Given the de facto monopoly situation the award is made in accordance with the Implementing Rules, Article 168.1.c) in the first quarter of 2008.

Financial control

TR 07 02 09 Strengthening the public financial management and control system in Turkey (EUR 1.8 million)

This projects aims at strengthening the implementation of the Financial Management and Control (FMC) system and to develop best internal control practices in Turkey. It will in particular concentrate on developing the administrative capacity of the Central Harmonization Unit for Financial Management and Control in the Ministry of Finance and in the Strategy

Development Units of pilot institutions through trainings, internship and study visits. It will also be developing tertiary regulations and a road map on FMC.

This project will be implemented through a twinning agreement for which the call for proposals is planned to be launched in the 1st quarter of 2008.

Internal Market

TR 07 02 10 Establishment of an accredited calibration laboratory (EUR 1.035 million)

The overall objective of this project is to further strengthen the quality infrastructure in the field of market surveillance of chemical safety, food safety and nutrition, toys, water quality, drugs and cosmetics, environmental health, and public health; it will in particular increase the quality and effectiveness of the services provided by the Refik Saydam Hygiene Centre (RSHC) in accordance with international quality standards and in line with relevant EU directives.

This project will be implemented through a service and a supply contract. The service contract (EUR 0.75 million) will provide training and advice to support the establishment of an accredited calibration laboratory within the Ministry of Health to assist RSHC laboratories and to strengthen and accredit two laboratories of the RSHC. The supply contract (EUR 0.285 million) will provide laboratory equipment for the laboratory within the Ministry of Health and for the Clean room and Sterility Control Laboratory of RSHC.

The tendering procedures for both contracts are planned to be launched in the 1st quarter of 2008.

TR 07 02 11 Establishment of a Market Surveillance Support Laboratory for Personal Protective Equipment (EUR 1.05 million)

The main objective of this project is to strengthen the national system of market surveillance support laboratories in the personal protective equipment (PPE) sector. The project will be implemented through two different contracts. A supply contract (EUR 0.45 million) will provide the equipping of support laboratories, enabling them to autonomously carry out the relevant testing services related to market surveillance. A service contract (EUR 0.6 million) will allow the provision of technical assistance, which will increase the technical knowledge of the PPE testing experts.

The tendering procedures are planned to be launched by the last quarter of 2007 for the supply contract and the first quarter of 2008 for the service contract.

TR 07 02 12 Support to the strengthening of quality infrastructure in Turkey (EUR 5.555 million)

The main goal of this project is to achieve a strengthened institutional and infrastructural framework in Turkey, in order to enable a better implementation of the acquis regarding the free movement of goods. Through this, it aims to contribute to the removal of regulatory barriers to trade between Turkey and EU in order to enhance the free movement of goods between the two parties.

The project will be implemented through two service contracts. The first contract (EUR 3.235 million) will provide technical advice to the relevant public institutions and the private sector on the regulatory aspects of the Quality Infrastructure, and enabling a further transfer of technical know-how with regards to accreditation, standardization, conformity assessment and metrology/calibration. The second contract (EUR 2.32 million) will aim at increasing the capacity of the Quality Infrastructure Actors. This will result in an increased capacity of Turkish Association for Testing and Calibration Laboratories, Turkish Standards Institute, National Metrology Institute, conformity assessment bodies, universities, SMEs and

consumer associations in general as to their roles and duties for a correct implementation of the quality infrastructure and market surveillance.

Tendering for both contracts is scheduled to start in the fourth quarter of 2007.

TR 07 02 13 Strengthening the Vocational Qualifications Authority (VQA) and the National Qualifications System (NQS) in Turkey (EUR 10.7 million)

The overall objective of this project is to ensure the provision of formal and non-formal vocational and technical education and training according to labour market needs, supporting life-long learning, strengthening the relation between education and employment in harmonization with European Qualifications Framework (EQF). The project essentially aims to support VQA, Occupational Standards Development, Vocational Knowledge and Skills Testing and Certification Centres (VOC-TEST) to establish and initiate an efficient and sustainable National Qualifications System based on agreed occupational standards with an appropriate system for assessment, grading and certification at all levels in line with European Qualifications Framework.

Activities will be conducted through a service contract (EUR 4.1 million), a supply contract (EUR 0.6 million) and a Grant Scheme (EUR 6 million). The result will be threefold: first, the necessary framework for the National Qualifications System to work in a sustainable and efficient way will be established; secondly the institutional capacity of the VQA and Occupational Standards Development, Vocational Knowledge and Skills Testing and Certification Centres (VOC-TEST) to provide services in a sustainable and coordinated manner to all stakeholders will be increased; thirdly, awareness raising activities will lead to a better knowledge of all stakeholders (public and private sector actors, unions, labour force, and NGOs) of NQS.

The launch of the service and supply contracts is planned in the first quarter of 2008; the launch of the grant scheme tender is planned in the second quarter of 2009.

TR 07 02 14 Supporting Turkey in enhancing the implementation and enforcement of Industrial Property Rights (EUR 1.2 million)

The overall objective of this project is to improve the implementation and enforcement of industrial property rights (IPR) in Turkey. It particularly aims to enhance the capacity of the Turkish Patent Institute (TPI) in processing IPR applications, oppositions, appeals, and complaints in accordance with the acquis and the court decisions.

The project will be implemented through a twinning agreement, which will lead to an improved decision-making process and alignment of TPI operations with the court rulings, as well as a better coordination with the IPR stakeholders.

Tendering is planned to be started in the 1st quarter of 2008.

JLS

TR 07 02 15 Action Plan on Integrated Border Management (EUR 9.835 million)

The overall objective of this project is to develop and strengthen Turkey's legal, institutional and technical capacity to align its integrated border management (IBM) strategy with EU standards, on the basis of Turkey's National Action Plan on Border Management. It is aimed at putting in place the necessary structures, capacity and – in selected prototyping areas – the technology to combat illegal border crossing, smuggling, trafficking, terrorism and all forms of organized crime. This project is part of a multi-annual programme, with three distinct phases. This project will constitute the first phase of this programme; it will mainly concentrate on twinning in the areas of legislation and organisation, technical assistance for procedural and technical framework and a small supply component.

This project will be implemented through a twinning agreement (EUR 1.2 million), a supply contract (EUR 3.385 million) and two service contracts providing technical assistance for Roadmap and Border Gate Survey (EUR 4.4 million) and Border Surveillance Area Survey (EUR 0.85 million).

The tendering procedures are scheduled to be launched between the 4th quarter of 2007 and the 1st quarter of 2009.

TR 07 02 16 Support to Turkey's capacity to combat illegal migration (EUR 1.7 million)

The overall objective of this project is to support the reform of the Turkish system of control of illegal immigration in line with the Council of Europe/European Court of Human Rights' standards and with the EU Member States' best practices. It foresees training as well as support and advice by EU Member State experts in view of enhancing the capacity of the relevant Turkish authorities to efficiently manage the apprehended third country nationals irregularly staying in the country as well to respect their human rights. The first step in the implementation of the project will consist in a thorough examination of the legal and administrative norms existing in Turkey as regards the management of the apprehended illegal immigrants and their practical implementation modalities in view of recommending possible improvements

The project will be executed through a twinning agreement (EUR 1.2 million) and a service contract (EUR 0.5 million). The service contract is for the provision of language training for staff of the removal and reception centres in both projects TR 07 02 16 and TR 07 02 17.

The tendering procedure for the service contract was launched on 24/3/2010. The twinning contract was signed on 29/12/2009.

TR 07 02 17 Strengthening Turkey's capacity to deal with refugees, asylum seekers and illegal migrants (establishment of a reception and removal system (EUR 71.9 million)

The overall objective of this project is to promote better implementation of asylum policies in Turkey in line with international and EU standards. It will aim at strengthening the institutional capacity for dealing with refugees and asylum seekers and to introduce standards for legislative and administrative alignment with EU *acquis* and best practices. The project will lead to the setting up of reception centres where asylum seekers can be accommodated and their application can be handled and removal centres for illegal migrants. Based on a feasibility study, the project will provide for the construction of at minimum six, and if possible within the project budget, seven reception, screening and accommodation centres and two removal centres for illegal migrants. It also involves developing a training programme and training of relevant staff in the fields of asylum. The relevant training will amongst others entail tuition on full respect of human rights in dealing with refugees, management and organisation of reception centres, on how to conduct interviews of asylum seekers, including vulnerable groups such as for instance traumatised persons or mentally disturbed persons, or training on international and EU asylum law.

The project will be executed through three different contracts: a twinning agreement (EUR 1.2 million), a works contract (EUR 66.5 million) and a service contract (EUR 4.2 million). The service contract will provide technical assistance for the supervision and monitoring of works. Consequently the total IPA amount spent for investments in this project will amount to EUR 70.7 million (works and service contracts). Out of these, approximately EUR 55 million will be spent on the construction of Reception centres for asylum seekers and EUR 15.7 million on Removal centres for illegal migrants.

The twinning agreement was signed on 29/01/2010 and the tendering procedures for the service and works contracts are planned to be launched in the 3rd quarter of 2010 and the 1st quarter of 2011 respectively.

TR 07 02 18 Dissemination of model prison practices and promotion of prison reform in Turkey (EUR 7.2 million)

The overall objective of this project is helping to improve the penitentiary system in Turkey in line with European Prison Rules and the other international standards. It aims at contributing to create a professional, effective and efficient prison service through dissemination of model prison practices and promotion of prison reform in Turkey by upgrading the prison services and contributing to the improvement of detention conditions.

The project will be implemented through a *direct grant agreement* (EUR 4.2 million) with the Council of Europe (CoE) and through a supply contract (EUR 3 million). The recommendations of the European Committee for the Prevention of Torture and the new European Prison Rules developed and adopted by all member countries of the Council of Europe form the basis of this project proposal. The CoE has a unique project experience and expertise in this area. The award of the grant is made in accordance with Art 168.1.c) of the Implementing Rules of the Financial Regulation, considering that the CoE has a de facto monopoly for the implementation of this action in view of its unique expertise.

The CoE will provide training and guidance to staff in different areas, work with inmates to promote activities, and work with the wider public and civil society to promote prison reform. The CoE will also work towards increasing the capacity of the General Directorate of Prisons and Detention Houses of the Ministry for further design and implementation of prison reforms. The supply contract will include the provision of training materials and tools for 90 prisons, equipment support to two newly opened Prison Staff Training Centers and support to modernize the research and development center in the General Directorate for Prisons and Detention Houses.

The tendering procedure for the supply contract is planned to be launched in the 4th quarter of 2007. The award procedure for the direct agreement is to be started at the same time.

TR 07 02 19 Strengthening the Turkish National Monitoring Centre for Drugs and Drug addiction (EUR 1.887 million)

The objective of this project is to strengthen the capacity of the Turkish National Monitoring Centre for Drugs and Drug Addiction (TUBIM) to prepare for participation in the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) and further alignment with the Acquis. The project will aim at strengthening the institutional structure and the technical capacity of TUBIM as well as its capacity to collect data, provide analysis and coordinate as a National Focal Point. Another objective is to increase the quality and quantity of scientific field studies necessary to identify and determine the prevalence of drugs and drug abuse and the underlying problems to allow for a more efficient fight against these problems. The project will also cover awareness raising measures targeted at NGOs and the Mass Media.

The project will be carried out through a twinning agreement (EUR 1.778 million) and a supply contract for equipment (EUR 0.109 million), which are respectively planned to be launched in the fourth quarter of 2007 and the first quarter of 2008.

Social policy and employment

TR 07 02 20 Improving occupational health and safety in the workplace (EUR 3.932 million)

The overall objective of this project is to improve the health and safety conditions of workers at work, and to ensure the implementation of the related EU *acquis* in Turkey. The project's purpose is to assist the Turkish government to upgrade OHS related recording system and to promote OHS culture among workplaces with specific focus on mining, construction and metal industries.

The project will be carried out through a supply contract (EUR 0.432 million) and a service contract (EUR 3.5 million), which will allow determining priority intervention areas by analysis of present OHS situations in pilot regions, as well as establishing a web-based OHS Recording System Model. A series of different awareness raising activities on occupational accidents and diseases among social partners and related organizations will also take place.

Tendering procedures are planned to be started in the first (service) and second (supply) quarter of 2008.

TR 07 02 21 Development of regional laboratories of the Occupational Health and Safety Centre (İSGÜM) (EUR 1.8 million)

Within the overall objective of improving the occupational health and safety (OHS) conditions in Turkey, this project aims to enable İSGÜM's regional laboratories to help enterprises - especially SMEs - apply effectively and efficiently the harmonized OHS legislation.

A service contract will cover activities, which will result in an increase of the number of surveillances performed by the regional laboratories of İSGÜM on work environments and the workers' health. The staff of the regional laboratories will start carrying out the workplace exposure measurements in a standardized way and the data being collected will be useable in policy making.

The tendering is planned to be launched in the first quarter of 2008.

TR 07 02 22 Capacity building of the Social Security Institution (EUR 1.095 million)

The main goal of this project is to strengthen the institutional and administrative capacity of the Social Security Institution (SSI), in order to develop aligned policies in the field of coordination of social security schemes and social security policy.

The project foresees training and institution building activities, as well as awareness raising and infrastructure activities. Training and awareness raising activities will be performed through a Technical Assistance service contract (EUR 1.05 million) and will mainly concentrate on a needs analysis and report, as well as the organisation of trainings, workshops and awareness raising conferences. The infrastructure activities, instead, will be carried out through a Supply Contract (EUR 0.045 million) which will provide the infrastructure of the training facility and the infrastructure of the library.

All tender procedures are planned to be launched in the first quarter of 2008.

Statistics

TR 07 02 23 Strengthening the statistical capacity of MoNE (EUR 2 million)

The overall objective of this project is to provide adequate statistical data and analysis, in the field of education, for the purposes of facilitating policy decisions towards implementation of the pre-accession strategy and the adoption of the *acquis*. The specific purpose is to upgrade the data collection system of the Ministry of National Education (MoNE) in the area of education according to EU standards. The plan is to develop a system which will: i) enable all beneficiaries to get reliable, coherent data on finance, personnel, student enrolment, graduations and drop outs; ii) align with national and international definitions and which iii) will be the main source in their decision-making process, by the 1st Quarter of 2010.

The project will be executed through a service contract providing technical assistance (EUR 1.85 million) and a supply contract (EUR 0.15 million) for upgrading the IT infrastructure of the MoNE.

The tendering procedures for the service and supply contracts are planned to be launched in the fourth quarter of 2007.

TR 07 02 24 Strengthening the statistical capacity of the Ministry of Labour and Social Security (EUR 0.95 million)

This project aims to contribute to the harmonization of the *acquis* in the area of statistics by establishing a statistical system in the Ministry of Labour and Social Security (MoLSS) providing required statistical data on the employment, labour market and social inclusion sectors. Through this project the statistical collection and management system of the MoLSS will be upgraded and the qualifications of staff working on IT and statistics will be improved.

The project will be executed through a service contract providing technical assistance (EUR 0.8 million) and a supply contract (EUR 0.15 million) for upgrading the technological infrastructure of the MoLSS.

The tendering procedures are planned to be started in the first (service) and second (supply) quarter of 2008 respectively.

TR 07 02 25 Strengthening the statistical capacity of the MARA (Ministry of Agriculture and Rural Affairs) (EUR 1.1 million)

The overall objective of this project is to provide reliable information for the implementation of efficient agricultural policies and to establish a sustainable data collection system in compliance with EU requirements. The project particularly aims at upgrading the Agricultural Statistical System of Turkey, according to EU standards, on the methodology and quality of compiling and processing statistical information.

The project will be executed through a service contract (EUR 0.95 million), which will provide data collection and technical assistance for the training of Ministry of Agriculture and Rural Affairs (MARA) staff on the EU's statistical system, survey design and several special statistical methods; and a supply contract, which will make hardware, software and office equipment (EUR 0.15 million) available.

The tendering procedures for the service and supply contracts are planned to be launched in the 3rd quarter of 2008.

Transport

TR 07 02 26 Safer Seas: Upgrading of Turkish Coastal Radio (EUR 2.35 million)

The overall objective of this project is to increase the safety of life, goods, navigation and environment in Turkish coastal areas. It aims in particular at increasing the efficiency of communication of the Turkish Coastal Radio in case of maritime emergency operations and service area. The project will lead to the modernization of the Turkish Coastal Radio and in particular to the transposition of *acquis* regarding the implementation and enforcement of maritime safety. It will also improve the administrative and technical capacity of the Turkish Coastal Radio.

The project will be implemented through a twinning light contract (EUR 0.25 million) and a supply contract (EUR 2.1 million).

Both the twinning light agreement and the supply contract are planned to be launched in the first quarter of 2008.

TR 07 02 27 Reform of the Turkish railways (EUR 3.6 million)

The overall objective of this project is to restructure and reform the Turkish state railways (TCDD) in view of opening up the sector for competition in line with the EU *acquis*.

The project will be implemented through a technical assistance service contract and will include three main activities. The first activity will aim at preparing a strategy for establishing framework conditions in order to realise the railway reform in line with the draft law package. The second and third activities will cover the strengthening of the capacity of prospective infrastructure manager at the new TCDD on infrastructure allocation and charging, and on safety and interoperability respectively.

The tendering procedure is planned to be started in the last quarter of 2007

Project preparation and support to DIS institutions

TR 07 02 28 Support activities to strengthen the European integration process (EUR 10 million)

The purpose of this project is to strengthen the capacities of the DIS institutions (office of the NAO, NAC, EUSG, CFCU) and operating structures to be appointed within the framework of IPA, as well as other relevant Turkish institutions in fulfilling their respective pre-accession roles and functions.

The project consists of two components:

i. Project Preparation Facility. The purpose of this component is to support the Turkish administration for the design and appraisal of programmes and projects to be submitted for financing in the framework of the pre-accession financial assistance to Turkey, and to assist beneficiary institutions in the assessment tasks regarding grant-schemes.

ii. Institution Building in the context of the pre-accession process and accession negotiations. The objective of this component is to enable the implementation of a number of accession related actions of various public/private actors in order to meet specific and urgent needs identified in the course of the pre-accession and negotiation processes. Furthermore, this component will support Turkey's participation in activities for the exchange of information, networking, and participation in workshops, conferences, study visits and similar activities.

The project will be executed through service, supply and framework contracts, as well as twinning light agreements. The tendering procedures will be launched in the 1st quarter of 2008.

3. Promotion of an EU-Turkey Civil Society Dialogue

This priority axis will comprise 4 projects. Projects have been selected on the basis of their importance for the continuation of efficient and effective EU-Turkey Civil Society dialogue operations and in view of developing new and innovative areas of EU-Turkey Civil Society dialogue.

TR 07 03 01 Promotion of the Civil Society dialogue between the EU and Turkey – II (EUR 5.1 million)

Within the overall objective of promoting the civil society dialogue between EU and Turkey, this project's purpose is to establish a framework for cooperation, support the establishment of partnerships and promote dialogue between civil societies of Turkish and EU counterparts on Culture and Arts, Fisheries and Agriculture.

This project will be implemented through separate grant schemes allowing diversifying and improving the dialogue and participation of Turkish actors in European Networks in the field of culture and arts (EUR 1.8 million) and in the field of fisheries and agriculture (EUR 2 million).

In addition a number of Micro Grant Schemes (EUR 0.2 million) will help increasing joint actions and any projects or activities implemented on the local or international level by the NGOs.

Besides these, the project foresees two technical assistance contracts: a Framework Contract (EUR 0.200 million) and a Service Contract (EUR 0.9 million).

The grant scheme and the micro grant schemes will be implemented through competitive calls for proposals, which are planned to be launched between the 1st and the 4th quarter of 2008.

TR 07 03 02 Cultural bridges (EUR 6.6 million)

The wider objective of this project is to promote a cultural dialogue and understanding between civil societies in Turkey and the EU Member States. As part of the Civil Society Dialogue, cultural cooperation is encouraged through support for multinational cultural projects with high visibility.

The project will help integrate the EU Member States' cultural institutes or missions in Turkey as leading actors in the Civil Society Dialogue in addition to their bilateral activities in Turkey. Their expertise on intercultural dialogue and building bridges between different cultures will represent a significant contribution to this initiative. A lasting and sustainable EU-Turkey dialogue and partnership focused on culture is at the heart of the *Cultural Bridges* Programme. To give the programme a true dimension of dialogue, at least one Turkish cultural actor must be involved in the project as partner. Activities should target the public at large and be accessible to the largest number of citizens.

The project is comprised of indicatively 10 direct grant agreements (overall EUR 6 million) with EU cultural institutes, as project leaders, present in Turkey as well as technical assistance (TA) to facilitate the implementation. It will include service contract (EUR 0.5 million) to support the preparation, management and visibility of the schemes and a service contract (EUR 0.1 million) to evaluate the scheme.

The tendering is scheduled to be held in the 1st quarter of 2008 and the 2nd quarter of 2010 for the technical assistance and programme evaluation activities. Following a call for expression of interest, direct grant agreements will be awarded in the 3rd quarter of 2008 to those cultural institutes or missions who represent EU Member States cultural identity and diversity in Turkey and who have a unique expertise and experience in organizing multilateral cultural activities in Turkey. Given the *de facto* monopoly situation of these EU Member States cultural institutes, the award is made in accordance with the Implementing Rules, Article 168.1.c.

TR 07 03 03 Continuation of the "JEAN MONNET" scholarship programme (EUR 6.98 million)

The overall objective of the project is to support Turkey in its efforts towards accession by strengthening Turkey's administrative capacity for the implementation of the EU *acquis*.

The purpose of the project is to develop Turkey's human resources in EU *acquis*-related areas through post-graduate studies in EU member countries. In this way, young professional's perspective and perception of the European integration process is broadened and the bonds between young Turkish professionals and those of the EU is strengthened.

The project will be implemented through a grant scheme to finance some 100 post-graduate scholarships (including publication of the scholarship competition, selection of candidates, identification of EU universities and institutions meeting the needs of the scholars and the objectives of the scholarship programme, and establishment of an alumni network). The call for proposals for awarding the scholarships (EUR 6 million) are planned to be launched in the 4th quarter of 2009 and the 4th quarter of 2010. In addition, the implementation of the

scholarship programme will be supported by technical assistance procured through a service contract (EUR 0.98 million), which is planned to be tendered in the 1st quarter of 2009.

TR 07 03 04 Participation in EU programmes and agencies (EUR 58.513 million)

The Framework Agreement between Turkey and the European Community on the General Principles for the Participation of Turkey in Community (now EU) programmes was signed on 26 February 2002, and entered into force on 5 September 2002. As in previous years, Turkey's participation in EU programmes will be co-financed using 2007 pre-accession assistance funds. It is proposed to co finance participation in the programmes such as: Lifelong Learning, Youth in Action, Culture 2007, EU Action in the field of public health, CIP/EIP and others. Participation in Agencies such as EEA and EMCDDA is also foreseen. In view of the fact that the cost of participation in some of these programmes is not known at present, this list will be subject to review.

The participation of the beneficiary country in EU programmes shall follow the specific terms and conditions set out for each such programme in the memorandum of understanding to be concluded by the Commission and the beneficiary country, in accordance with the agreements establishing the general principles for participation of the beneficiary country in EU programmes. It shall include provisions on both the total amount of the beneficiary country's contribution and the amount funded by assistance under the IPA regulation.

2.c Overview of past and on going assistance (EU / IFI / Bilateral and national assistance) including lessons learned and donor co-ordination

Past/on-going assistance

Assistance under the MEDA programme (1996-2001) and under the Turkey pre-accession assistance instrument (2002-2006) has covered most areas relevant for Institution Building (IB). EU assistance for institution-building has increased from EUR 86 million in 2002 to EUR 268 million in 2006. Overall, EUR 773 million of EU assistance have been made available to Turkey for Institution Building measures between 2002 and 2006.

The promotion of human rights and the rule of law (as typical areas under the **political criteria**) has been addressed through a number of projects aimed at the police and gendarmerie services, the judiciary, and civil society. Such projects target systemic changes, however the scale of the country and the complexity of the issues have, in general, not permitted a definitive solution to the identified problems. In many cases, it may be judged a considerable achievement that EU assistance has led to the establishment of cooperation or the definition of an action plan for further activities in relation to the issue concerned. In a number of areas of intervention, effectiveness has been limited by deep divisions within the public administration, for example judiciary reform, not all segments of which supported the aims of EU assistance.

With regard to assistance for **alignment with and implementation of the acquis**, satisfactory alignment has been achieved in a limited number of areas related to the internal market acquis, especially those requiring important administrative capacity or substantial investments (such as agriculture, environment, border management), are still in very early stages of harmonisation. The development of strategies for alignment in key intervention sectors (environment, transport, agriculture, border management, migration) has been advanced.

Although **Civil Society Dialogue** has not been a sector of intervention for the pre-accession programmes until 2005, support to civil society, because of its close links to the fulfilment of the Copenhagen political criteria, has been a priority of pre-accession assistance since the late 90's. Exchanges on a significant scale with the EU have been supported through Turkey's participation in EU Programmes such as Socrates, Leonardo da Vinci and Youth, and through

grants such as the Jean Monnet scholarships. Therefore, actions to be financed under IPA in this area will be building on rather well established foundations.

Lessons learned

In designing the IPA 2007 programme, careful account has been taken of the results of projects programmed in previous years. Lessons learned are usually drawn on a case by case basis, building upon relevant experience in the implementation of previous projects in a specific area. Relevant information in that respect is provided in each project fiche.

Key findings and conclusions included in the interim evaluations of Phare assistance (1999-2002) and EU pre-accession support to Turkey (2003-2006) have been taken into account as follows:

- Insufficient attention to public administration reform: Where project components are subject to adoption of legislation or institutional reform/set-up, these have not been considered for inclusion in this programme.
- Weaknesses in project design: The programming process has been structured and clarified with the adoption of a process document and additional expertise has been mobilised, e.g. the CFCU and external experts, to improve on design and consistency verification of projects. Training has been provided to beneficiary organisations.
- Funding decisions not responsive to DIS capacity constraints: The signing of Financing Agreements in 2005 and 2006 has been conditional to sufficient strengthening of DIS institutions. The main capacity problems have been addressed.
- Late contracting: Deadlines for the submission of tender dossiers and the launching of tendering procedures, as agreed between the Commission and the Turkish authorities in December 2006, have significantly increased contracting performance. However, the structural backlog in contracting has not been fully overcome yet.
- Lack of planning documents: The MIPD has proven an efficient reference document for programming. Sector strategies are increasingly the basis for the preparation of projects. Supporting documents such as (pre-)feasibility studies, market studies and needs analyses have started to be introduced but are not yet sufficiently used.
- Lack of focus on changes in institutional performance: Increased attention was given to defining results/performance indicators.

Donor/IFI cooperation

In areas such as the Copenhagen political criteria, social policy, or migration and asylum, the EU pre-accession programme has established a fruitful cooperation with a number of UN Agencies, as well as with the Council of Europe. It is foreseen to continue this cooperation under IPA component I, particularly in those areas where Turkey does not currently have sufficiently developed structures to absorb more standard forms of Institution Building assistance such as twinning.

Collaboration with IFIs and bilateral donors, relevant for this programme, has focussed on support for sector restructuring such as the restructuring of the Turkish railway sector and the social security and education sectors.

The EU Delegation in Ankara organizes regular coordination meetings with IFIs, International Organizations and Member States. Meetings are taking place on a monthly average throughout the year. The Commission strives to keep Member States fully informed on all financial cooperation issues of interest to them, in particular on progress in implementation and on matters related to IPA.

2. d Horizontal issues

Cross cutting issues, such as equal opportunities, support to minorities and vulnerable groups, environmental protection and good governance, have become an integral part of each project fiche. The mainstreaming of the cross cutting issues in each project shall ensure that strategies, policies, structures and operating procedures of the beneficiary are in conformity with the principles defined in the various project fiches.

2. e Conditions

Agreement on the 2007 IPA component I programme will depend on the Turkish authorities' commitment to the continued forceful implementation of the pre-accession strategy, giving attention to the establishment of adequate administrative structures for programme implementation, in order that EU financial supports are used in the most effective manner.

The specification of conditions that need to be fulfilled before implementation can begin continues to be used as appropriate; however it cannot be used to substitute for project maturity and proper project preparation. Projects were only considered for inclusion in this proposal if they met the criteria of adequate design, readiness for implementation upon signature of the Financing Agreement, ensured co-financing in keeping with the programming guidelines developed for Turkey, and conformity with Accession Partnership priorities.

2. f Benchmarks

	2008	2009 (cumulative)	2010 (cumulative)
	EU	EU	EU
Number of tenders launched (<i>service, supply, works</i>)	35	40	45
Number of calls for proposals launched (<i>twinning, grants</i>)	30	34	35
Contracting Rate (%)	50%	80%	100%

TR0702.28 not included.

2. g Roadmap for the decentralisation of the management of EU funds without *ex ante* controls by the Commission

A Commission Decision establishing conferral of management with *ex-ante* controls on the IPA Transition Assistance and Institution Building Component was adopted on 29 October 2008, thereby accrediting the Turkish DIS (decentralised implementation system) institutions and procedures. The Decision includes a number of recommendations to further improve the management and control system, which are monitored closely by the European Commission. The Turkish authorities have in 2009 also prepared a roadmap for full decentralisation of the management of EU funds without *ex ante* controls by the European Commission. Once the roadmap is implemented and the European Commission confirms that the necessary conditions are met, a partial or full waiver of *ex ante* controls may be considered.

3. BUDGET (AMOUNTS IN EUR)

3.1. Indicative budget table

	EU - IPA assistance				National Public Contribution		Total (IPA plus National Co-financing)
	Institution Building	Investment	Total in EUR	% of total	EUR	% of total	EUR
Priority Axis 1	Progress towards fully meeting the Copenhagen political criteria						
TR 07 01 01	1 790 000	158 000	1 948 000	97.40%	52 000	2.60%	2 000 000
TR 07 01 03	2 000 000	0	2 000 000	100%	0	0%	2 000 000
TR 07 01 04	5 000 000	0	5 000 000	100%	0	0%	5 000 000
TR 07 01 05	4 000 000	0	4 000 000	100%	0	0%	4 000 000
Sub-total Priority 1	12 790 000	158 000	12 948 000	99.6%	5 200 000	0.4%	1 300 000
Priority Axis 2	Adoption and implementation of the EU acquis						
TR 07 02 01	1 000 000	105 000	1 105 000	96.93%	35 000	3.07%	1140000
TR 07 02 02	2 200 000	0	2 200 000	100%	0	0%	2 200 000
TR 07 02 03	250 000	3 525 000	3 775 000	76.26%	1 175 000	23.74%	4 950 000
TR 07 02 04	1 184 300	0	1 184 300	100%	0	0%	1 184 300
TR 07 02 05	2 500 000	0	2 500 000	100%	0	0%	2 500 000

TR 07 02 06	3 000 000	2 823 750	5 823 750	86.09%	941 250	13.91%	6 765 000
TR 07 02 07	1 900 000	3 885 000	5 785 000	81.71%	1 295 000	18.29%	7 080 000
TR 07 02 08	3 000 000	0	3 000 000	100%	0	0%	3 000 000
TR 07 02 09	1 800 000	0	1 800 000	100%	0	0%	1 800 000
TR 07 02 10	750 000	285 000	1 035 000	91.59%	95 000	8.41%	1 130 000
TR 07 02 11	600 000	450 000	1 050 000	87.50%	150 000	12.50%	1 200 000
TR 07 02 12	5 555 000	0	5 555 000	100%	0	0%	5 555 000
TR 07 02 13	10 100 000	600 000	10 700 000	98.17%	200 000	1.83%	10 900 000
TR 07 02 14	1 200 000	0	1 200 000	95.24%	60 000	4.76%	1 260 000
TR 07 02 15	6 450 000	3 384 750	9 834 750	89.71%	1 128 250	10.29%	10 963 000
TR 07 02 16	1 700 000	0	1 700 000	100%	0	0%	1 700 000
TR 07 02 17	1 200 000	70 700 000	71 900 000	75.3%	23 566 667	24.7%	95 466 667
TR 07 02 18	4 200 000	3 000 000	7 200 000	87.8	1 000 000	12.2%	8 200 000
TR 07 02 19	1 778 000	109 000	1 887 000	98.12%	36 250	1.88%	1 923 250

TR 07 02 20	3 500 000	432 000	3 932 000	96.49%	143 000	3.51%	4 075 000
TR 07 02 21	1 800 000	0	1 800 000	100%	0	0%	1 800 000
TR 07 02 22	1 050 000	45 000	1 095 000	98.65%	15 000	1.35%	1 110 000
TR 07 02 23	1 850 000	150 000	2 000 000	97.56%	50 000	2.44%	2 050 000
TR 07 02 24	800 000	150 000	950 000	95%	50 000	5%	1 000 000
TR 07 02 25	950 150	150 000	1 100 150	95.65%	50000	4.35%	1 150 150
TR 07 02 26	250 000	2 100 000	2 350 000	77.05%	700000	22.95	3 050 000
TR 07 02 27	3 600 000	0	3 600 000	100%	0	0%	3 600 000
TR 07 02 28	10 000 000	0	10 000 000	95.24%	500 000	4.76%	10 500 000
Sub-total Priority 2	74 167 450	91 894 500	166 061 950	84.2%	31 190 417	15.8%	197 252 367
Priority Axis 3	Promotion of an EU-Turkey Civil Society Dialogue						
TR 07 03 01	5 100 000	0	5 100 000	100%	0	0%	5 100 000
TR 07 03 02	6 600 000	0	6 600 000	100%	0	0%	6 600 000
TR 07 03 03	6 980 000	0	6 980 000	100%	0	0%	6 980 000
TR 07 03 04	58 512 770	0	58 512 770	46.54%	67 224 080	53.46%	125 736 850
Sub-total Priority 3	77 192 770	0	77 192 770	53.45%	67 224 080	46.55%	144 416 850
TOTAL	164 150 220	92 052 500	256 202 720	72.24%	98 466 497	27.76%	354 669 217

The following projects may absorb additional funds and will be given priority for reallocations in the case of budget savings:

TR 07 02 15 *Defining the technical needs and legal changes an detailing the action plan of the new integrated border management (IBM) strategy*

TR 07 02 16 *Support to the establishment of Removal Centres and training of the staff for these centres*

TR 07 02 17 *The establishment of a reception, screening and accommodation system (centres) for refugees/asylum seekers*

TR 07 02 28 *Support Activities to Strengthen the European Integration Process*

TR 07 03 02 *Cultural bridges*

3.2. Principle of co-financing applying to the projects funded under the programme

The EU contribution has been calculated in relation to the total public eligible expenditure and amounts to 72.24%.

In view of the late introduction of rules on co-funding for institution building (IB) measures, in this transition year 2007, national co-financing for these measures will be very limited. However, IB projects will have a degree of implicit co-financing, which will not be quantified on a monetary basis. It is foreseen that from 2008 Turkey would be complying fully with the new co-funding requirements.

In the case of grants, final grant beneficiaries should contribute with a minimum of 10 % of the total eligible cost of the project, both for investment and institution building projects the operation's eligible costs. Exception to this rule in 2007 concern grant schemes involving NGOs such as for project TR 07 01 04 Empowerment of Women and Women NGO's in least developed regions of Turkey and project TR 07 03 01 Promotion of the civil-society dialogue between the EU and Turkey – II, which will be financed in full by the Commission in accordance with Article 253(1)(d) of the Implementing Rules to the Financial Regulation".

4. IMPLEMENTATION ARRANGEMENTS

4.1. Method of Implementation

This programme shall be implemented by decentralized management, in accordance with article 53c of the Financial Regulation² and the corresponding provisions of the Implementing Rules³. The Beneficiary Country will continue to ensure that the conditions laid down in Art. 56 of the Financial Regulation are respected at all times.

The *ex ante* control by the Commission shall apply to the tendering of contracts, launch of call for proposals and the award of contracts and grants until the Commission allows for decentralised management without ex-ante controls as referred in Article 18 of the IPA Implementing Regulation.

4.2. General rules for Procurement and grant award procedures

Procurement shall follow the provisions of Part Two, Title IV of the Financial Regulation and Part Two, Title III, Chapter 3, of its Implementing Rules as well as the rules and procedures for service, supply and works contracts financed from the general budget of the European Communities for the purposes of cooperation with third countries adopted by the Commission on 24 May 2007 (C (2007)2034).

Grant award procedures shall follow the provisions of Part One, Title VI of the Financial Regulation and Part One, Title VI of its Implementing Rules.

² See footnote 5 *supra*.

³ See footnote 4 *supra*.

The Contracting Authorities shall also use the procedural guidelines and standard templates and models facilitating the application of the above rules provided for in the "Practical Guide to contract procedures for EU external actions" ("Practical Guide") as published on the EuropeAid website⁴ at the date of the initiation of the procurement or grant award procedure.

In case of projects containing works components, the International Federation of Consulting Engineers (FIDIC) conditions of contracts will be followed for that component.

4.3. Implementation Principles for Twinning Projects

Twinning projects shall be set up in the form of a grant agreement, whereby the selected Member State administrations agree to provide the requested public sector expertise against the reimbursement of the expenses thus incurred.

The contract may in particular provide for the long-term secondment of an official assigned to provide full-time advice to the administration of the beneficiary country as resident twinning advisor.

The twinning grant agreement shall be established in accordance with relevant provisions of Part One, Title VI of the Financial Regulation and Part One, Title VI of its Implementing Rules.

The twinning manual is available on the Website of DG ELARG at the following address: <http://europa.eu.int/comm/enlargement/pas/twinning/index.htm>

5. MONITORING AND EVALUATION

5.1. Monitoring

Programme implementation will be monitored through the IPA monitoring committee assisted by Transition Assistance and Institution Building Monitoring Committee and the Joint Monitoring Committee.

They shall assess the effectiveness, quality and coherence of the implementation of this programme. They may make proposals to the Commission and the national IPA co-ordinator, with a copy to the national authorising officer, for decisions on any corrective measures to ensure the achievements of programme objectives and enhance the efficiency of the assistance provided

5.2. Evaluation

Programmes shall be subject to *ex ante* evaluations, as well as interim and, where relevant, *ex post* evaluations in accordance with Articles 57 and 82 of the IPA Implementing Regulation with an aim to improve the quality, effectiveness and consistency of the assistance from Community funds and the strategy and implementation of the programmes.

After the conferral of management powers, the responsibility for carrying out interim evaluations shall lie with the beneficiary country, without the Commission's rights to perform any *ad hoc* interim evaluations of the programmes it deems necessary.

Ex post evaluation shall remain a prerogative of the Commission even after the conferral of management powers to the beneficiary country.

The results of *ex ante* and interim evaluation shall be taken into account in the programming and implementation cycle.

The Commission may also carry out strategic evaluations.

⁴ current address: http://europa.eu.int/comm/europeaid/tender/gestion/index_en.htm

6. AUDIT, FINANCIAL CONTROL, ANTIFRAUD MEASURES; FINANCIAL ADJUSTMENTS, PREVENTIVE MEASURES AND FINANCIAL CORRECTIONS

6.1. Audit, Financial Control and Anti-fraud measures

The accounts and operations of all parties involved in the implementation of this programme, as well as all contracts and agreements implementing this programme, are subject to, on the one hand, the supervision and financial control by the Commission (including the European Anti-Fraud Office), which may carry out checks at its discretion, either by itself or through an outside auditor and, on the other hand, audits by the European Court of Auditors. This includes measures such as ex-ante verification of tendering and contracting carried out by the Delegation in the Beneficiary Country.

In order to ensure the efficient protection of the financial interests of the EU, the Commission (including the European Anti-Fraud Office) may conduct on-the-spot checks and inspections in accordance with the procedures foreseen in Council Regulation (EC, Euratom) 2185/96⁵.

The controls and audits described above are applicable to all contractors, subcontractors and grant beneficiaries who have received EU funds.

6.2. Financial adjustments

The national authorising officer, who bears in the first instance the responsibility for investigating all irregularities, shall make the financial adjustments where irregularities or negligence are detected in connection with the implementation of this programme, by cancelling all or part of the EU assistance. The national authorising officer shall take into account the nature and gravity of the irregularities and the financial loss to the EU assistance.

In case of an irregularity, including negligence and fraud, the national authorising officer shall recover the EU assistance paid to the beneficiary in accordance with national recovery procedures.

6.3. Audit trail

The national authorising officer shall ensure that all the relevant information is available to ensure at all times a sufficiently detailed audit trail. This information shall include documentary evidence of the authorisation of payment applications, of the accounting and payment of such applications, and of the treatment of advances, guarantees and debts.

6.4. Preventive Measures

Beneficiary countries shall ensure investigation and effective treatment of suspected cases of fraud and irregularities and shall ensure the functioning of a control and reporting mechanism equivalent to that provided for in Commission Regulation 1828/2006⁶. All suspected or actual cases of fraud and irregularity as well as all measures related thereto taken must be reported to the Commission services without delay. Should there be no suspected or actual cases of fraud or irregularity to report, the Beneficiary Country shall inform the Commission of this fact within two months following the end of each quarter.

Irregularity shall mean any infringement of a provision of applicable rules and contracts, resulting from an act or omission by an economic operator, which has, or would have, the effect of prejudicing the general budget of the European Union by charging an unjustified item of expenditure to the general budget.

⁵ Council Regulation (EC, Euratom) 2185/96 of 11. November 1996, OJ L 292; 15.11.1996; p. 2.

⁶ OJ L371, 27.12.2006, p. 1.

Fraud shall mean any intentional act or omission relating to the use or presentation of false, incorrect or incomplete statements or documents, which has as its effect the misappropriation or wrongful retention of funds from the general budget of the European Union or budgets managed by, or on behalf of, the European Union; non disclosure of information in violation of a specific obligation with the same effect; the misapplication of such funds for purposes other than those for which they are originally granted.

The Beneficiary Country shall take any appropriate measure to prevent and counter active and passive corruption practises at any stage of the procurement procedure or grant award procedure, as well as during the implementation of corresponding contracts.

Active corruption is defined as the deliberate action of whosoever promises or gives, directly or through an intermediary, an advantage of any kind whatsoever to an official for himself or for a third party for him to act or to refrain from acting in accordance with his duty or in the exercise of his functions in breach of his official duties in a way which damages or is likely to damage the European Union's financial interests.

Passive corruption is defined as the deliberate action of an official, who, directly or through an intermediary, requests or receives advantages of any kind whatsoever, for himself or a third party, or accepts a promise of such advantage, to act or to refrain from acting in accordance with his duty or in the exercise of his functions in breach of his official duties in a way which damages or is likely to damage the European Union's financial interests.

The authorities of the beneficiary country, including the personnel responsible for the implementation of the programme, shall also undertake to take whatever precautions are necessary to avoid any risk of conflict of interest, and shall inform the Commission immediately of any such conflict of interest or any situation likely to give rise to any such conflict.

6.5. Financial corrections

In order to ensure that the funds are used in accordance with the applicable rules, the Commission shall apply clearance-of-accounts procedures or financial correction mechanisms in accordance with Article 53c (2) of the Financial Regulation and as detailed in the Framework Agreement concluded between the Commission and the beneficiary country [*or, where the latter does not exist, in the Financing Agreement implementing this programme*].

A financial correction may arise following:

- (i) identification of a specific irregularity, including fraud; or
- (ii) identification of a weakness or deficiency in the management and control systems of the beneficiary country;

If the Commission finds that expenditure under this programme has been incurred in a way that has infringed applicable rules, it shall decide what amounts are to be excluded from EU financing.

The calculation and establishment of any such corrections, as well as the related recoveries, shall be made by the Commission following the criteria and procedures provided for in the IPA Implementing Regulation).

7. NON SUBSTANTIAL REALLOCATION OF FUNDS

The authorising officer by delegation (AOD), or the authorising officer by sub-delegation (AOSD), in line with the delegation of powers conferred upon him by the AOD, in accordance with the principles of sound financial management, may undertake non substantial reallocations of funds without an amending financing decision being necessary. In this context, cumulative reallocations not exceeding 20% of the total amount allocated for the programme, subject to a limit of EUR 4 million, shall not be considered substantial, provided that they do not affect the nature and objectives of the programme. The IPA Committee shall be informed of the above reallocation of funds.

8. LIMITED ADJUSTMENTS IN THE IMPLEMENTATION OF THE PROGRAMME

Limited changes in the implementation of this programme affecting essential elements listed under Article 90 of the Implementing Rules to the Financial Regulation, which are of an indicative nature⁷, may be undertaken by the European Commission's authorising officer by delegation (AOD), or by the European Commission's authorising officer by sub-delegation (AOSD), in line with the delegation of powers conferred upon him by the AOD, in accordance with the principles of sound financial management without an amending financing decision being necessary.

⁷ These essential elements of an indicative nature are, for grants, the indicative amount of the call for proposals and, for procurement, the indicative number and type of contracts envisaged and the indicative time frame for launching the procurement procedures.



2012/ABKY/1934407

The Ministry of Foreign Affairs of the Republic of Turkey presents its compliments to the Delegation of the European Union and has the honour to enclose herewith the signed "Addendum No 2 to the Financing Agreement between the Government of the Republic of Turkey and the Commission of the European Communities Concerning the National Programme for Turkey 2007 Under the Instrument for Pre-Accession Assistance – Transition Assistance and Institution Building Component" (Addendum).

The Ministry notes that the implementation by the Republic of Turkey of its obligations arising from this Addendum shall not be construed so as to altering the Republic of Turkey's position *vis-à-vis* the treaties that it is not a party to, as referred to in Turkey's negotiating position on Chapter 27.

The signatories of the Addendum agree that the above-mentioned statements will be taken into consideration in the interpretation of the Addendum.

The Ministry of Foreign Affairs of the Republic of Turkey avails itself of this opportunity to renew to the Delegation of the European Union the assurances of its highest consideration.

Ankara, 7 December 2012

Encl.:

1- Addendum

Delegation of the European Union
to Turkey
Ankara



Ankara 24 December 2012

Ares (2012) 1550643

NOTE VERBALE

The Delegation of the European Union presents its compliments to the Ministry of Foreign Affairs of the Republic of Turkey, Directorate General for Europe.

The Delegation of the European Union has the honour to acknowledge receipt of the Ministry's Note Verbale N° 2012/ABKY/1934407 dated 07 December 2012 informing about the signature of the "Addendum No 2 to the Financing Agreement between the Government of the Republic of Turkey and the Commission of the European Communities Concerning the National Programme for Turkey 2007 Under the Instrument for Pre-Accession Assistance – Transition Assistance and Institution Building Component " (Addendum). The Delegation has taken note of the additional statements made in the Note Verbale and confirms their validity in this context. Furthermore, the Commission confirms that the approval process for the Addendum No 2 to the Financing Agreement has been completed on its side.

The Delegation of the European Union thanks the Ministry of Foreign Affairs of the Republic of Turkey, Directorate General for Europe, and avails itself of this opportunity to renew the assurances of its highest consideration.

Ministry of Foreign Affairs
of the Republic of Turkey
ANKARA