Terms of Reference for Chief Technical Advisor (CTA) Within the Scope of Strengthening the Civilian Oversight of Internal Security Forces Phase III Project (aka CO III)

1 Background

The IPA II Indicative Strategy Paper for Turkey (2014-2020), which was revised in August 2018[1] targets the improvement of the capacities of institutions, including CSOs, in charge of protecting and guaranteeing the respect and defence of fundamental rights. Developing the capacity to conduct independent, impartial and effective investigations into allegations of misconduct by security forces is thereby defined as one of the actions to achieve this result. In addition, strengthening the cooperation between institutions and stakeholders engaged in the area of human rights is fundamental to overcome the challenges in the field. Turkey's New EU Strategy also states that the implementation of legal arrangements in the security sector is among the primary objectives for ensuring the full enjoyment of fundamental rights and freedoms. The 2014 Action Document on "Support to Fundamental Rights" also refers to the need for enhancement of the administrative capacities of the authorities concerning the implementation of legislation in order that rights are respected in full and in practice, with proper accountability and control systems which involve the civil society.

The importance of the transformation of civil–military relations with a focus on civilian/democratic oversight of the internal security sector has also been emphasised in EU Progress Reports, acknowledging the contribution of the first two phases of the Project. The 2018 EU Progress Report[2] recognised the revision of the legal framework governing civil-military relations and the increase of the powers of the executive over the military as significant, thereby strengthening civilian oversight. However, it was also noted that improvements are needed for Parliamentary, administrative and judicial oversight and accountability of security and intelligence forces. In addition, the effectiveness of the law enforcement oversight commission needs to be increased.

A set of measures for reform in the field of expanding human rights and a zero-tolerance policy against torture and ill-treatment have been adopted by Turkey since 2002. Broad modifications of the competence areas of the Police and the Gendarmerie, and annulment of the Protocol on Cooperation for Security and Public Order that was conflicting with the law on public administration are among the important steps taken by the Government.

The Project for the Civilian Oversight of Internal Security Sector Phase I, which was implemented jointly by Ministry of Interior and UNDP in 2007-2010, aimed to raise the awareness of the MoI about the concept of civilian oversight. The 1st Phase also assessed the gaps vis-à-vis EU standards in MoI and developed the concept of "local governance of ISFs". The 2nd Phase of the Project was implemented in 2012-2014 and designed to expand and institutionalise the introduced approaches and piloted structures of 1st Phase.

Second Phase was implemented from the perspective of improving (1) the capacity of MoI staff and provincial-sub provincial administrators to exercise oversight of policing and the homogeneity of the laws regulating the internal security forces; (2) the coherence of oversight arrangements that govern interactions between, on the one hand, the civilian administrators at provincial levels, sub provincial levels and, on the other hand, the Police and the Gendarmerie and Coast Guards; and, (3) the temporary coordination and consultation mechanisms by the Governors and District Governors so that the current oversight systems can expand rights and freedoms enjoyed by citizens.

[1] https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180817-revised-indicative-strategy-paper-2014-2020-for-turkey.pdf

[2] https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-turkey-report.pdf

The two phases of the Project have identified the main requirements for an effective and human centred civilian oversight mechanism over the internal security sector. Building on the recommendations and results of the former phases, the 3rd Phase of the Project at hand is designed to deepen Phase I and II results in terms of organisational changes and put pilot local boards into practice in most provinces of Turkey. This new Phase will also support the Government in establishing the best model for ISF and its effective functioning under MoI in line with international principles and best practices in the EU. This new Phase is also in conformity with the priorities of the Accession Partnership and EU/Commission policies by supporting the ongoing work of Turkey. Assessment of various progress reports of the European Commission along with the policy endeavours of Turkey to address gaps in the civilian oversight and the outputs of the partnership of Turkey jointly achieved with UNDP and the Delegation of the European Union to Turkey (EUD) are the basis of the Project. The Project (CO III) is accepted under the 2014 Action Document for Fundamental Rights Sub-Field prepared by the Directorate for EU Affairs (DEUA) Department of Political Affairs under the Ministry of Foreign Affairs as the Lead Institution. The target groups are the Ministry of Interior, including provincial administrations and internal security forces and the Grand National Assembly of Turkey. The MoI General Directorate for Provincial Administrations is the main beneficiary of the Project, whereas the UNDP will provide technical assistance to the MoI for efficient and effective implementation of the Project. The Project is composed of 4 components:

Component A - Legislative and Institutional Framework: This component aims to improve, the training curriculum, strategies and the basic legislative and regulatory framework governing the Police, Gendarmerie and Coast Guard as well as the Local Security System in the light of civilian/democratic oversight and accountability principles. It is also planned that the performance evaluation system of MoI over ISFs will be strengthened through the Project.

Component B - Parliamentary Oversight: This component aims to develop a strategy to systematically oversee the work of ISFs through the work of relevant Commissions of the Grand National Assembly of Turkey.

Component C - Scaling Up of the Pilot Security Governance Structures: This component aims to scale up the pilot security governance structures nationwide and support their effective functioning through capacity development and technical assistance.

Component D - Individual and Institutional Capacity Building: This component aims to build institutional and individual capacities of the Governors, District Governors and citizens to enhance the understanding and internalisation of citizen-focused security services.

With a view to implement the project activities in an effective and efficient way and achieve the expected results of the Project, composed of a Chief Technical Advisor (CTA) and 2 (two) Key Experts; a Technical Assistance Team (TAT) will be established within the scope of the Project. The CTA will hold the overall responsibility for development of the project results whereas the key experts will mainly be responsible for component-based activities. A Project Manager, a Project Associate and a Project Assistant will also be mobilized within the scope of the Project for delivery of project outputs in a timely and effective manner.

2 Objective(s) of the Assignment

Overall objective of this assignment is to lead the Technical Assistance Team of the Strengthening the Civilian Oversight of Internal Security Forces Phase III Project, provide technical inputs, guidance and support for conducting of all Project activities in four Components summarized above, secure cooperation and collaboration and continuous communication between all experts, project partners and UNDP, and contribute to the effective delivery of the project outputs at the highest potential quality in a timely manner.

3 Duties and Responsibilities

The Chief Technical Advisor (CTA) will be mobilized under the Project between 1 April 2019 and 31 December 2020 with Individual Contract (IC) modality and is expected to perform the following tasks covering all four components of the Project which are detailed in Annex 1:

- Lead the preparation of overall activity schedule, calendar, scope and methodologies of analyses, studies, surveys, field visits, trainings, meetings, workshops, events, study visits, written and visual materials etc. of the Project both in Ankara and in the field and reporting outlines and formats in collaboration with other Key experts, short-term experts and UNDP Project team and ensure smooth implementation of all activities defined within the scope of the Project Document.
- Provide technical inputs to (i) design, execution and monitoring of all project components and activities in Ankara and in the field in collaboration with Key and other experts as well as (ii) development of technical project reports (iii) assure the quality of all technical outputs developed within the scope of the Project (iv) secure submission of all Project reports/outputs in a high quality and timely manner.
- Provide inputs to administrative reports such as inception report, progress reports and final report.
- Prepare ad hoc reports, briefs and/or presentations on demand by UNDP.
- Coordinate and provide necessary inputs for the work of Key Experts and other experts of the Project; lead conducting of technical meetings between experts and project partners when needed.
- Coordinate the preparation and organization of Project management meetings including Steering Committee Meetings, present Project's progress to participants in collaboration with Key and other experts.
- Coordinate and contribute to communication and awareness raising planning and related activities in collaboration with other Key experts, short-term experts and UNDP Project team.
- Ensure collaboration with UNDP Inclusive and Democratic Governance Portfolio and the Project Team and work closely and in collaboration with the other experts of the Project.
- Ensure human rights standards are applied, and gender equality is prioritized as an ethical principle within all actions.

The above listed activities are subject to further revision with the consent of UNDP and MoI in line with the emerging requirements of the Project. If required by UNDP, the IC may provide additional consultancy services related to her/his competencies and expertise, in line with the Duties and Responsibilities stipulated in this Terms of Reference.

The CTA shall be the technical leader of Component A, B, C and D and will provide overall guidance for the successful implementation of the Project. S/he shall be responsible for providing technical inputs to the Project and all reporting and documentation. His/her functions do not include managerial, supervisory and/or representative functions vis-a-vis UNDP Staff/Personnel. The CTA shall work in close cooperation with the Civilian Oversight of Internal Security Forces Phase III Project Manager to be contracted by UNDP and other Project Staff/Personnel and will report to UNDP Inclusive and Democratic Governance Portfolio Manager. CTA will also be closely working with the Focal Points designated by the Ministry of Interior (MoI) in design and implementation of the project activities.

The CTA is expected to coordinate the work of Legislation Drafting Committee (LDC) to be established for development of a draft legal framework for the establishment of the National Crime Prevention Office for Ministry of Interior under Component A and coordinate preparation of the National Strategy on Crime Prevention and Security Plans at National Level on the draft legal framework to be developed in the same Component together with the experts of the Project and UNDP Project team. The Consultant is also expected to facilitate the establishment of a Curriculum Development Committee (CDC) that will develop additional curriculum modules for middle and high-level managers on civilian and democratic oversight from a fundamental rights perspective and deliver the training program targeting training planners, academicians, and administrators of Gendarmerie and Cost Guard Academy under Component A together with the experts of the Project and UNDP Project team.

4 Expected Outputs and Deliverables

The CTA shall deliver to UNDP "Monthly Progress Reports" as deliverable pertaining to execution of abovementioned tasks for 21 months as detailed below

No.	Deliverables	Due Dates	Estimated Number of Person/days to be Invested by the Individual Consultant
1	Monthly Progress Reports covering the progress of the month in implementation of the Project. These monthly reports should include all the outputs generated in line with the related Activities as stipulated in Annex 1.	Within the last 2 working days of the respective month between April 2019 and December 2020 (both inclusive).	420 person/days (20 person/days x 21 months from 1 April 2019 to 31 December 2020)

5 Timing and Duration

Individual Consultant is expected to start providing services in April 2019 and provide services until the end of December 2020. The IC is expected to invest (at maximum) 420 person/days (20 person/days x 21 months) to fulfill the required tasks detailed in this Terms of Reference for all four components of the Project throughout the Contract duration.

Consultant may invest less/more than expected number of person/days in each month. The payments shall be affected to the IC on the basis of actual number of person/days invested in each respective month, which will be verified through the Monthly Progress Reports. Payments to be affected to the Consultant within the scope of this Assignment cannot exceed equivalent of 420 person/days.

6 Institutional Arrangement

UNDP Turkey CO will;

- Provide the Consultant with relevant documents and full support in any further analysis of the data where necessary,
- Facilitate communication with Project partners and other stakeholders,
- Give feedback to the draft, final reports and all other deliverables prepared by the Consultant,
- Provide an office space for the work of the IC with technical equipment including computer, printer, land telephone lines, internet connection etc.

All reports should be submitted in English.

All documents and data provided to the consultant are confidential and cannot be used for any other purposes or shared with a third party without any written approval from UNDP.

7 Place of Work

Place of work for the assignment is Ankara, Turkey. The costs to arise regarding flight tickets to be acquired by the Individual Consultant in order to join and leave the Duty Station shall be borne by the Individual

Consultant. The prospective Individual Consultants are expected to take this into consideration whilst determining their Daily Fee. The assignment may require travels to other provinces within Turkey with respect to project needs and the duties and responsibilities of the consultant stated above.

The travel, accommodation costs (bed and breakfast) and living costs (intra-city travel costs, lunch, dinner, etc.) of the missions to other provinces will be borne by UNDP. UNDP will arrange flight tickets through its contracted travel agency.

In case of need of additional travels that are unforeseen in the ToR, the costs of the respective travels of the Consultant may either be;

- Arranged and covered by UNDP from the respective budget without making any reimbursements to the Consultant, through UNDP's official Travel Agency or,
- Reimbursed to the Consultant upon the submission of the receipts/invoices of the expenses by the Consultant and approval of the UNDP. The reimbursement of each cost item is subject to the following constraints/conditions provided in below table or,
- Covered by the combination of both options.

The following guidance on travel compensation is provided per UNDP practice.

Cost item	**Constraints**	**Conditions of Reimbursement**
Travel (intercity transportation)	Full-fare economy class tickets	1- Approval by UNDP of the cost items before the initiation of travel 2- Submission of the invoices/receipts, etc. by the consultant with the UNDP's F-10 Form 3- Acceptance and Approval by UNDP of the invoices and F-10 Form.
Accommodation	Up to 50% of the effective DSA rate of UNDP for the respective location	
Breakfast	Up to 6% of the effective DSA rate of UNDP for the respective location	
Lunch	Up to 12% of the effective DSA rate of UNDP for the respective location	
Dinner	Up to 12% of the effective DSA rate of UNDP for the respective location	
Other Expenses (intra city transportations, transfer cost from /to terminals, etc.)	Up to 20% of effective DSA rate of UNDP for the respective location	

8 Required Qualifications

	Minimum Qualification Requirements	Assets
General Qualifications	▪ Advanced degree in the fields of political sciences and/or public administration, security studies, human rights or any other relevant field ▪ Good command of spoken and written English ▪ Full computer literacy	▪ PhD degree in the fields of political sciences and/or public administration, security studies, human rights or any other relevant field
General Professional Experience	▪ Minimum 15 (fifteen) years of professional experience ▪ Minimum 5 (five) years of professional experience in working for international institutions/organizations and/or international projects ▪ Good knowledge of international human rights framework	▪ More than 15 (fifteen) years of professional experience ▪ Former experience in EU funded projects
Specific Professional Experience	▪ At least 5 (five) years of specific working experience in the field of human rights and security sector reform ▪ Specific knowledge of the security sector governance in EU member states	▪ At least 1 (one) experience as team leader/chief technical advisor in an internationally funded project ▪ Knowledge of functioning of internal security sector in Turkey
Notes: - *Internships (paid/unpaid) are not considered professional experience.* - *Obligatory military service is not considered professional experience.* - *Professional experience gained in an international setting is considered international experience.* - *Experience gained prior to completion of undergraduate studies is not considered professional experience.*		

9 Competencies

The Individual Consultant needs to have below competencies:

- Ability to design and develop time plans and resource schedules for complex tasks and task groups,
- Ability to work in multi-disciplinary and multi-cultural teams,
- Ability to work under pressure against strict deadlines,
- Ability to think out-of-the-box,
- Ability to present complex issues persuasively and simply,
- Ability to contextualize global trends in accordance with the dynamics of the operating (working) environment.

10 Payments

Payments will be made within 30 days upon approval of "Monthly Progress Report" and UNDP Certificate of Payment Form (COP) for each month. The Monthly Progress Report shall indicate the activities/outputs completed as well as the actual number of person/days invested in that respective month. The basis of payment for each month shall be the actual number of person/days invested by the Consultant in that month. The maximum total amount to be paid to the Consultant within the scope of this assignment cannot exceed 420 person/days.

If any of the deliverables mentioned in Article 4 of this Terms of Reference are not produced and delivered by the expert in due time and to the satisfaction of UNDP, no payment will be made even if the expert has invested person/days to produce and deliver such deliverables.

The consultant shall be paid in US$ if he/she resides in a country different than Turkey. If he/she resides in Turkey, the payment shall be realized in TRY through conversion of the US$ amount by the official UN exchange rate valid on the date of money transfer.

The daily fee to be paid to the Consultant is fixed regardless of changes in the cost components. The daily fee amount should be indicated in gross terms and hence should be inclusive of costs related to tax, social security premium, pension, visa (if needed) etc. UNDP will not make any further clarification on costs related to tax, social security premium, pension, visa etc. It is the applicants' responsibility to make necessary inquiries on these matters.

Tax Obligations: The IC is solely responsible for all taxation or other assessments on any income derived from UNDP. UNDP will not make any withholding from payments for the purposes of income tax. UNDP is exempt from any liabilities regarding taxation and will not reimburse any such taxation to the IC.

ANNEX 1. Project Activities
Component A: Legislative and Institutional Framework
A.1. Review of the police and gendarmerie basic laws, in the light of civilian oversight and accountability principles provided by EU and international standards and best practices.
OUTPUTS: Legal Gap/Compliance analysis report as for the civilian and democratic oversight and accountability principles including comparative analysis and recommendations
A.2. Improvement of the performance evaluation system and consistency of the control system by the Ministry of Interior over internal security forces
OUTPUTS: Gap analysis report of the performance evaluation model + comparative study of good practices in certain EU member states + recommendation report + technical visit report
A.3. Preparation of recommendations for the development of draft legal framework for the establishment of "National Crime Prevention Office" under Ministry of Interior
OUTPUTS: Technical visit report, compliance analysis report, recommendations for the draft legal framework
A.4. Development of a National Strategy on crime prevention and security plans at national level
OUTPUTS: National strategy on crime prevention and security plans at national level
A.5. Focusing on Civilian and Democratic oversight and fundamental rights topics, Technical and Capacity Development Support to the New Gendarmerie and Coast Guard Academy in line with EU and international Standards and best practices
OUTPUTS: Comparative assessment report on the functioning, curriculum and training management of ISF academies; training system needs analysis; module on civilian/democratic oversight of internal security; training management system for the adoption of a specific module on civilian and democratic oversight of internal security
A.6. Five years organisational strategy for the oversight of the internal security forces in Turkey
OUTPUTS: Five-years organisational strategy for the oversight of internal security forces in Turkey
Component B: Parliamentary Oversight
B.1. Update of the assessment of Parliamentary oversight in Turkey
OUTPUT: Assessment of the existing parliamentary oversight in Turkey + policy recommendation report
B.2. Preparation of a strategy proposing amendments or actions to enable the GNAT to more effectively oversee the work of internal security forces
OUTPUTS: Workshop + Report with recommendations with Comparative study on good practices in EU member states+ delivery of trainings + training reports + strategy

ANNEX 1. Project Activities
Component C: Scaling Up Pilot Security Governance Structures
C.1. Preparation of a strategy and implementation plan for an effective institutionalisation of Local Prevention and Security Boards
OUTPUTS: Analysis Report + Workshops + Strategy Paper
C.2. Establishment of Local Prevention and Security Boards across the country on the basis of relevant legal regulations made by the Ministry of Interior
OUTPUTS: 10 new Local Prevention and Security Boards established; 10 Local Security Plans developed, report on the technical visit.
Component D: Individual and Institutional Capacity Building
D.1. Preparation, periodical update and conduct of a training module for public officials employed in Local Prevention and Security Boards
OUTPUTS: Training Modules and Materials + Training of 500 professionals of MoI and ISFs in form of ToTs
D.2. Development and periodical implementation of awareness raising programs for civil society and public at large on civilian and democratic oversight and citizen-centred security
OUTPUTS: National opinion poll results + Training Modules and Materials + Training of 300 civil society and media representatives in form of ToTs + Well-structured awareness raising programs
D.3. Evaluation and update of training programs which are implemented by the Ministry of Interior for district governors from the perspective of civilian/democratic oversight
OUTPUTS: Evaluation reports, updated training curriculum