



Etkiniz EU Programme

Requests for Support Assessment Guidelines

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1. Introduction

The current technical assistance contract “**Monitoring Human Rights Situation and Advocating for Compliance with International Human Rights Framework**” aims at “strengthen[ing] Turkish civil society organisations' (CSOs) role in the promotion and protection of human rights through expanded civil society and citizens' monitoring and advocacy at various levels.” The specific objective of Etkiniz is to “support civil society organisations in order to:

- (1) Ensure they document the human rights situation in Turkey,
- (2) Facilitate consolidation of multi-stakeholder analysis and reporting and, thereby,
- (3) Initiate advocacy campaigns calling for enhanced legal compliance with the international human rights framework.”¹

Increasing political pressure and intimidation by the government of Turkey on the human rights monitoring (HRM) efforts of human rights CSOs and human rights defenders (HRDs) over recent years has prompted a response from the EU Delegation to Turkey in the form of providing specialised support for CSOs' HRM work.

Therefore, the Etkiniz EU Support Programme (henceforth “Etkiniz”) was developed as a service contract under the Civil Society Facility (CSF) 2017 to specifically support the HRM work of CSOs active in the field of human rights. The Etkiniz Technical Assistance Team (ETAT)

Human rights monitoring involves the (1) collection, (2) verification, and (3) use of information to improve the human rights situation.

CSOs must adhere to a code of ethical conduct in their HRM efforts. In their HRM activities, CSOs must at the very least **not harm** rights holders or any other groups involved in or mentioned in activities and reporting of the HRM activity, they must **be aware of and respect their mandate/limits** of their HRM activity and the situation in the field, they must be **credible** and always speak **truth** to power, they must be **impartial**, they must be visible, they must show **sensitivity** to the conditions of the country they work in and of the daily realities of the rights holders.

oversees the assessment of in-kind Requests for Support from CSOs (please see the Request for Support – RfS- and Implementation Guides).

These guidelines provide information on the following for assessors and CSOs that request support:

- The principles of assessment,
- The assessment process in practice,
- How to assess the award criteria for each action and field.

¹ Annex II: Terms of Reference of “Monitoring Human Rights Situation and Advocating for Compliance with International Human Rights Framework.”

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2. Principles of Etkiniz Assessment

Based on internationally agreed principles of assessment for aid effectiveness,² ETAT assesses the compliance of each request against the following criteria:

Relevance – The extent to which the RfS is suited to the priorities and policies of Etkiniz, the applicant, the national/local needs (needs of the rights holders) and the EU: HRM based on international human rights law (please see Annex 1), HRM followed by advocacy actions, international mobility for HRM.

Effectiveness – A measure of the extent to which the RfS activity attains its objectives *vis-à-vis* their relative importance to the objectives of the Etkiniz: purpose level indicators of the service contract.

Efficiency – The qualitative (policy changes, people informed) and quantitative (reports printed, videos shot and disseminated, number of people reached, etc) outputs in relation to the inputs. The RfS uses the least costly resources possible in order to achieve the desired results.

Impact – The positive and negative changes the RfS would produce by its activities, directly or indirectly, intended or unintended. This involves the main impacts and effects resulting from the human rights monitoring activity.

Sustainability – The benefits of RfS activities and/or activities themselves are likely to continue after Etkiniz support has ended. This means the applicant will be able to continue its HRM activities and produce similar outputs after Etkiniz support.

Human Rights Approach – Since HRM itself is a human right and since how one conducts its activities are as important as the results of the activities in achieving human rights goals and objectives, in addition to internationally accepted development aid effectiveness criteria, it is imperative to include a human rights approach to assessments of RfS from Etkiniz.

The process proposed in the RfS should therefore take into consideration certain fundamental human rights principles:

- **International human rights law**: It is imperative that the work carried out under the RfS should comply with international human rights law.
- **Non-discrimination**: The RfS can by no means promote direct or indirect discrimination.
- **Equity**: It is important that the RfS promotes equity. Equity comprises fairness, justice and impartiality. This mean that positive discrimination will be adopted towards groups that are disenfranchised, left voiceless, invisible and vulnerable and these groups which

² Organisation for Economic Cooperation and Development (OECD) Evaluation and Aid Effectiveness No. 6 - Glossary of Key Terms in Evaluation and Results Based Management
<https://www.oecd.org/dac/evaluation/2754804.pdf>

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cannot access funds easily and are not supported in protecting and promoting their rights and interests will be provided with support.

- **Participation:** This principle is about "Nothing About Us Without Us!". Although all HRM activities aim at improving the human rights situation, it is nonetheless essential if not imperative that the RfS directly or indirectly involves rights holders. The RfS empowers them to know and claim their rights and increases the accountability of individuals and institutions, who are responsible for respecting, protecting and fulfilling their rights. The right to participation of persons to all matters that affect them is not only a fundamental right but also a measure of sustainability of the effects and impact of the RfS and quality assurance of outputs in a healthy democracy.

Human rights are the basic rights and freedoms that belong to every person in the world, from birth until death. They are rights inherent to all human beings, regardless of nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status or how one chooses to live her/his life. They can never be taken away, although they can sometimes be restricted – for example if a person violates the human rights law, or in the interests of national security.

These basic rights are based on shared values of dignity, fairness, equality, respect and independence.

These values are defined and protected by law. International human rights law lays down the obligations of governments to act in certain ways or to refrain from certain acts, in order to promote and protect human rights and fundamental freedoms of individuals or groups.

Article 90 of the Constitution of Turkey gives full power to international human rights treaties (laws). Turkey is subject to many international human rights treaties (see Annex 1).

We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible. Therefore, the RfS can cite or use any international human rights treaties to define legal obligations of governments and rights and freedoms of rights holders. However, for certain disenfranchised groups like children, women, persons living with disability, there are certain treaties the RfS must use. For example, ETAT expects the RfS to use the UN Convention on the Elimination of All Forms of Discrimination against Women when they want to do an HRM activity on women's rights. Rights groups and relevant subjects can be found in Annex 1.

3. Assessment Process

Since Etkiniz provides in-kind support, unlike EU grant programmes, it does not have a heavily bureaucratic application and assessment process. Improvement/empowerment of the applicant is the main characteristic of the assessment process. As long as their RfS has HRM potential, ETAT provides each applicant with insight about their RfS to make their request to compliant with the Etkiniz programme or refers them to other funding opportunities.

The assessment process starts with the relevance (compliance) check, which is based on the following items:

1. Was the RfS placed by a CSO registered in Turkey?
2. Is it related to HRM?
3. Does it utilise international human rights law?
4. Does it take into account the national/local needs?

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Following the verification of relevance/compliance in accordance with the above criteria, ETAT further evaluates the request for support based on the following basic assessment criteria derived from the afore mentioned assessment principles of Etkiniz:

PRINCIPLES	CRITERIA
EFFECTIVENESS	The RfS proposes activities that can potentially improve or contribute to the human rights conditions at national and/or regional level. The RfS's objectives and outputs are measurable.
EFFICIENCY	The RfS can be implemented with small-scale Etkiniz support. The RfS could contribute to Etkiniz achieving its target indicators.
IMPACT	The RfS aims to positively impact and improve the current human rights conditions in Turkey. The RfS defines the impact it will create.
SUSTAINABILITY	The RfS proposes sustainable and permanent impacts. The CSO will be able to continue its HRM activities after Etkiniz support ends. The RfS takes into account contributions to solutions for the climate crisis and the protection of the environment.
HUMAN RIGHTS APPROACH	The RfS respects human rights principles. The RfS utilises international human rights law. The RfS prioritises voiceless, invisible and vulnerable groups who are deprived of their rights. The RfS avoids any actions that cause or increase discrimination towards any group. The RfS respects gender equality, gender identity and sexual orientation. The RfS respects and encourages right holders to participate in activities as a part of HRM activities. The RfS ensures accountability and transparency for right holders/beneficiaries and other stakeholders of HRM. The RfS takes measures for the protection of right holders and prevents them from being targeted by the authorities.

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These evaluation criteria provide a general guide, and the first evaluation to be carried out over MIS will make use of the table below.

Compliance Table

RELEVANCE		Explanation
The support request is by a CSO and targets the HRM field.		<p>In accordance with the RfS Guide, only registered CSOs can apply to the Etkiniz support: associations, foundations, non-profit cooperatives, civil society networks and platforms (represented by a CSO with legal entity status), civil initiatives (represented by a CSO with legal entity status); labour unions; bar associations; professionals' organisations.</p> <p>The RfS must be about HRM (see page 1 for Etkiniz's HRM definition). Standalone advocacy actions focusing solely on awareness-raising are not HRM activities and thus are not compliant with Etkiniz. Remember that Etkiniz was born out of necessity due to the ever-shrinking space for human rights CSOs and their watchdog functions. Etkiniz does not provide general CSO support. It is a support programme for human rights CSOs that create and improve impact or for those that want to carry out HRM by using international human rights law to make an impact for people whose lives are under constant threat.</p>
The support request is related to international rights standards and norms.		The RfS must base its reasoning on the international human rights framework (see annex 1).
SELECTION CRITERIA		DEFINITION
1	Does the support request involve a direct link with international human rights mechanisms, such as communication, submission, reporting, etc. (in particular to UN human rights committees)?	<p>It is imperative that the RfS proposes outputs that can be submitted to international human rights mechanisms to bolster the impact of THEIR advocacy.</p> <p>Although it is preferable for the Rfs to submit a report or communications procedure to the international human rights mechanisms, this is not compulsory.</p> <p>ETAT can guide and help the RfS in this direction. ETAT actively seeks such opportunities for applicants for Etkiniz support.</p>
2	Does the support request focus on making a good impact and improving human rights?	<p>If the RfS proposes activities only for the benefit of the applicant CSO or its representatives, then this RfS does not have a focus on improving human rights situation in Turkey.</p> <p>This does not mean that activities focusing on building HRM capacities of applicant CSOs are not compliant. This means that activities to build the HRM capacities of CSOs or their</p>

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		representatives must also have a focus on improving human rights and democracy in Turkey by offering tangible HRM outputs.
3	Are the objectives and outputs of the support request measurable?	<p>It is imperative that both the objectives and qualitative (policy changes, people informed) and quantitative (reports printed, videos filmed and disseminated, number of people reached, etc.) outputs are measurable.</p> <p>Mere awareness-raising objectives and their subsequent outputs are not measurable in terms of their impact. Most CSOs see awareness-raising activities as the least risky in terms of leading to government reprisals and this type of activity is that which is most frequently undertaken without measurable outputs. These may be good intentions but remember, the road to hell is paved with good intentions!</p>
4	Does the RfS prioritise disenfranchised/marginalised groups?	<p>This criterion is about positive discrimination to groups that are disenfranchised, left voiceless, invisible and vulnerable. These groups cannot access funding easily and they do not have interest groups to protect and promote their rights. Therefore, it is important for the RfS to prioritise disenfranchised / marginalised groups such as persons with disabilities, children, women, LGBTI+, minorities, asylum seekers and refugees, internally displaced people, migrants, persons living in poverty, older persons.</p> <p>For example, an association set up for business interests does not need Etkiniz support, however a women's group within such an association which is disenfranchised by the male leadership may qualify for limited support.</p> <p>However, Etkiniz must always prioritise those who are most in need and who do not have easy access to institutional or government support. Etkiniz support must not be used to sustain or increase current and persistent inequalities.</p>
5	Does the RfS include relevant rights holders and other relevant stakeholders?	<p>Democracy should be fostered not only through CSOs' participation in public decision-making as part of their activities for protecting human rights, but also through participation of rights holders in HRM activities of CSOs. This is because "nothing should be done about us without us!"</p> <p>CSOs may not directly involve rights holders in all HRM actions and accompanying advocacy initiatives, but they may indirectly make their voices heard by their HRM actions. Therefore, ETAT expects CSOs to make an effort to this end.</p>

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6	Does it include measures to protect right holders?	<p>Although it is important to engage rights holders in HRM actions, measures to protect rights holders from government or third-party reprisals must be part of any HRM action. This item is part of the ethics of HRM: do no harm.</p> <p>ETAT provides guidance if this element is missing in the RfS.</p>
7	<p>a- Does it have measures to ensure non-discrimination?</p> <p>b- Does it promote gender equality?</p>	<p>HRM actions are fundamentally conducted to increase the accountability of obligated parties in combating discrimination, such as government agencies and municipalities.</p> <p>However, HRM actions should also actively seek to avoid any activities that are discriminatory or may yield outputs that perpetuate discrimination against a certain group of people or individuals.</p> <p>Therefore, ETAT must examine an RfS from a non-discrimination perspective to see if the action may trigger discriminatory action against a certain group of people.</p> <p>On the other hand, highlighting rights violations sustained by a certain disenfranchised group does not count as discriminatory, on the contrary, it is a measure taken to ensure equity.</p> <p>Likewise, since discrimination based on gender and gender identity affects more than half of the population, it is imperative that the RfS proposes measures to close the gender gap in their HRM actions.</p>
Supporting Criteria		
1	Is the requested budget amount below EUR 3000?	A RfS must have a budget under EUR 3000. However, if the action is compliant with a good potential impact, ETAT may ask the applicant to scale back the amount so that it can submit a second request to conclude the action or offer suggest other forms of Etkiniz support such as expert support.
2	Do the requested budget items correspond to the proposed activities?	<p>ETAT may need to support certain CSOs that provided budget items which do not correspond to proposed activities.</p> <p>ETAT actively seeks to provide such support to applicant CSOs.</p>
3	Is the support request realistic in terms of budget and planned results?	<p>Unrealistic or exuberant budget items may mean:</p> <ul style="list-style-type: none"> • A disingenuous attitude towards human rights principles and the Etkiniz EU programme. In such cases the applicant CSO is marked for further investigation. • A misunderstanding of the Etkiniz support on the part of the applicant CSO. ETAT will re-inform the applicant CSO.

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ETAT also needs to consider the following project purpose level indicators in assessing the overall impact of the RfS to Etkiniz. They are not only essential milestones for the project, but also solid indicators for a healthy democracy with CSOs undertaking doing vital human rights watchdog functions.

- 1.1. Number of local and regional HRM reports: (18 CSOs with 64 reports-2014 to 2018)
- 1.2. Number of national HRM reports: 264 reports (2014 to 2018)
- 2.1. Number of CSOs that regularly and systematically monitor and report on human rights: - (87 CSOs with 30 international CSOs)
- 2.2. Percentage of CSOs that use international procedures and standards in their HRM - 26%
- 2.3. Number of CSO human rights reports submitted to UN human rights monitoring mechanisms – (23 CSO reports)
- 2.4. Number of individual communications and inquiries initiated by human rights CSOs to UN human rights monitoring mechanisms – (7 individual communications)
- 3.1. Social media traffic (number of persons reached) of CSO HRM reports – (from 2019 with Etkiniz EU Programme) (Twitter, Facebook, Instagram) - to be completed by the end of 2019.

ANNEX I: International Human Rights Framework Relevant to Turkey

United Nations mechanisms			
Mechanism	Law	Nature of mechanism	Rights groups or rights area
Human Rights Council	UN Charter	Complaints Procedure	All human rights
Commission and Sub-Commission on the Promotion and Protection of Human Rights	UN Charter	Complaints or communications	All human rights, urgent matters
Universal Periodic Review	UN Charter	Reporting	All human rights
Treaty Bodies (Committees)			
Committee on the Elimination of Racial Discrimination	International Convention on the Elimination of All Forms of Racial Discrimination	Reporting	Racial Discrimination
Committee on Economic, Social and Cultural Rights	International Covenant on Economic, Social and Cultural Rights	Reporting	Economic, Social and Cultural Rights
	Optional Protocol to the Covenant on Economic, Social and Cultural Rights	communications procedure	

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United Nations mechanisms			
Mechanism	Law	Nature of mechanism	Rights groups or rights area
The Human Rights Committee	International Covenant on Civil and Political Rights	Reporting	Civil and Political Rights
	Optional Protocol to the International Covenant on Civil and Political Rights	communications procedure	
	Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty		
Committee on the Elimination of Discrimination against Women	Convention on the Elimination of All Forms of Discrimination against Women	Reporting	Women, gender equality, gender identity, LGBTI+
	Optional Protocol to the Convention on the Elimination of Discrimination against Women	communications procedure	
Committee against Torture	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	communications procedure	Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
	Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	communications procedure	
	Subcommittee on Prevention of Torture	Visits	
Committee on the Rights of the Child	Convention on the Rights of the Child	Reporting	Children
	Optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict	Reporting	
	Optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography	Reporting	
	Optional Protocol to the Convention on the Rights of the Child on a communications procedure	communications procedure	
Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	Reporting	Migrant Workers and Members of Their Families

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United Nations mechanisms			
Mechanism	Law	Nature of mechanism	Rights groups or rights area
Committee on the Protection of All Persons from Enforced Disappearance	International Convention for the Protection of All Persons from Enforced Disappearance	Reporting	Enforced Disappearance
Committee on the Rights of Persons with Disabilities	Convention on the Rights of Persons with Disabilities	Reporting	Persons with Disabilities
	Optional Protocol to the Convention on the Rights of Persons with Disabilities	communications procedure	
Special Procedures	UN charter	Annual reporting, urgent actions	
Working Group of experts on people of African descent			People of African descent
Working Group on arbitrary detention			Arbitrary detention
Working Group on the issue of human rights and transnational corporations and other business enterprises			Business and human rights
Working Group on enforced or involuntary disappearances			Enforced or involuntary disappearances
Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination			Armed conflict
Working group on the issue of discrimination against women in law and in practice			Women in law and in practice
Special Rapporteur in the field of cultural rights			Cultural rights
Special Rapporteur on the rights of persons with disabilities			Persons with disabilities
Special Rapporteur on the right to education			Education
Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment			Environment
Special Rapporteur on extrajudicial, summary or arbitrary executions			Extrajudicial, summary or arbitrary executions
Special Rapporteur on the right to food			Food
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression			Freedom of opinion and expression
Special Rapporteur on the rights to freedom of peaceful assembly and of association			Freedom of peaceful assembly and of association
Special Rapporteur on adequate housing as a component of the right to an adequate standard of living			Adequate housing, adequate standard of living
Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health			Health
Special Rapporteur on the situation of human rights defenders			Human rights defenders
Special Rapporteur on the independence of judges and lawyers			Judges and lawyers

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United Nations mechanisms			
Mechanism	Law	Nature of mechanism	Rights groups or rights area
Special Rapporteur on the rights of indigenous peoples			Indigenous peoples
Special Rapporteur on the human rights of internally displaced persons			Internally displaced persons
Special Rapporteur on the human rights of migrants			Migrants
Special Rapporteur on minority issues			Minority issues
Independent Expert on the enjoyment of all human rights by older persons			Older persons
Special Rapporteur on extreme poverty and human rights			Extreme poverty
Special Rapporteur on the right to privacy			Privacy
Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance			Racism, racial discrimination, xenophobia
Special Rapporteur on freedom of religion or belief			Freedom of religion or belief
Special Rapporteur on the sale of children , child prostitution and child pornography			Children, sexual exploitation
Special Rapporteur on contemporary forms of slavery , including its causes and its consequences			Slavery, women, children, labour rights
Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism			Terrorism
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment			Torture and other cruel, inhuman or degrading treatment or punishment
Special Rapporteur on trafficking in persons, especially women and children			Trafficking, women, children
Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence			Grave human rights abuses
Special Rapporteur on violence against women , its causes and consequences			Violence against women
Independent expert on protection against violence and discrimination based on sexual orientation and gender identity			Sexual orientation and gender identity
Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes			Hazardous substances and wastes, children, indigenous communities
Special Rapporteur on the human right to safe drinking water and sanitation			Safe drinking water and sanitation
Special Rapporteur on the right to development			Development

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Council of Europe mechanisms		
Mechanism	Law	Rights group or rights area
European Court of Human Rights	The Convention for the Protection of Human Rights and Fundamental Freedoms	All rights all groups
Committee of Ministers (Department for the Execution of Judgments of the European Court of Human Rights)	Execution of judgments of the European Court of Human Rights	All rights all groups
European Committee on Social Rights	European Social Charter (revised)	All rights all groups – specific causes on children, women, labour/work conditions
European Commission for Democracy through Law (Venice Commission)	Resolution Res (2002) 3 Adopting the Revised Statute of The European Commission for Democracy Through Law	Rule of law, democracy through law
Commissioner for Human Rights	Resolution (99) 50 on the Council of Europe Commissioner for Human Rights	All rights all groups
Congress of Local and Regional Authorities	European Charter of Local Self-Government	Local democracy
Platform to promote the protection of journalism and safety of journalists	Declaration on the protection of journalism and safety of journalists and other media actors	Freedom of press, journalists
Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)	Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)	Violence against women and domestic violence, children
Committee of the Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Committee)	The Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse	Sexual exploitation and abuse of children
Group of Experts on Action against Trafficking in Human Beings (GRETA)	Convention on Action against Trafficking in Human Beings	Trafficking in human beings
Advisory Committee on FCNM	Framework Convention for the Protection of National Minorities (FCNM)	Minorities
Group of States against Corruption (GRECO)	Criminal or Civil Law Conventions on Corruption	Corruption
Cybercrime Convention Committee (Budapest Committee)	Budapest Convention on Cybercrime	Cybercrime