

REPORT



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

November 2021

STRENGTHENING
CIVILIAN OVERSIGHT OF
INTERNAL SECURITY FORCES
PROJECT PHASE III

5-year organizational strategy for the oversight of internal security forces in Turkey

*Prepared by: Dominique Lapprand,
Hasan Engin Şener*



/sivilgozetim
www.sivilgozetim.org.tr

Transparent
Participatory
Citizen Focused
Internal Security



İÇ GÜVENLİK SEKTÖRÜNÜN
SİVİL GÖZETİMİNİN
GÜÇLENDİRİLMESİ PROJESİ
III. AŞAMA





This project is funded by the European Union.
Bu proje Avrupa Birliđi tarafından
finanse edilmektedir.

Strengthening the Civilian Oversight of ISFs- Phase III Project (CO-III) is funded by the European Union under Pre-Accession Financial Assistance. The beneficiary of the Project is the Republic of Turkey Ministry of Interior. The Delegation of the European Union to Turkey (EUD) is the contracting authority of the Project. Technical assistance for the implementation of the Project is provided by the United Nations Development Programme (UNDP). The content of this report is produced with the financial support of the European Union. The content is the sole responsibility of UNDP Turkey. It does not necessarily reflect the views of the European Union.





This project is funded by the European Union.
Bu proje Avrupa Birliđi tarafından
finanse edilmektedir.

TABLE OF ACRONYMS	5
FOREWORD	6
EXECUTIVE SUMMARY	7
STRATEGIC ORIENTATIONS	8
LOOKING AHEAD: 2022-2026	11
2022 Phase 1: preparatory	12
2023-2024: Phase two: Bringing in the citizen and extending existing oversight mechanisms	12
2025-2026 : Phase three : Implementing the “MoI oversight reform”	12
1 INTRODUCTION	14
2 OVERSIGHT STRATEGY IN THE FRAMEWORK OF A GLOBAL SECURITY STRATEGY	14
2.1 Human expectations for oversight and constitutional rights	15
2.2 Overseeing the delivery of security services, focus on public safety	16
2.3 Encroachment on individual’s right and liberties to be under citizen’s control	17
2.4 MoI oversight	17
3 DEFINITION OF MONITORING AND EVALUATION OF ISFS’ PUBLIC SAFETY DUTY	18
3.1 Public safety as a public good	19
3.2 Citizen’s role in the oversight of the public safety management	20
3.3 Emphasizing the role of NCPO/LSPBs as a sound basis to develop oversight	21
4 PROTECTING FUNDAMENTAL RIGHTS WITHIN THE CITIZEN – ISFS INTERACTION	22
4.1 Ordinary oversight with respects to fundamental rights	22
4.2 Specific fundamental rights-oriented oversight	23



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

The Law Enforcement Monitoring Commission (LEMC)	23
4.3 Improving the LEMC model	24
4.4 Guiding the law enforcement profession	27
5 TOWARD A CULTURE OF OVERSIGHT	28
5.1 ASSESSING OVERSIGHT PRACTICES	28
5.2 Analyzing oversight related information (complaints, satisfaction) to draw lessons	29
5.3 Oversight and Citizen-ISFs dialogue	31
5.4 Public safety contractual framework: oversight and policing by consent	32
5.5 Ethical management capacity	34
5.6 Anticipate innovation	34
ANNEX 1 : MECHANISMS TO ENSURE CITIZEN’S EXPRESSION	36
ANNEX 2: RESEARCH PAPER ON LSPBS	38
ANNEX 3 LAW ENFORCEMENT MONITORING COMMISSION	39
ANNEX 4: CITIZEN DRIVEN EVALUATION PROCEDURES	40
ANNEX 5-RECOMMANDATIONS	41



This project is funded by the European Union.
Bu proje Avrupa Birliđi tarafından
finanse edilmektedir.

TABLE OF ACRONYMS

CIMER : Presidential Communication Center

CSO: Civil Society Organisation

ISFs: internal Security Forces (Law Enforcement Agencies: Turkish National Police, Gendarmerie General Command, and Coast Guard Command)

LEMC: Law Enforcement Monitoring Commission

LSPB: Local Security and Prevention Board

Mol: Ministry of Interior

NCPC: National Crime Prevention Council

NCPO: National Crime Prevention Office

PERDIS: Performance Evaluation and Monitoring System



This project is funded by the European Union.
Bu proje Avrupa Birliđi tarafından
finanse edilmektedir.

FOREWORD

If one considers Robert Peel's nine principles as the foundation of modern policing it is clear that oversight is at the heart of this modern policing. This is reflected in the second and third principles that have been regularly reaffirmed by police forces all over the world over the last two centuries and remain the basic of security:

The ability of the police to perform their duties is dependent upon public approval of police actions.

Police must secure the willing co-operation of the public in voluntary observance of the law to be able to secure and maintain the respect of the public.

With respects to the action of the internal Security Forces (ISFs) these two principles stress the need for the ISFs to get the approval of the citizen and on the same time the requirement for the ISFs to respect the law to maintain the respect of the public. From the citizen's point of view oversight is the mechanism that builds his/her approval provided the ISFs match his/her security needs and respect the law. From the MoI/ISFs perspective it is a combination of accountability and transparency that allows the citizen to catch the ISFs activity.

The approval of the citizen about the action of the ISFs is **supported and legitimated by the well-established capacity of the ISFs to give him the protection he deserves** against any aggression. This is first about the **performance of the ISFs to deliver the security services** they are expected to produce and distribute. Second it is about **the attitude of the ISFs to avoid being the cause of any harm the citizen could suffer**. Last is about the balance between the protection the citizen expects and the limitation of liberties and rights he is ready to accept and to grant to the ISFs. If these ones breach this balance the citizen approval becomes disapproval and even stronger distrust.



This project is funded by the European Union.
Bu proje Avrupa Birliđi tarafından
finanse edilmektedir.

EXECUTIVE SUMMARY

Oversight strategy for MoI answers a basic citizen need to ensure that what the ISFs are doing is legal and provide an efficient security service and on the same time prevent harm and does not cause any harm the citizen could suffer. Therefore, oversight strategy for MoI follows two orientations. On one hand it is oriented to deliver the services the citizen expects (citizen orientation) and on the other hand it is oriented to control the potential encroachment of the activities of the ISFs and of their employees on fundamental rights (fundamental rights orientation).

The citizen orientation oversight is mostly relevant to public safety (daily policing) units of ISFs. This is a domain of the ISFs activities where the citizen is a direct beneficiary of the security service. Consequently, to be sure that he receives the right service it is necessary to associate him at all steps of the delivery therefore putting him in a position from where he will oversee the delivery of the security service.

The fundamental rights orientation oversight covers all ISFs activities with some of them having potentially an impact on fundamental rights such as criminal investigation and arrest, or public order and civil liberties limitations. The citizen needs to be provided the means to complain about alleged misbehaviors, and to initiate the appropriate process and obtain a fair and swift responses from public authorities in order to have his fundamental rights protected and corrective actions taken when necessary.

It is the role and even the responsibility of the MoI that is accountable of the ISFs that are working under its authority. However, oversight is not just a concept it is a living matter that has to be managed, taught and communicated. It is a set of practices that have to be analyzed for improvement. It is a set of good practices that have to be coded and fixed like a set of ethical rules and have to be managed. Oversight has also to be taught especially to managers and leaders to help them to move from a closed-door model to an open one where key values are accountability, transparency and integrity. Last and to keep it alive oversight should be constantly promoted by the MoI itself through an appropriate internal and external communication.

Oversight strategy of ISFs by MoI for what concerns citizen orientation asks for appropriate frameworks inside which the citizens and the ISF can be consulted under the authority of governors and agree on norms and objectives. With respects to the citizen orientation of oversight the local security and prevention boards (LSPB) and at a national level the



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

NCPC/NCPO, once established, appear to be the most appropriate mechanism for organizing citizen consultation. These bodies operate under the auspices of the governors. When it comes to the fundamental rights orientation of the oversight strategy of ISFs by MoI the recently created law enforcement monitoring commission (LEMC) seems to be the most relevant body to ensure a fair oversight, but its capacities should be enhanced and extended. If the LEMC remains the core instrument within the MoI with respects to the fundamental rights oriented oversight it should not be forgotten that six public bodies are involved in this same matter outside the MoI. Consequently, this one should ensure a close coordination with them. The LEMC could be the MoI focal point for that.

The MoI is also already formally committed to the protection of the citizen's fundamental rights through the activities of the ethical board. Its role could be articulated with the LEMC in the internal communication role. However this body appears to have lost its momentum and would need to be re-dynamized.

Oversight strategy of ISFs by MoI is inspired by a philosophy of action. It has to be seen as a crosscutting approach to be progressively deployed with a substantial impact to be expected within five years. This five years period that will cover the present strategy, "the first MoI oversight strategy", will be structured into three phases:

1. A one year (2022) preparatory phase will have all relevant instruments (NCPC/NCPO-LSPBS) established, organized, equipped, staffed, ready to collect and analyze information
2. A two years (2023-2024) implementation phase with the instruments (NCPC/NCPO-LSPBS, LEMC, Ethical board) (i) fully associating citizens/CSO representatives (ii) reviewing ISFs practices versus oversight, (iii) assessing the ISFs-citizen relationship (iv) and on that basis defining the relevant improvements
3. A two years (2025-2026) development phase to implement and articulate the previously defined improvements into a comprehensive approach and prepare a second oversight strategy.

STRATEGIC ORIENTATIONS

The following presentation has recorded 23 recommendations that are embedded in the document and listed in annex 5. These can be articulated around five strategic orientations that define the prevention strategy itself around a core rationale with some of these recommendations being relevant to several strategic orientations.

CORE RATIONALE "CONSULT, PARTNER WITH AND ANSWER TO THE CITIZENS NEEDS "



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

Today the citizen is not ignored by the ISFs but he is only formally listened and not really associated to the delivery of the security service especially in public safety nor to the proceeding of harming ISFs misbehavior. This why **oversight has to be organized to have the ISFs taking the citizen's views and expectations into account and giving him/her a fair and transparent answer**. All recommendations are relevant to the core rationale but two of them summarize the core substance of the strategy.

- Go farther than just receiving citizens requests and suggestions. Proceed actively and duly reply with an effective response in full transparency
- Focus the citizen-oriented oversight on public safety that answers of the citizen's daily security needs and expectations (measure needs, integrate needs into action plans).

STRATEGIC ORIENTATION N°1 "KNOWING AND INVOLVING THE CITIZEN"

So far the citizen has been listened but his/her expression has remained scattered within the This reflects a lack of organization that prevents the citizen to commit him/herself toward the ISFs. **To allow the citizen to associate himself to the security build up and to give him/her a perspective the Mol has first to organize itself to know the readiness of the citizen.**

- Organize within the Mol and the ISFs the collection and processing of citizens requests and suggestions to have a clear view of public expectations and readiness and provide a public feed back
- Take into account and analyze the citizen's expression of needs and expectation to define the public safety service to be delivered and let the ISFs decide of which activity have to be completed to ensure the delivery.
- Articulate Mol drivers for oversight with NCPC/NCPO in charge of all oversight practices evaluation and of citizen-oriented oversight practice guidance and LEMC of fundamental rights-oriented oversight guidance
- Give the LEMC an analytical capacity of the information that relates to complaints with a view to build a knowledge of the citizen-ISFs -interaction that will be used by the Mol for improvement and disseminated to the citizen under the principle of accountability

STRATEGIC ORIENTATION N°2 "RESPECTING THE CITIZEN AND STRENGTHENING THE LEMC"

The protection of the citizen's fundamental rights is already covered by various bodies and mechanisms. However, most of them are outside the Mol newly established law enforcement monitoring commission (LEMC). Encroachments are therefore addressed as individual cases but not as a systemic internal and external issue. **It is now time within the Mol to build a comprehensive analytical assessment of the encroachments with a view to better manage the ISFs-Citizen relationship.**

- Proceed and give priority to oversight when addressing a conflict between oversight and internal regulation



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

- Define with the citizen the balance between security benefits and liberties and human rights limitations
- Organize ISFs oversight by the Mol with an independent access to the information and to the citizen.
- Assess the impact of deployment of any innovation either of equipment or workflow to define appropriate mitigation measures
- Centralize at LEMC level information that relate to complaints against ISFs whatever the called body is in order to enrich the outcome of the complaint analysis.
- Organize the registration of cases at the LEMC as a hub to orient the application to the more relevant and efficient process.

STRATEGIC ORIENTATION N°3 “OPENING THE ISFs TO THE CITIZEN AND THE CIVIL SOCIETY”

So far the ISFs despite a close contact with the citizen/civil society in their daily interactions have kept them at bay. They have kept a close control on the information and its analysis as well as on strategic decisions that have a direct impact on the citizen’s ordinary life. Therefore, activities that are relevant to citizen oriented oversight are not really supported nor promoted. **The ministry should organize itself both with NCPC/NCPO for citizen-oriented oversight and LEMC for fundamental rights-oriented oversight to identify develop support and promote activities that are of an oversight nature and open the ISFs to the citizen and the civil society.**

- Articulate Mol drivers for oversight with NCPC/NCPO in charge of all oversight practices evaluation and of citizen-oriented oversight practice guidance and LEMC of fundamental rights-oriented oversight guidance
- Develop a reading grid to assess Mol/ISFs activities along to the principles of oversight
- Organize a centralized process to exploit the outcome of the reading grid implementation
- Organize the ministry to monitor the professional culture of ISFs
- Develop an ethical policy to both promote ethical norms that support oversight and raise the commitment of ISFs staff for implementation

STRATEGIC ORIENTATION N°4 “A PROGRESSIVE BUILD UP”

Despite some gaps oversight is already present within the Mol. The ambition the Mol has for oversight is however highly demanding and asks for a real process of change both in the ISFs workflow and in their organizational culture. Therefore **the implementation of the strategy over a five years period as demanded asks for a progressive and incremental build up that**



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

will develop existing mechanisms, prepare the organization to go farther on an experimental approach based upon experience.

- Develop the existing/planned bodies (NCPC/NCPO and LSPBs) as oversight instruments and build upon their experience
- Articulate Mol drivers for oversight with NCPC/NCPO in charge of all oversight practices evaluation and of citizen oriented oversight practice guidance and LEMC of fundamental rights-oriented oversight guidance
- Coordinate the action of the different bodies that are in charge of the protection of fundamental rights with respects to cases involving ISFs with a view to ensure a fair and equal response to citizen, to identify systemic deficiencies and to exchange good practices.
- Incorporate the performance measures of the Mol's PERDİS to the strategic plan and performance program of the ISFs as performance measures
- Establish progressively the LEMC as an independent body with its own staff coming from the Mol, the ISFs and from the civil society
- Streamline the goals, objectives, and performance measures of the ISF under the guidance of the Mol
- identify and when possible use technology to ensure oversight.

The guiding line that could be the backbone of an oversight policy is to use existing instruments that contribute to oversight first to introduce or enhance in each of them the appropriate practices that ensure oversight by committing the citizen and the Mol civilian authorities second to articulate them into a coherent system to be based on and driven by an upgraded ethical board, the NCPC/NCPO and the LEMC. A political official can be designated as the face of this system.

LOOKING AHEAD: 2022-2026

The strategy that is presented here relies on a set of concrete measures that have been presented under the wording of recommendations and articulated around strategic orientations. Its implementation is by nature a process of change in the field of the organizational and professional cultures. Therefore, it should be implemented in a progressive and incremental approach over a five years period as demanded.

This five years perspective can be articulated within three phases. The first one over one year will put in place or enhance the core instruments that are needed (ethical board, NCPC/NCPO, LSPBs, LEMC) it should be considered as a preparatory phase. The second one over two years would be to strengthen and extend existing mechanisms while bringing in the citizen. It will



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

put in place a new oversight capacity. The last one that stretches over two years will make full use of the newly created capacity with a view to build experience in line with the strategic orientations. At the end of this five years period the MoI should possess a valuable and effective capacity and should be in a position where it can go farther and innovate based on a solid experience.

This detailed in the following calendar. The activities that are described here are based on the recommendations of the present document.

2022 Phase 1: preparatory

At the end of 2022 the MoI should have all core oversight instruments in place.

- NCPC/NCPO has been established and staffed
- LSPBs generalization is organized
- An extended LEMC Secretariat including data storage and analytical center is established
- Ethical board apparatus adjusted and re-dynamised to cover and support oversight
- An oversight policy is established and given a face by the designation of an high level official

2023-2024: Phase two: Bringing in the citizen and extending existing oversight mechanisms

At the end of this period the MoI should be ready to know what the existing oversight issues and practices are and able to introduce some necessary changes within the existing system. Limitations and potential improvement of the existing instruments are identified.

- NCPC/NCPO and LSPBs have ensured the participation of CSO representatives
- A review of NCPC/NCPO and LSPBs is completed to assess their real role in oversight
- NCPC/NCPO has driven the review of oversight practices within the ISFs
- LEMC has completed the analysis of complaints and open source information about the ISFs Citizen relationship with a view to enrich oversight with a view to ultimately get a trusted and fruitful interaction.
- The outcome of these analysis, review, assessment is used to amend the MoI oversight strategy based on experience, to adapt training and education as well as managerial practices. The aim is to identify improvements that when aggregated could build an MoI Oversight reform.

2025-2026 : Phase three : Implementing the “MoI oversight reform”

- Reengineering and developing the oversight mechanisms
- Practices, procedures, and education/training are constantly upgraded based first on the outcome of phase two analysis and later on experience (organizational learning process)



This project is funded by the European Union.
Bu proje Avrupa Birliđi tarafından
finanse edilmektedir.

- An evaluation of the implementation of the first two phases of the strategy is completed along an audit of the core instruments.
- The independence of the LEMC is increased and its governance and powers are evaluated for a potential amendment
- A new five year oversight strategy is envisaged and prepared at the end of the period.

As one can see if the startup period (2022) is rather clear there is uncertainty in the second phase and even more in the last one. This is something that should be accepted as reflecting the “learning while walking / doing” process. It is also clear that the different initiatives that the ministry is taking, including the oversight strategy, could change the security policy landscape. It could offer new perspectives in the coming years with oversight being more integrated, therefore demanding less specific attention, but becoming overwhelmingly present in the Mol and the ISFs.



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

1 INTRODUCTION

The oversight of the internal security sector and especially of the internal security forces activities and behaviour is relevant both to good governance and respect of the rule of law/fundamental rights on the one hand, and to the protection of the citizen's security on the other hand.

With respects to the rule of law and to security the challenge is to ensure that the internal security forces (ISFs) outstanding powers are properly used and that their usage is not biased in a way they encroach on the citizen's rights and liberties, including their physical integrity and free speech. Oversight covers all mechanisms that associate the citizen in various manners to the definition and assessment of the service and drive the internal security forces to efficiently deliver effective security services that protect the citizen in a value for money and goal-oriented approach.

Consequently, oversight has two dimensions. The first one is relevant to the behaviour of the security forces both at individual and group levels. Because what is at risk is the respect of fundamental rights, it is called the "oversight fundamental rights orientation" of the oversight of the internal security forces. The second one addresses the wide scope of their management, and more specifically the management of ISFs as a public service for the public and by the public. Because it aims to ensure that the security service is adequately to the needs of citizens and efficiently delivered to the citizen it is called the "oversight citizen orientation" of the ISFs.

PEEL's principle deserves to be quoted again to illustrate the spirit in which oversight has to be deployed within the MoI.

"To recognize always that the power of the police to fulfill their functions and duties is dependent on public approval of their existence, actions and behavior, and on their ability to secure and maintain public respect."

Robert Peel general instruction of policing second of nine principles London 1829

2 OVERSIGHT STRATEGY IN THE FRAMEWORK OF A GLOBAL SECURITY STRATEGY

Democracy and the principle of a sovereign people give the citizen a right to say in all public activities. For a while this has been achieved in the representative model within the parliamentary framework. More recently the participative democracy and more decentralized practices of public administration have demanded a closer more direct and concrete



This project is funded by the European Union.
Bu proje Avrupa Birliđi tarafından
finanse edilmektedir.

participation of the citizen in the definition of the organization of public services and especially of the internal security forces (ISFs).

Modern societies go along the empowerment of citizens as voter, or taxpayers. People are usually given choices but before deciding they want to know what they are given, how their money is used, what are the follow on and consequences of their decision. They also expect to evaluate and to demand improvement when they have assessed deficiencies and weak results.

This same phenomenon is also taking place in the field of ISFs because security is a fundamental need for individuals. **Citizen wants to be sure that the security service is matching their needs and delivered respectfully. Relevance and respect are the two lines that equally guide oversight.** The citizen is not the only one who demands oversight of the security sector. The state and especially the Ministry of Interior (MoI), because it has a full responsibility over the ISFs and is accountable of their activity must also organize oversight.

2.1 Human expectations for oversight and constitutional rights

In the pyramid of human needs security is one of the first basic. In modern society the responsibility has been transferred to the group and ultimately to the state but the citizen has a right to keep a close look on what is being done in order to be sure that he or she is given the security he/she expects. This delegation to the group addresses a service that is of key interest for the citizen but also carries outstanding powers that encroaches on fundamental rights. Therefore, this close look covers not only what the ISF are expected to do but also what they should not do. This expectation is the root of the oversight of the security sector by the citizen whatever this is completed directly or through a delegation to trusted authorities.

Citizens' rights have been formally reflected in the Constitution of the Republic of Turkey. This highlights the legitimacy of the citizen's expectation. Key legal references are worth to be quoted.

Articles 12-74 of the Constitution are dedicated to the rights and freedoms of Turkish citizens. Article 12 of the constitution underlines the fact that everyone has inviolable and inalienable fundamental rights and freedoms. According to the article 13, those rights and freedoms may be restricted only by law. In case of any violation of those rights and liberties, everyone has the right to request prompts access to the competent authority, and the damages incurred to any person through unlawful treatment by public officials shall be compensated by the State according to the Article 40 of the Constitution.

International law is also a key legal source when it goes to fundamental right orientated oversight. In Turkey, international agreements duly put into effect are part of the internal law system. After 2004, according to the last sentence 90th article "in the case of a conflict between international agreements, duly put into effect, concerning fundamental rights and



This project is funded by the European Union.
Bu proje Avrupa Birliđi tarafından
finanse edilmektedir.

freedoms and the laws due to differences in provisions on the same matter, the provisions of international agreements shall prevail.” Therefore, it is clear that international agreements concerning fundamental rights and freedoms will be implemented in case of a conflict with the laws. So, fundamental rights and freedoms are also protected by the international agreements. For example, European Convention on Human Rights.

The citizen-oriented oversight has also a constitutional foundation through the citizen’s right to security that gives him/her a form of ownership of the security sector. According to the 19th article of the Turkish constitution, everyone has a right to security. This right is protected by the state via Turkish Public Administration whose duties are as follows: 1) National Security 2) Law Enforcement Service (for public order including public safety) 3) Public Services (for public interest) 4) Incentive and support 5) Planning (for rational course of action) 6) Self-administration (internal order).

These legal sources have to be taken into account when MoI is dealing with internal regulations like the organization or the functioning of the ISfs the nature of which is of an administrative value and not of a constitutional one. Therefore, if a legal conflict occurs between the principles of oversight and any internal regulation it is clear that oversight should prevail on the basis of constitutional and international provisions.

Recommendation 1: *When addressing a conflict between oversight and internal regulation proceed and give priority to oversight based on the criteria of constitutionality.*

Additionally, the attention that is given to the human dignity as the essence of all rights is one of the main principles of the Action Plan on Human Rights enforced in April 2021. As part of the safeguarding the physical and moral integrity and the private life of the individual, zero tolerance for the torture and ill-treatment as well as protecting the honor and dignity were cited as main goals. Zero tolerance policy against torture and ill-treatment has been adopted officially since 2003.

2.2 Overseeing the delivery of security services, focus on public safety

The scope of the security sector is wide open. It encompasses different actions that aim to address different threats. These actions assemble in fact different security services. The citizen is always the ultimate beneficiary of these services, but this is done more or less directly. In the case of public safety that aims to ensure a safe environment in the individual’s daily life this one is the direct beneficiary of the security service. He/she directly benefits from patrols, responses to call, investigations of petty crime, and prevention advice that prevent or stop the aggression and consequently the harm he/she suffers. When he is facing an immediate threat, he can expect an immediate service. This is different in the other domains of the security sector like the fight against organized crime, national security and crowd control where the individual is an indirect beneficiary with an interest that is shared with millions of



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

other citizens in the context of a global and safe environment. This focus on public safety when it goes to the delivery of security services is not just because it is important, but also it is local and immediate for the citizen. In Turkey and worldwide public safety makes the bulk of the ISFs activity (around 60 to 70% according to countries).

Recommendation 2: *focus citizen-oriented oversight on public safety that answers most of the citizen's daily security needs and expectations.*

2.3 Encroachment on individual's right and liberties to be under citizen's control

In their duty the ISF are given outstanding physical and legal powers. These can be summarized as the use of force, the right of arrest and the capacity to collect and present evidences to the judiciary. Formally these powers are tightly regulated. However, because of their nature that asks for a human reading of each situation in which they are deployed they carry inherently a risk of abuse. This risk must be prevented to avoid that the action of the ISF encroaches on the citizen's fundamental rights. According to the principle of accountability and because they have granted such powers to the ISFs the citizens have a right to oversee how these ones are using these powers and what are the provision to prevent and correct any abuse.

Unlike the oversight of the delivery of service the oversight of potential encroachment on fundamental rights is not focused on public safety. It has to cover the whole internal security sector. The citizen is more likely to be a "collateral" victim of ISF action in domains where these outstanding powers are widely used such as criminal investigation or crowd control than in public safety that has a more cooperative and soft interaction with the public. Even if public safety is more present in the daily life of the citizen the like hood of serious encroachments is for him/her statistically equal in all other areas of the activity of the ISFs.

Another reason to give the citizen a role in the fundamental right oriented oversight is the fact that most of the extraordinary powers that are given to the ISFs are in fact granted by the citizen. This one allows the ISFs to use these powers provided they are doing that to deliver a better and more efficient security service. This is the basis of what is called policing by consent. This concept is like a balance between the limitations of liberties and rights the citizen is ready to accept in return of security. Oversight ensures that the balance is kept right.

Recommendation 3: *to define with the citizen of the balance between security benefits and liberties and human rights limitations*

2.4 Mol oversight

The ISFs are under the authority of the Mol. This latter is politically and legally accountable of what is happening under his responsibility. Therefore, along with the citizens the ministry itself and the governors administration as well as the civilian inspectorate that act on its behalf



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

have to oversee how the ISFs are delivering the security service and respecting the fundamental rights when implementing their activities.

Concretely the MoI must have a knowledge of what the ISFs and their staff are doing especially when interacting with the citizen. It must also keep them to be accountable to the public in a transparent way. Traditionally this is ensured through the reporting of the ISFs to the governors or through their consultation to define priorities and objectives or to manage cases of encroachment on human rights. Ultimately the governors report to the ministry. When it is necessary to get a clearer view of specific situations this duty is executed by the civilian inspectorate that reports to the ministry.

This is however not sufficient to ensure a fair and effective oversight. First reporting along what remains a hierarchical line binds the superior to the subordinate. A lateral and horizontal access to information about what is going on is necessary for an independent assessment of any situation. Second the citizen is not present to guarantee that the security service matches its expectation and that he/she is not suffering any harm due to the activity of the ISFs. Therefore, the MoI should organize oversight in order to independently access information and get the citizen's point of view.

A situation the ministry should be able to detect and correct through oversight is the denial of service when the ISFs are not doing at all what they are supposed to do. When there is no delivery of service, citizens cannot rely on the ISFs in their law enforcement role to avoid criminal encroachment of their rights. Such a deficiency can be identified and flagged only by the citizen. The MoI should know that and consequently must involve the citizen in the oversight mechanism to access that information.

Recommendation 4: Organize ISFs oversight by the MoI with an independent access to the relevant information and to the citizen.

3 DEFINITION OF MONITORING AND EVALUATION OF ISFs' PUBLIC SAFETY DUTY

Public safety objective of ensuring the citizen a safe environment and an efficient protection against ordinary crimes and disorders is achieved through a comprehensive process. This one organizes the production and distribution of the security service. Oversight would mean that **the citizen and the MoI civilian administration are present and active at each step of the delivery of the public safety service to ensure it is performant.**

A first step would be at the level of the definition of service starting from the identification of needs and including concrete measurable objectives. A second step would be in the implementation with the citizen not only monitoring the ISFs activities but also taking an



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

active role especially in the prevention and correction of officers' misconducts. A last and final step would be to evaluate the ISFs activities with a view to revise and improve the delivery of the security in the field of public safety

3.1 Public safety as a public good

If ultimately security remains a question of death and life it is also more regularly a question of harm and disagreement that disturbs the citizen's daily life. Consequently, it is a service that is consumed to ensure the quality of life and to give the individual some form of control on his environment. The likelihood to need such a service is high but the activity it requires is quite simple. The expectation of the individual is very close to consumerism. Because it is a public service it cannot be purchased. The citizen cannot deploy the buyer power of control and must look for a different approach to be sure to get the service. Oversight is playing that role. What is at key is the security of the citizen's daily life.

Many internal security forces worldwide have organized themselves to identify the priorities of the public. However, they have kept a tight control of that process and have a natural reluctance to give the citizen a role in the definition, the implementation, and the evaluation of the service. "They think they know what is good for the citizen". They also face the usual organizational dilemma of contingency having on one hand to differentiate and on the other to integrate. With respect to the former they have to adjust their organization and functioning to their environment and comply with their "raison d'être". About the later they have concentrate on internal process and integration to avoid any fatal dispersion.

This situation is reflected by the existing instruments that give the citizens an opportunity to express their need and expectation. In Turkey, there are several mechanisms to take opinions of citizens which proves that to some extent those practises are already existing in the Turkish administrative culture. As for the citizen-oriented perspective, citizens can deliver their demands directly to the ISFs or indirectly to the MoI, to the Presidency and to the Turkish Grand National Assembly. Direct applications can either be made formally by the petition or informally by means of emails, social media posts, or verbal applications.

Several mechanisms have been identified to ensure the participation of the citizen in the identification of public needs and expectations; they are reported in annex 1. This is a good step in the right direction for a citizen-oriented oversight. This is however not sufficient. The citizen is kept outside the decisional process that is not public but kept behind closed door. This interaction apparently is not the matter of a regular report inside the ISFs as well from the ISFs to the governors and to the MoI. To some extent one can say this is just a polite business- customer relationship something like a public relation practice. Ultimately the MoI needs a comprehensive view of what is going on.



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

Recommendation 5: *Go farther than just receiving citizens requests and suggestions, proceed and duly reply in full transparency.*

Recommendation 6: *Organize within the MoI and the ISFs the collection, processing and reporting of citizens requests and suggestions to have a clear view of public expectations and readiness.*

3.2 Citizen's role in the oversight of the public safety management

The organization of the delivery of the various services that contribute to the public safety objectives have been usually and professionally completed by the ISFs along the traditional cycle of initial evaluation, definition, implementation, final evaluation, (re)definition.... However, and so far, this has been done only internally.

Oversight brings in a different approach. This shakes the usual practices of the ISFs. It associates the citizen at all steps to ensure that the security service when delivered matches the citizen expectations. Therefore, the ISFs have to change their procedures and process of work accordingly.

- The initial situational assessment should now include not only the facts that are collected by the ISFs but also the perception and the personal experience (victimization) of the citizen: what are the threats the citizen fears and cause harm?
- Based on this assessment oversight asks that the needs and expectations of the citizen are defined as services to be delivered. The definition of services has to be done jointly by the citizen, the authority (governor) and the ISFs. It must be reflected in objectives priorities and standards of service (ie: time to respond to call and capacity of the responding patrol to address specific type of incident....).
- For the citizen the matter is the service not the activity of ISFs to deliver it. The organization and definition of the activity (or operation) remains fully in the hands of the ISFs that are however bound to the outcome of the activity.
- Once the service is defined oversight demands that the citizen is regularly informed about the implementation. This communication is necessary to ensure him that the delivery of the security service is on track that objectives are kept on sight. It is in line with the principle of transparency
- Finally, the principle of accountability that drives oversight demands that the citizen is informed about the delivery of service with respects to the achievements of the objectives that were fixed initially. This final assessment provided that objectives have not been fully reached or that new emerging threats are demanding a new type of service will initiate a new cycle where the citizen should be present in a similar manner.

This description of the public safety management points out the transformation the oversight is introducing. By opening the management of security to the citizen it is dissociating it from



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

the management of ISFs operations that remains in the hands of the ISF leadership. Oversight is in fact developing a joint management of public safety.

A concrete example can illustrate that. Residents express a need for silence and street quietness at night. The service is delivered when this is achieved. The ISFs will fix how to ensure it and define their activities, patrols, size, foot, vehicle, use of remote devices (CCTV or drones), which techniques, friendly exchange, stop and search, denial of movement....

Recommendation 7: *Take into account and analyze the citizen's expression of needs and expectation to define the public safety service to be delivered and let the ISFs decide of which activity have to be completed to ensure the delivery.*

Recommendation 8: *Regularly inform the citizen about the delivery of the service and assess achievements with him on the basis of previously defined objectives*

3.3 Emphasizing the role of NCPO/LSPBs as a sound basis to develop oversight

The previously described process that gives the citizen a new role asks for a new management of the public safety. This in fact demands for an appropriate framework. Many countries have established such a framework nationwide like the French local security councils, the British police panels. Turkey is still at an experimental phase with the local security and prevention boards (LSPBs). These are mostly at district level. In parallel the MoI has initiated a process to establish a national body the National Crime Prevention Council (NCPC) and its executive arm the National Crime Prevention Office (NCPO) to associate the citizen to the definition of the public safety service (cf. "Draft Law on the establishment of the National Crime Prevention Council within the ministry of Interior").

The mission of both NCPC/NCPO nationally and of LSPB locally is to define and implement a crime prevention strategy but its primary component is to assess the citizen's security needs and expectation as citizen-oriented oversight would do. It is also to closely associate the citizen to this process. Therefore these structures have to be seen as valuable oversight instruments to be developed. The LSPBs are already operating even if in an experimental stage.

In total, 19 Local Prevention and Security Boards were established in 2 provinces and 17 districts as a pilot in Turkey. They are a consultative framework. It consists of representatives of law enforcement agencies, local administrators, relevant public institutions, professional associations, universities, and non-governmental organizations. 90 percent of its members are expected to be civilians.

The boards analyze local security needs and problems. On the basis of this analysis, the boards prepare, implement, and annually review the security and crime prevention plans. The consultation with civil society becomes more systematic with the establishment of local



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

boards. Thanks to these boards, citizens' needs are reflected in local decision-making processes and the public administration system becomes more responsive to citizens' priorities. Annex 2 provides a research paper on the experimental functioning of LSPBs

Recommendation 9: Develop the existing/planned bodies (NCPC/NCPO and LSPBs) as citizen-oriented oversight instruments and build upon their experience for improvement.

4 PROTECTING FUNDAMENTAL RIGHTS WITHIN THE CITIZEN – ISFs INTERACTION

The delivery of the security service carries on a risk of encroachment of the fundamental rights (cf. § 2.3). This risk is more limited with respects to impact in public safety than in public order/crowd control and in criminal investigation. Nevertheless, it is clear that ISFs activities whatever they are cannot be accepted when they encroach fundamental rights whatever it is the outcome of an individual or organizational misbehavior.

4.1 Ordinary oversight with respects to fundamental rights

Turkey has built a legal framework to ensure the protection of fundamental rights. This applies to any kind of encroachment whatever the author or circumstances are. Different processes and procedures are in place to ensure the respect of fundamental rights by public bodies and especially by ISFs. Several institutions have a mandate for that. Here the oversight I ensured through a mandate that is given to these institutions that operates through specific mechanisms. Only recently a dedicated body the Law Enforcement Monitoring Commission (LEMC) has been established by the MoI.

Citizens can apply to the Presidency via CİMER for their requests and complaints as well as to the Petition Commission of the Turkish Grand National Assembly. Although citizens can use these tools for the infringement of their fundamental rights as well, apart from these mechanisms, citizens do have other mechanisms from the perspective of fundamental rights as follows: the Ombudsman Institution, the Personal Data Protection Authority, the Human Rights and Equality Institution of Turkey, the Board of Review for Access to Information, the Human Rights Compensation Commission, the Provincial and District Human Rights Board, the Human Rights Commission of the Turkish Grand National Assembly.

As for the MoI, citizens can apply to the LEMC or open doors (governorates or district governorates). Those two mechanisms do have their internet web pages for online applications.

Some of these mechanisms are however not specific to the ISFs situation. Consequently, and even if they are legally relevant they could be not adapted to proceed cases that involve



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

members of the ISFs. The nature of the activities of the ISFS, their organization the techniques and equipment they use demands for a good knowledge and understandings of this professional environment. It demands specific skills to investigate, to monitor and control. The risk to rely on regular and “ordinary” institutions is that first they cannot have a systemic approach and can only proceed on a case-by-case approach without any global perspective. Secondly a lack of specialization could drive them to either over proceed or under proceed. In the first situation they would not have a fair attitude with the ISFs staff and will not protect their rights (i.e. right not to be labelled) while in the second they would not protect the citizen’s rights.

As is stated by the Action Plan on Human Rights, effectiveness of these institutions should be strengthened. Furthermore, citizens’ awareness of and their trust on these institutions should also be developed. Finally, considering the multiplicity of those mechanisms, a high-level coordination is needed. The members of the LEMC might be opened to the heads of those institutions. (The president of the Human Rights and Equality Institution of Turkey is already a member of the LEMC).

The diversity of opportunities that are given to the citizen to make his fundamental rights respected is confusing and could be discouraging. As previously said it keeps each of them with a limited capacity with respects to the necessary understanding and specific skills. It also does not guarantee the coherence of the response with respects both to the citizen and to the employee. Furthermore, such a fragmentation prevents the buildup of a comprehensive knowledge of the situation and therefore does not allow the identification of systemic deficiencies with a view for improvement. This weakness has to be corrected. At least a minimum of coordination and a centralization of information about cases seems necessary.

Recommendation 10: Coordinate the action of the different bodies that are in charge of the protection of fundamental rights with respects to cases involving ISFs with a view to ensure a fair and equal response to citizen, to identify systemic deficiencies and to exchange good practices.

4.2 Specific fundamental rights-oriented oversight

The Law Enforcement Monitoring Commission (LEMC)

Aside the “general purpose” institutions that have been addressed previously Turkey has established a dedicated body, the law enforcement monitoring commission (LEMC). This body has been established under the auspices of the MoI to proceed citizen’s complaint against ISFs. It operates along a procedure that associates ISFs hierarchy and inspectorate, the governors and the MoI civilian inspectorate. Its mission includes an analysis of the situation with a view to make suggestions to the ministry.



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

The buildup is rather recent (Law No. 6713 entered into force in 2016 and the regulation entered into force in 2019.) and all lessons learnt have not drawn all necessary conclusions after 2-year implementation. Consequently, the capacity of this commission as a fundamental rights-oriented oversight instrument faces still some room for improvement

The LEMC has registered a total of 82,208 applications about the LEAs have been made in 2020 (42,501) and 2021 (39,707). Of them, 53,265 files have been completed while investigations of 28,943 files are still ongoing. Annex 3 presents the figures of applications that have given way to investigated cases. All these numbers prove the capacity of the Commission to collect and aggregate information that relates to complaints against ISFs staff about encroachment of fundamental rights.

A preliminary observation of the functioning of the LEMC raises a few point that can be addressed within the current organization.

- Recursive/multiple registries may lead to loss of resource and conflicting responses to each application
- Applications may not always be processed efficiently (systematic investigation of trivial issues)
- Investigations may not always be processed fairly (document based only)
- Applications to the Commission are made through the "Law Enforcement Personnel Notification/Complaint Application Form". The absence of the word "satisfaction" in the title of the form may create a false perception among citizens that only complaints against LEA staff can be submitted to the Commission.
- Despite a significant volume of satisfaction statements (2,721 vs. 82,086 applications) these may not be processed, and no feedback may given to ISFs employees.
- Report has not yet been published.

Recommendation 11: Reorganize the management of applications within the LEMC to address satisfaction statement and fairly proceed by systematically interviewing ISFs staff and differentiating serious cases from trivial ones

4.3 Improving the LEMC model

A more in-depth observation of the LEMC that has been completed in an international comparative approach has identified several structural deficiencies that have to addressed to ensure that LEMC is really a fair and effective oversight instrument. Some can be easily answered because the response is within the principles of oversight and rule of law while other demand a more political decision because they question the balance of powers. Ultimately it is about moving the LEMC from a dependent body to an independent one.

The Commission is currently an ad hoc structure the functioning of which is achieved through seconded personals and delegations. The first consequence is that the LEMC has a weak



This project is funded by the European Union.
Bu proje Avrupa Birliđi tarafından
finanse edilmektedir.

identity and has to rely on other bodies for its daily functioning. The second consequence is that the processing of complaints is left in the hands of employees of the MoI who are double hated. On one hand they operate under the auspices of the LEMC. On the other hand they are statutory employees of the MoI and continue to fulfill their job the rest of the time. Therefore, they cannot be considered as fully independent when completing the LEMC proceedings. This assessment let's orient to have the LEMC being a self-standing permanent body. This can be built progressively first by keeping the status quo but establishing an upgraded secretariat and support body and then by bringing the analytical and data storage capacities (cf. thereafter) and later assigning permanent staff.

With respects to the status of the LEMC staff one will immediately notice that investigation and all sorts of checks and verification are completed by personnel that are coming from the MoI/ISFs only. This is fine because they know the environment where and the activity that they are investigating or auditing. This knowledge is useful to allow them to better understand the mechanisms and the practices at work and to identify critical points in a professional view. However, on the contrary it is a trap. They are bound by their professional culture and social closeness. Therefore, they cannot envisage a different point of view. Clearly, they have not enough distantiation with respects to the facts they have to examine. They cannot be considered as independent. Competency and independence must be combined. This can be achieved by mixing the staff of the LEMC at all levels with both insiders and outsiders. One part would come from the MoI to ensure the competency but should be given statutory guarantees so that their career should be protected. They should be aware about independence. Another part would come from the civil society or from public services and would need to be trained about the MoI/ISFs organization and functioning.

Recommendation 12: Establish progressively the LEMC as an independent body with its own staff coming jointly from the MoI/ISFs and from the civil society

Despite their different natures the complaint applications are apparently processed in a uniformed way. One can differentiate trivial, sometimes unfounded, and serious issues. Another differentiation is about the origin of the complaint: organizational dysfunction or individual misbehavior. According to these differentiations the application has to be processed differently. Serious issues demand in depth verifications while trivial ones ask for a quick check. Similarly organizational dysfunction must be addressed through an audit approach while misbehavior demands a real investigation. Obviously, there are different processes that can be used. Therefore, it appears necessary that once the application is registered it is examined to be addressed within the relevant process. The registration office would act like a hub with a choice to be made among different routes to be followed by the application. The citizen should be informed about the orientation that is given to his/her complaint and he should be given a right for observation. The temptation to have a filter to



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

keep only serious cases is not appropriate because it deprive to collect useful information. A repetition of trivial or minor cases can reveal a more serious flaw (individual case) or systemic failure (organizational case).

Recommendation 13: Organize the registration of cases at the LEMC as a hub to orient the application to the more relevant and efficient process and keep the citizen regularly informed.

The impressive number of applications is a rich source of information about the deficiencies of the ISFs to deliver the security service as expected and about the behavior of ISFs employees. This amount of information is like a gold mine for the MoI. It helps the ministry to better know what is really going on positively through statements of satisfaction or negatively about misbehavior. Analysis will help to move from a case by case understanding to a phenomenon vision about the interaction between the citizen and the ISFs whatever the subject is delivery of service or harm out on the citizen. When the ministry gets this knowledge and takes the citizen's view into account it is oversight. When the outcome of the analysis is shared with the citizen it is oversight under the accountability and transparency principles.

On the same time citizen complaints could be oriented to other bodies (cf. § 4.1). This will not ensure the coherence of the public responses to similar cases. It will also not allow the case to be included in the analytical process therefore limiting the knowledge the MoI could have of the situation. Therefore, it could be useful for the LEMC to centralize the information that is relevant to complaints that fail out of its seizure. Analysis should be driven along three orientations. One is social and group centered ; it deals with the ISF's professional culture and practices globally or locally in well identified entities. Another one is focused on individuals to identify profiles at risks with weak signals of minor incidents warning of more serious ones to come. The last one is organizationally oriented to identify flawed processes.

Complaints are not the only available information. Social media, CSO statements are also useful may be not for serious complaint cases but to assess a general attitude or behavior such a "rogue" behavior of ISFs employees. This information has to be taken on board the analytical process that aims to give the ministry a clear view of the public-ISFs interaction. It is both a low level indicator but also a weak signal that announce more serious issues to come either individually or more collectively.

Recommendation 14: Give the LEMC an analytical capacity of the information that relates to complaints with a view to build a knowledge of the citizen-ISFs -interaction that will be used by the MoI for improvement and disseminated to the citizen under the principle of accountability.

Recommendation 15: Centralize at LEMC level information that relate to complaints against ISFs whatever the called body is to enrich the outcome of the complaint analysis.



This project is funded by the European Union.
Bu proje Avrupa Birliđi tarafından
finanse edilmektedir.

There could be a debate about the power and the governance of the LEMC. This is however a very political issue, and any decision should be weighed according to the political consequences. So far, the LEMC has been established as an investigative body that reports to the MoI the outcome of its investigation. This leaves the MoI full competency to take administrative decision.

Under the present status and as far as the Commission power is limited to report the outcome of its investigations and audits to the MoI the governance question is limited to internal arbitration and to the publication of reports. In that sense an internal board of the responsables in charge of the functioning of the Commission is enough as far as their independence is ensured. They can be complemented by representatives of the MOI (governor and civilian inspectorate). Consequently, there is no need to bring in representatives of the civil society as suggested by some. The situation can be changed if the Commission is given more powers. In that case it would be necessary to give the board a stronger legitimacy by integrating strong independent characters that duly represent the civil society.

When it goes to the competency of the minister it is worth to notice that this is just recently that the ministry has been given full powers on all ISFs. Since 2016, in Turkey, monist system has been implemented because the MoD control over the Gendarmerie and the Coast Guard is removed. Before 2016, the Minister of the interior “has limited influence over the appointment/dismissal of the general commander of the gendarmerie and does not have a say on the appointment/dismissal of provincial heads of gendarmerie.”¹ In the same way, there was a fragmented disciplinary regime until 2018. However, within the scope of The Law on the Adoption of the Decree Having the Force of Law on General Law Enforcement Disciplinary Provisions, No. 7068, 31/01/2018, disciplinary regime has been united. Within the current system, the MoI has full authority and authority for the hierarchical control and for the management of personal.

4.4 Guiding the law enforcement profession

Internal security forces are not just institutions that are established to deliver security services. They are neither just organizations that complete activities. They have a third dimension as professional bodies meaning groups of professionals with their own culture and values. These culture and values play a key role with respects to the deployment of oversight. They guide the ISFs staff attitude to the citizen and their individual behavior. To some extend they can even influence the functioning of the LEMC (cf. §4.3 supra). They are part of the ethical framework something that both comes from within the ranks and reflects the institutional mission and the organizational functioning.

¹ Sebastian Roché, 2013, The Governance and Oversight of Internal Security Forces, UNDP, p. 167-168.



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

It is the responsibility of the MoI to monitor these professional components. Having a direct role in the establishment of ethical rules, MoI can monitor and influence the development of the culture and values. This demands a close observation that should associate both internal reports (Governors, civilian inspectorate, LEMC, ISFs) as well as peer comments and external observations from the public and from researchers. In any case it demands the ministry to be agile and to identify weak signals that can reflect emerging trends before it becomes too late.

As developed later one cause of closed door culture that keep the citizen far away is a lack of common culture and education. It is the role of the NCPC/NCPO to fill that gap. One can envisage to have a national institute for security where both MoI, ISFS staff and CSO representatives could learn and work together on exercises. This would be a neutral ground to build a trusted relationship.

Recommendation 16: Organize the ministry to monitor and influence the professional culture of ISFs

5 TOWARD A CULTURE OF OVERSIGHT

The attitude of the ISFs and the MoI itself toward oversight is rather open but should be more supportive. The predominant role of the citizen is acknowledged and partly accepted. This is a cultural issue. It has first to be assessed to identify the level of oversight in all activities with a view to identify where organizational practices are complying with oversight principles. Then it will be necessary to adopt practices or to generalize good ones and to get more compliance for deficient ones.

5.1 ASSESSING OVERSIGHT PRACTICES

Oversight appears to be more a philosophy that is embedded in the regular functioning of the ISFs than a stand-alone mechanism. However, this functioning and the practices of the ISFs at all levels can be analyzed with respects to the principles that guide oversight. These are accountability, transparency, integrity and partnership and to some extent trust that is more the outcome of empathy than a principle by itself.

Each principle can be declined into criteria that can be used to assess action with each criteria giving way to indicators. The result of this approach is a reading grid of the activities of the ISFs. A basic model of such a grid is given thereafter. It can be developed for managerial purposes therefore allowing to measure the performance of oversight. A reporting and monitoring mechanism could be established within the MoI to assess how oversight is implemented and integrated into the various activities of the MoI.



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

Principle	Criteria	Indicators
Accountability	ISFs-citizen joint objectives of service ISFs-citizen evaluation results/ objectives Accepting complaints and sharing their outcome	Number of meetings , exchange to listen Number of joint decisions/action plans Meetings, contacts, and reports Achievement rate Information accuracy and time to inform
Transparency	Information sharing Regular dissemination of reports Truth and facts	Scope and time of shared information Time and scope of dissemination deviation rate and accuracy level
Integrity	Respecting joint decisions/commitments	Deviation rate by topic
Partnership	Joint initiatives Association of citizens Citizen delegated activities	Number and scope outcome and results Number and scope results Number and scope results

If such a reading grid is developed the question is how to use it, meaning how to review ISFs activities, how to centralize and process the outcome of such reviews. At the present stage nobody is in a position to do that despite the fact the MoI need it. Both LEMD and NCPC/NCPO could be legitimate to play that role but this has to be defined and organized. It could be part of the (annual) hierarchical activity reports of the ISFs up to the MoI level.

Recommendation 17: *Develop a reading grid to assess MoI/ISFs activities along to the principles of oversight*

Recommendation 18: *Organize a centralized bottom up process to exploit the outcome of the reading grid implementation.*

5.2 Analyzing oversight related information (complaints, satisfaction) to draw lessons

Complaints and expressions of satisfaction can be expressed by the citizen. This can be achieved either informally and spontaneously in any encounter with the ISFs or the authorities or more formally when using an official complaint mechanism or in the framework of an official process (meeting, survey, LSPBs NCPC/NCPO..). They are not just a factual information to describe a specific situation either an incident or an ISF operation. They are an indicator about the quality of the of the service and about the behavior of the employee.



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

Consequently, the analysis of complaints and messages of satisfaction is relevant to oversight and is useful both to inform the citizen about how others and more globally the whole society assess the ISFs. The analysis can be quantitative or qualitative. In each case the outcome can be used for different purposes.

- Quantitatively the analysis will measure the service or the attitude versus what is expected or what has been agreed like objectives in a local security and prevention action plan. The outcome of the analysis is about satisfaction lower or higher than expected and consequently can be seen as an endorsement in the oversight process.
- Qualitatively the analysis will assess if the service or attitude is accepted as such and considered as sufficient. Here the outcome is about acceptance and the level of acceptance can be seen as the production of a norm by the oversight mechanism.
- However and whatever quantitative or qualitative the analysis should also identify causes with a view to offer remedies.

This analysis can be completed in different frameworks. Usually when it is about the public safety service delivery a territorial framework appears appropriate. When it goes to the respect of fundamental rights at national level the Law enforcement monitoring commission seems relevant.

To some extent the LEMC has already that mandate. But this is however limited. According to the Law No. 6713 on the Establishment of a Law Enforcement Monitoring Commission (LEMC), article 11 (1) I, is to provide opinions and suggestions to the authorized units regarding the in-service training programs of the law enforcement. Considering some of the duties of the law enforcement oversight commission, it is seen that lawmaker wants to ensure that complain system functions properly by means of the improvement of the system on the basis of the analyses made by the LEMC. Some of other duties are as follows:

- To prepare statistics on the data and information to be obtained from the central registration system, to create a database, to analyze the obtained data and information, to make recommendations on strategy determination and implementation, and, if deemed necessary, to announce the results of these analyzes to the public.
- To conduct research to improve the working conditions of law enforcement personnel, to monitor and evaluate the work done for the development and improvement of law enforcement services, and to advise the Ministry on these issues.
- To communicate and to cooperate with universities, public institutions and relevant non-governmental organizations on issues falling within its field of duty.

In parallel the NCPC/NCPO (cf. § 3.3) has a similar mission. It is of course centered on prevention but one should not forget to consider that prevention is the main part of public safety that is itself the bulk of the security service that is delivered to the citizen. Therefore it



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

is possible to assess that under art 8 (§ d and j) of the draft Law on the establishment of the National Crime Prevention Council within the ministry of Interior the NCPC/NCPO has a mandate to asses oversight and especially citizen oriented oversight.

Consequently, it appears possible to have oversight being driven by the MoI through two parallel and complementary channels along the following articulation.

- NCPC/NCPO will be the centralization body (cf. § 5.1 and recommendation 17) to evaluate oversight practices and issue recommendation for improvement to the ministry.
- NCPC/ NCPO will be the MoI leader to drive the citizen-oriented oversight mechanism. If within its duty he has to handle some fundamental rights-oriented oversight cases he will hand it over to the LEMC.
- The LEMC will be the MoI leader to drive the fundamental rights-oriented oversight mechanism. If within its duty he has to handle some citizen-oriented oversight cases he will hand them over to the NCPC/NCPO.

Recommendation 19: Articulate MoI drivers for oversight with NCPC/NCPO in charge of all oversight practices evaluation and of citizen-oriented oversight practice guidance and LEMC of fundamental rights-oriented oversight guidance

The outcome of the analysis that has been described should be used. First the MoI should be informed and should be given proposals for improvement. Good practices when identified should be promoted. Deficiencies whatever they are in the organization should be addressed and corrected when identified. Training and education have to be adjusted on the basis of this outcome.

5.3 Oversight and Citizen-ISFs dialogue

Oversight helps to define first and then ensure the full respect of the ISFs performance norm. These norms are the outcome of a dialogue between the ISFs and the citizen. They should match the expectations of the citizen and be accepted and respected by the ISFs both when it goes to the delivery of service and to the behavior of the ISFs. They both reflects and shapes the ISFs professional culture.

These performance norms because they cover the delivery of service in a correct manner and the behavior in the respect of fundamental rights can be assemble in a corpus. This corpus should guide ISFs employees in a sense they know what they have to do (deontology) and what is right (ethics). This is not a regulation but a guide to which employees commit voluntarily. This could be a code, a chart, an oath or included in a mission statement. When such a corpus is established it has to be taught used quoted and communicated.



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

The basis of such a corpus is already existing in Turkey. It is may be not comprehensive enough when looking at the scope and complexity of duty of the ISFs and at the requirements for oversight. The voluntary commitment of employees is however not guaranteed and existing guidance is more perceived as a matter of binding regulation and discipline than a free willing action. There is a gap that the MoI can fill by influence through communication, education and reward to create the conditions of the voluntary norms building it want. This sociodynamic approach is quite different from the current legalistic and top-down approach. The main features of this are the following:

- The Principles of Ethical Behavior for Public Servants, prepared on the basis of the Law No. 5176 dated 25/5/2004, which established the Public Servants Ethics Board, aims to establish an ethical culture in the public.
- The Code of Law Enforcement Ethics entered into force on 24.10.2007 the principle sof which . Those principles include respecting everyone’s right to life and other fundamental rights, not carrying out inhuman practices like torture, using proportional power only if it is necessary and if it is related to a legitimate aim, acting with the dignity and honesty etc.
- The ethical contract all public servants including ISFs and MoI personnel sign to give their commitment to provide services in accordance with the ethical behavior principles and values determined by the regulations prepared by the Public Servants Ethics Committee.
- The ethical boards both the ISFs and the MoI have within their organizational structure.

Ethical principles are shared through training and education programs. However, despite of the existence of ethical code, ethical contracts, and ethical boards, there are still some problems such as follows:

- Ethics boards are not active or effective as the inspection boards.
- Ethical codes are not implemented effectively.

Ethics, ethical behavior based on a voluntary commitment are not present and strong enough and must get a new breath to facilitate oversight and the support of ISFs employees to oversight. This asks some specific internal communication, appropriate education and training all to be combined in an ethical policy to be coordinated. Existing mechanisms could be reactivated along a clear and strong policy. The idea of an ethical coordinator for oversight or as it is in France of a deontologist who reports directly to the minister can be envisaged. It would give a face to the policy and help to have it actively implemented.

Recommendation 20: *develop an ethical policy to both promote ethical norms that support oversight and raise the commitment of ISFs staff for implementation*

5.4 Public safety contractual framework: oversight and policing by consent

Previous matter has set that oversight relies on commonly agreed and defined norms, standards and with respects to public safety jointly defined objectives. Therefore, oversight



This project is funded by the European Union.
Bu proje Avrupa Birliđi tarafından
finanse edilmektedir.

can be said to have a contractual dimension with the ISFs and their employees on one side and the citizens on the other.

Public safety is the most appropriate framework in which such a contractual relationship can be built. Because they have to address common subject of interest in the same geographical or thematic field the ISFs and the citizens have to agree. This can be done locally and the LSPBs and their local security and prevention action plans are the appropriate instruments to support such a contractual relationship. The same type of relationship can be built at national level on thematic subjects either with professional bodies or with civil society organizations. In that case the NCPC/NCPO would be the relevant framework.

When an agreement and a joint commitment are established in such framework both the ISFS and the citizens are bound together. This is the basis of policing by consent model in which the citizen agrees on the way the ISFs deliver the security service and behave with the citizen.

This is the mechanism of policing by consent in which the citizen accepts and even voluntarily support the action of the ISFs. This facilitates the relationship and the cooperation of the citizens with the ISFs with the citizen “validating” the action of the ISFs. It helps to solve occasional difficulties and prevents any escalation that could initiate violence and question the respect of fundamental rights.

In Turkey, there is a continuous progress to improve the relationship between ISFs and public with a view to associate the later to the evaluation of the performance of the former. Six mechanisms have been identified for that purpose. They are presented in annex 4. Despite their respective ambitions and their broad diversity they present some deficiencies:

1. ISFs Best practices are not known by the public.
2. Outside pilot implementations of LSPBs the citizens and NGOs do not have regular mechanisms to participate in the decision-making process.
3. Strategic objectives and performance measures of the ISFs are not uniform.
4. Strategic objectives and performance measures of the Mol’s PERDİS and ISFs are not uniform.
5. Human Rights issues are neglected in the criteria and the indicators.
6. The link between individual and institutional performance system is weak.

These deficiencies can be addressed and some of them have already received a response. The generalization of the LSPBs and the standardization of their procedures are already included in the draft law fir the establishment of the NCPC/NCPO under the auspices of the Mol. This same document also included the participation of civil society representatives (professional organizations, NGOs...). Nevertheless, it is necessary to complement this by a few additional measures that are included in the following recommendations.



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

Recommendation 21: *Streamline the goals, objectives, and performance measures of the ISF under the guidance of the Mol*

Recommendation 22: *Incorporate the performance criteria of the Mol's PERDİS to the strategic plan and performance program of the ISFs as performance indicators.*

5.5 Ethical management capacity

Previous chapters have pointed out that the implementation of an oversight strategy asks for a basic principle that is to agree with the citizen on norms. These norms cover the delivery of the security service mostly with respects to public safety. They also cover the behavior of the employees of the ISFs in all ISFs activities and not just in public safety.

The establishment and the implementation of these norms ask for guidance to respect the above-mentioned principles. This guidance would help to define what is right in the decisions that are taken. Therefore, this guidance is of an ethical dimension.

Both oversight and its ethical guidance should be known and used by the management and the leadership of the ISFs.

ISFs Leaders and managers should be educated and trained accordingly. This is something challenging because oversight is asking for accountability, transparency in places where closed door practice was the rule. They will also need like a guide or a catalog of good practices. They could also be briefed on the outcome of the complaint and satisfaction analysis (cf § 4.1)

Ethical management capacity does exist in the ethical boards of the ISFs and the Mol. Furthermore, according to the Law No. 6713 on the Establishment of a Law Enforcement Monitoring Commission (LEMC), article 11 (1) g, one of the duties of the law enforcement oversight commission is “to monitor the implementation of law enforcement ethical principles; to make suggestions to the competent authorities on the effective implementation of these principles and to cooperate with the law enforcement agency and other relevant organizations in this regard.” Therefore, in addition the ethical boards of the ISFs and the Mol, LEMC may promote and support the implementation of the code of law enforcement ethics. These instruments exists but they have to actively used and exploited.

5.6 Anticipate innovation

Policing and the delivery of security services is not something that is fixed forever. Social and economic changes, technological development, globalization and digitalization are pushing ISFs to change their organization, their processes, their equipment. Of course, such a change aims to bring improvement. Unfortunately change cannot foresee everything and always contains a part of unknown. This unknow cannot be covered by any regulation and on the contrary could carry deficiencies and flaws. Some of them can be seen as windows of



This project is funded by the European Union.
Bu proje Avrupa Birliđi tarafından
finanse edilmektedir.

opportunity to overcome mis implementation of a new process or misuse of an equipment that can either reduce the performance of the service to deliver or cause harm to the citizen.

An example is the development of non-lethal weapons (i.e. rubber bullet) that can be used under certain circumstances only but are deadly outside these. If this risk is not assessed and mitigated the misuse could occur with fatal consequences. Another example is the deployment of individual tablet that integrate a secured messenger but is not used by ISFs employees who see it as non-user friendly and instead use their own personal mobile phone therefore encroaching the protection of sensitive data. Still in this type it is the development of GPS equipped patrol cars the staff disconnect to avoid being tracked and therefore preventing the dispatcher to send the closest patrol to stop a murder attempt. These examples prove that any change include a risk that has to be prevented. It is the role of oversight to identify and anticipate that risk and to take appropriate mitigation measure to ensure that the service is properly delivered.

Recommendation 23: *assess the impact of deployment of any innovation either of equipment or workflow to define appropriate mitigation measures.*

Technology can also help to ensure oversight. An usual example is the body camera, provided it is not disconnected, that ensures a direct oversight of the ISFs employee- citizen encounter and can be used both to protect the citizen from abuse of force and the ISFs staff from fake public allegation. This equipment was developed and deployed from the beginning as an oversight tool. Other equipment can indirectly be used as oversight mechanisms. This is the case for example of GPS equipped patrol cars that allow to assess the deployment of patrols and ensure they are properly used to provide the best possible response.

Recommendation 24: *identify and when possible use necessary technology to ensure oversight.*



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

ANNEX 1 : MECHANISMS TO ENSURE CITIZEN'S EXPRESSION

List and brief description of the several mechanisms that ensure the citizen's expression

1. CIMER (Presidential Communication Center) Applications: If the subject of the application includes a specific request, a positive or negative answer should be given within 30 days. If the subject is an information or document request, the response should be given in 15 working days.
2. Institutional e-mails: Institutional e-mail addresses can be used.
3. Social media posts: Citizens may use social media to express their requests, suggestions, and complaints-
4. Applications to the open door: Requests can either be made by citizens in person to governorships and district governorships or with a mobile application. Data collected from Turkish National Police, Gendarmerie and Coast Guard Command for effective fight against drugs are reported.
5. Verbal applications of citizens: Occasionally, citizens may come to Police Stations/Headquarters and make verbal requests, suggestions, and complaints. Although it is not systematic or written, it is one of the communication channels that the police frequently use with citizens.
6. Trust Desks: Citizens who come to the Police Stations/Headquarters are firstly encountered with the staff at the Trust Desk. The citizen is welcomed by a police officer and then is directed to the relevant-
7. Community Policing: In the TNP, community policing started as an EU project with pilot implementations. Since 2009 it was added in the organization chart of every police departments with a regulation. Globally it aims to ensure a quality security service and a social participation.
8. Interviews conducted during regular patrols with a focus in hot spots. The key principle to be followed by both police and the gendarmerie is to "perform duty on the spot". This principle means that officers should go to the citizen. During those patrols, squads communicate with citizens informally and verbally.
9. Coordination officers for schools: School Law Enforcement Officers and Safe Education Coordination Officers communicate with the educative community to report the problems encountered in school and undertake the coordination duty between the schools and the police.
10. Gendarmerie Interaction Team: With the development of urbanization, there are some urban districts where the gendarmerie remains responsible. In order to increase the service quality in these districts, the "urban type gendarmerie" station command pilot project was developed in three districts in 2021. In this project, a "Gendarmerie Interaction Team" is established. Its duties include understanding the citizens'



This project is funded by the European Union.
Bu proje Avrupa Birliđi tarafından
finanse edilmektedir.

expectations from the gendarmerie in a timely and accurate manner and ensuring that the citizens cooperate with the gendarmerie at the desired level in the prevention and investigation of crimes.



This project is funded by the European Union.
Bu proje Avrupa Birliđi tarafından
finanse edilmektedir.

ANNEX 2: RESEARCH PAPER ON LSPBs

According to Akıncı,² between “years 2009 and 2013, 13 strategic Local Prevention and Security Plans were prepared to improve civilian participation as part of local governance.” Akıncı explains the preparation process of these plans and their importance as follows: “While preparing Local Prevention and Security Plans, one-on-one interviews, focus group meetings and surveys are conducted with many parties. In order to prepare each plan in the pilot study, an average of 12 Board meetings at regular intervals in each district, 30 one-on-one meetings, two conferences with wide participation in the district and the province, and a sampling survey of 3500 people representing the population in the district was applied to a professional research company to determine the security needs. ... While solving common problems such as theft, drug use and traffic safety are sought in many places, special issues such as the problem of carrying knives and weapons in certain places, the increasing population in the summer in touristic places, religious visit places and the security problems that come with the population increase during Ramadan have come to the fore, and solution suggestions have been developed for them... Local prevention and safety plans make it possible to set very detailed targets that can be focused down to the neighborhood.”

² Kılıç Akıncı, S . (2018). PAYDAŞ YAKLAŞIMININ YEREL ÖNLEME VE GÜVENLİK PLANLARINA UYGULANMASI: TÜRKİYE’DE SİVİL GÖZETİMİN GELİŞTİRİLMESİ ÖRNEĞİ . Erzurum Teknik Üniversitesi Sosyal Bilimler Enstitüsü Dergisi , Erzurum Teknik Üniversitesi Sosyal Bilimler Enstitüsü Dergisi 7. Sayısı , 225-238 . Retrieved from <https://dergipark.org.tr/en/pub/etusbed/issue/42175/507479>



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

ANNEX 3 LAW ENFORCEMENT MONITORING COMMISSION

Description of complaints

A total of 82,208 applications about the LEAs have been made in 2020 (42,501) and 2021 (39,707). Of them, 53,265 files have been completed while investigations of 28,943 files are still ongoing. The table below summarizes the serious allegations against the LEAs.

Subject of the application	No. of applications	No. of personnel complained	No. of personnel found guilty
Torture	29	88	0
Murder	12	31	1
Deliberate injury	692	1200	162
Exceeding the limit regarding the authority to use force	272	763	39
Assault (Darp)	778	1770	130
Ill-treatment	656	1453	104

Source: MoI



This project is funded by the European Union.
Bu proje Avrupa Birliđi tarafından
finanse edilmektedir.

ANNEX 4: CITIZEN DRIVEN EVALUATION PROCEDURES

List of citizen driven evaluation procedures

1. *PERDİS (Performance Evaluation and Monitoring System)*: PERDİS is a reporting system for determining, monitoring and analysing the performance criteria of the projects and activities carried out by the Ministry's units and affiliated organizations including law enforcement agencies.
2. *Citizen Satisfaction Survey*: The survey was carried out by the Ministry of Interior to the citizens who received services provided by the central units of the Ministry of Interior and provincial organizations in order to measure their satisfaction level. TUIK's statistics of life satisfaction can also be added those satisfaction surveys.³
3. *İZDES (Monitoring and Evaluation System)*: İZDES is composed of two stages. In the first stage, the service capacities of the Ministry of Interiors' affiliated units in the provinces are measured. In the second stage, opinions are exchanged with mukhtars, school family unions and non-governmental organizations regarding the practices carried out by the Ministry of Internal Affairs.
4. *Law Enforcement Oversight Commission*: Law Enforcement Oversight Commission was established in order to improve the working conditions of law enforcement officers and to receive the suggestions, requests and complaints of the citizens about law enforcement services. Law No. 6713 on the Establishment of a Law Enforcement Oversight Commission was published in the Official Gazette No. 29717 on 22 May 2016. The Regulation on the Implementation of the Law No.6713 was entered into force on 7 August 2019 after being published in the Official Gazette numbered 30855.
5. *Peace Meetings in the Responsibility Areas*: Peace meetings in the responsibility areas are carried out with the participation of citizens, including public institutions and organizations, municipalities, educational institutions, representatives of sites and apartments, mukhtars. In these meetings, general security issues are discussed and the wishes, complaints and suggestions of the citizens regarding security issues were received and the expectations of the security forces from the citizens regarding the fight against crime are asked.
6. *The Citizens' Assemblies*: According to the municipality law no. 5393, article 76, the citizens' assembly is comprised of representatives of public professional organizations, trade unions, notaries public, universities, the civil society organizations concerned, political parties, public entities and neighbourhood masters, and other parties concerned. Opinions formed within the citizens' assembly shall be placed on the agenda of the municipal council and deliberated at its first meeting. Law enforcement

³ <https://www.tuik.gov.tr/media/microdata/pdf/yasam-memnuniyeti-arst.pdf>



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

agencies may work together with those citizen assemblies to get demands and expectations of the citizens

ANNEX 5-Recommendations

List of recommendations for

An organisational strategy for the oversight of internal security forces in Turkey

OVERSIGHT STRATEGY IN THE FRAMEWORK OF A GLOBAL SECURITY STRATEGY

Recommendation 1: Proceed and give priority to oversight on the criteria of constitutionality when addressing a conflict between oversight and internal regulation

Recommendation 2: Focus the citizen-oriented oversight on public safety that answers most of the citizen's daily security needs and expectations.

Recommendation 3: Define with the citizen of the balance between security benefits and liberties and human rights limitations

Recommendation 4: Organize ISFs oversight by the MoI with an independent access to the information and to the citizen.

DEFINITION MONITORING AND EVALUATION OF ISF s' PUBLIC SAFETY DUTY

Recommendation 5: Go farther than just receiving citizens requests and suggestions, proceed and duly reply in full transparency

Recommendation 6: Organize within the MoI and the ISFs the collection, processing and reporting of citizens requests and suggestions to have a clear view of public expectations and readiness

Recommendation 7: To take into account and analyze the citizen's expression of needs and expectation to define the public safety service to be delivered and let the ISFs decide of which activity have to be completed to ensure the delivery.

Recommendation 8: Regularly inform the citizen about the delivery of the service and assess achievements with him on the basis of previously defined objectives



This project is funded by the European Union.
Bu proje Avrupa Birliği tarafından
finanse edilmektedir.

Recommendation 9: *Develop the existing/planned bodies (NCPC/NCPO and LSPBs) as oversight instruments and build upon their experience*

PROTECTING FUNDAMENTAL RIGHTS IN THE FRAMEWORK OF THE CITIZENS-ISFs INTERACTION

Recommendation 10: *Coordinate the action of the different bodies that are in charge of the protection of fundamental rights with respects to cases involving ISFs with a view to ensure a fair and equal response to citizen, to identify systemic deficiencies and to exchange good practices.*

Recommendation 11: *Reorganize the management of applications within the LEMC to address satisfaction statement and fairly proceed by systematically interviewing ISFs staff and differentiating serious cases from trivial ones*

Recommendation 12: *Establish progressively the LEMC as an independent body with its own staff coming jointly from the Mol/ISFs and from the civil society*

Recommendation 13: *Organize the registration of cases at the LEMC as a hub to orient the application to the more relevant and efficient process.*

Recommendation 14: *Give the LEMC an analytical capacity of the information that relates to complaints with a view to build a knowledge of the citizen-ISFs -interaction that will be used by the Mol for improvement and disseminated to the citizen under the principle of accountability.*

Recommendation 15: *Centralize at LEMC level information that relate to complaints against ISFs whatever the called body is in order to enrich the outcome of the complaint analysis.*

Recommendation 16: *Organize the ministry to monitor the professional culture of ISFs*

TOWARD A CULTURE OF OVERSIGHT

Recommendation 17: *Develop a reading grid to assess Mol/ISFs activities along to the principles of oversight*

Recommendation 18: *Organize a centralized process to exploit the outcome of the reading grid implementation*

Recommendation 19: *Articulate Mol drivers for oversight with NCPC/NCPO in charge of all oversight practices evaluation and of citizen oriented oversight practice guidance and LEMC of fundamental rights-oriented oversight guidance*



This project is funded by the European Union.
Bu proje Avrupa Birliđi tarafından
finanse edilmektedir.

Recommendation 20 : *develop an ethical policy to both promote ethical norms that support oversight and raise the commitment of ISFs staff for implementation*

Recommendation 21: *Streamline the goals, objectives, and performance measures of the ISF under the guidance of the MoI*

Recommendation 22: *Incorporate the Performance measures of the MoI's PERDİS to the strategic plan and performance program of the ISFs as performance measures*

Recommendation 23: *assess the impact of deployment of any innovation either of equipment or workflow to define appropriate mitigation measures.*

Recommendation 24 : *identify and when possible use technology to ensure oversight.*