

OPEN GOVERNMENT PARTNERSHIP INITIATIVE-OGP
TURKEY'S NATIONAL ACTION PLAN

**I-INTRODUCTION AND REVIEW OF THE WORK CARRIED OUT UP UNTIL
NOW**

The profound economic crisis that took place in the beginning of the 2000s had big repercussions in Turkey. It exacerbated discrepancies in national income distribution, and triggered the highest unemployment and poverty figures in the history of the country. Moreover, it greatly undermined the atmosphere of trust. Another theme which is indelible from our memories from these dire days has to do with corruption.

Three major promises were made to the Turkish public before the general elections of 3 November 2002. These were, "Fighting Poverty, Corruption and Prohibitions". Efforts were launched immediately in accordance with these commitments, particularly in order to address our country's poverty, to fight against corruption and to lift prohibitions. To this end, reform packages were prepared and implemented in many areas, particularly in the economic, public finance, public administration (good governance) and judicial fields, and in enhancing individual rights and freedoms.

A wave of change and progress took hold in every field in Turkey. The atmosphere of confidence, which had briefly disappeared, was re-established. Alongside the struggle against strict and cumbersome bureaucratic structures and processes, many legal and structural arrangements were implemented with the aim to raise the standards for individual rights and freedoms, particularly of disabled citizens, women, children and minorities, as well as to increase transparency, accountability, honesty and participation in the public sector. In line with the proposals made by the business community, bureaucratic obstacles to investments were removed and specific measures were adopted in order to increase foreign direct investment.

During the preparation of all legal and administrative regulations, foremost the process leading to the amendment of the Constitution, the ideas and suggestions of different segments of society were taken, and the public, business circles and civil society organizations were encouraged to participate in the decision-making process to the greatest extent.

Individual strategy documents and action plans were introduced to combat against excessive and cumbersome bureaucracy, shadow economy, organized crime and corruption. These studies have been followed up by the establishment of commissions comprising the relevant Ministers, public agency representatives and non-governmental organizations. Meanwhile, new measures in the face of ever-changing conditions were put in place in a timely and coordinated manner.

A few of the concrete steps taken in the last ten year period to transform the public administration system into a more transparent, accountable and honest one, and to make it more participatory are as follows;

- The Law on Public Financial Management and Control dated 24.12.2003, which aims to ensure that procurement and utilization of public resources are conducted effectively, economically and efficiently, while providing for accountability and fiscal transparency;

- The Right to Information Act dated 24.10.2004, which governs the rules and procedures concerning the ability to access information according to the principles of equality, fairness, and openness as a requirement of democratic and transparent governance;

- The Municipal Law dated 03.07.2005, the Metropolitan Municipality Law dated 10.07.2004, the Provincial Special Administration Law dated 04.03.2005, which aim to delegate the excessive powers in the hands of the central administration to local governments to enable quicker and more effective responses to local needs;

- The Press Law dated 26.04.2004, which aims to facilitate the ability of media organs to reach and disseminate public information and to enhance the access of all citizens to such information, so as to ensure that public oversight of officials is made possible and easier, thereby providing for greater democratization and a free press regime;

- The Court of Accounts Act dated 19.12.2010, which aims to provide for the efficient, economic, productive and lawful functioning of public administrations, as well as to ensure that all types of public resources are obtained, maintained and utilized in accordance with the prescribed goals, objectives, laws and other legal regulations, within the framework of the principles of public sector accountability and fiscal transparency;

-The Board of Ethics for Public Officials, established by the Law dated 08.06.2004, which identifies obligatory principles of ethical behavior for public officials such as, transparency, impartiality, honesty, accountability, protection of public interests, and aims to supervise the implementation of these principles;

- The Public Procurement Act dated 22.01.2002, which aims to ensure transparency, free competition, equal treatment, reliability, confidentiality, public supervision in tenders; as well as the establishment of the Public Procurement Authority, which has administrative and financial autonomy, and is tasked with reviewing and ruling on complaints against actions taken by the administration regarding whether relevant legislation have been followed from the start of the tender to the signing of the contract, and to provide training related to procurement legislation, as well as to ensure national and international coordination.

- The Turkish Penal Code dated 12.10.2004, and the new Criminal Procedure Code, dated 17.12.2004, which aim to combat crimes of corruption more effectively and systematically.

- The Anti-Smuggling Law dated 31.03.2007, which defines smuggling actions and sanctions and regulates methods and principles for preventing, monitoring, researching actions of smuggling and trafficking.

In addition to the above-mentioned legal and structural arrangements, many concrete steps have been taken to enable the direct access of citizens to the administration through the use of contemporary technological means. The Prime Ministry Communication Center Project was launched in the beginning of 2006, so as to set up a fast and effective system allowing citizens to convey their complaints, demands, views and suggestions, both to the central and local governments/administrators.

E-government applications are another field in which our country has made great strides. Within the framework of the e-government portal project launched in 2006, a web-portal enabling access to all public services from a single point of entry has been introduced. Through many projects developed in different fields ranging from health to justice, education to social security, public services are offered over the internet which have been met with the satisfaction and positive feed-back of the public.

‘The Strategy for the Enhancement of Transparency and the Strengthening of Combating Against Corruption’ and the related ‘Action Plan’ adopted by the Council of Ministers which was put into force in 2010, is a strong political initiative that assesses the suitability and efficiency of the steps taken in the last 10 years in this area. It also includes policies to be followed in the days ahead to allow for a more transparent and open public administration. Consisting of 28 different measures, the said Strategy Document and Action Plan aim to bring about much needed new steps in our country in numerous fields. Among these are; development and application of the principles of transparency and openness concerning the financing of political parties and elections and increasing the efficiency of their auditing; establishment of an ombudsman institution; review of the public procurement system; enhancement of transparency in public sector institutions and prevention of corruption; better informing citizens of their rights stipulated under laws and administrative directives in the case of unjust treatment and of where they can apply in such instances for follow up; protection of informants in corruption cases; enhancing the transparency and accountability of local governments relating to processes such as city planning and building licenses and strengthening the capacity of control units.

In addition to all related public institutions, civil society organizations, business sector representatives, and international organizations such as the World Bank, EU Representation in Turkey and OECD/SIGMA have been consulted during the preparatory process of the said Strategy and their opinions and proposals have widely been reflected in the final document.

II- OPEN GOVERNMENT PARTNERSHIP TURKEY’S NATIONAL ACTION PLAN

Our long historical legacy, during which we have created 17 large states, and the civilizations that formed them are defined by an administrative understanding founded on ensuring the happiness of the individual/citizen. Since 2002, the very same philosophy has been at the root of all of the reforms resolutely pursued by our Government; “Allow full freedom of life to the individual so as to ensure the survivability of the state¹”. The fundamental principles of the

Open Government Partnership initiative, which are increasing transparency and accountability, adoption of a more participatory understanding of governance, combating corruption and empowering citizens through technological developments, individually correspond to the policies that we have been implementing. They also provide us with the opportunity to further

¹ From Sheikh Edebali's Testament to Osman Bey, the founder of Ottoman State.

our existing standards. The distance covered in every field by our country within the last ten year period not only confirm the correct and pertinent nature of our policies, but also encourage us to strive for better in undertaking responsibilities as a leading and exemplary country in our region and in our goal to become a global actor.

Recent developments have confirmed the following for all of us on a global scale: closed, repressive, restrictive administrations that disconnect themselves from their people have failed. Any ruling power that repudiates openness, transparency, honesty and the principles of participation will be unable to retain power for long. Non-governmental organizations have gradually emerged as a new element of power all over the world. It is no longer possible to achieve successful results without the inclusion of citizens and NGOs in policy and decision making process.

MAIN OBJECTIVES AND TOOLS

<p>Information sharing with the public</p>	<p>The aim is to share public-sector-produced information as much as possible as utilizing contemporary technological possibilities and mass media. All public processes will become more transparent and access to information made easier through the following websites which will be operational soon: www.transparency.gov.tr; www.spending.gov.tr;</p>
<p>Active Participation of citizens, Non-Governmental and Private Sector Organizations</p>	<p>The aim is to increase the level of public participation in policy making and implementation processes. For example, during the preparation phases of laws and other regulatory processes, the information will be shared with the public over www.regulation.gov.tr.</p>
<p>Increasing Public Awareness</p>	<p>In order to achieve the targets set in the National Action Plan, all Responsible Institutions will organize workshops, seminars and conferences with the participation of all stakeholders. This will ensure both increasing public awareness and an opportunity to express exchange views which will help shape the process.</p>

A. INCREASING INTEGRITY IN THE PUBLIC SPHERE

1. Setting up a web portal named www.transparency.gov.tr

A web portal will be set up, which will provide all the current information about the projects and strategies implemented by the Government regarding integrity, transparency, accountability and combating against red tape and corruption; all legal and other arrangements in these fields; all international conventions that we are party to and the activities carried out at international organizations of which we are a member.

Our aim through this web site will be, to set up an infrastructure whereby it will be possible to receive feedback from citizens regarding draft laws and bills, as well as all issues related to the implementation of these regulations. Thus the public will continuously be fully informed and active participation in these matters will be encouraged.

2. Holding an Advisory Platform for Transparency in Public and Openness, at least once a year, with the broad participation of representatives of public sector, non-governmental organizations and private sector; holding seminars, workshops and conferences with a view to increasing public awareness in the areas of integrity, transparency, accountability and combating against corruption,

This platform will enable different segments of our society to thoroughly discuss the social and economic effects of steps taken in the fields of integrity, transparency, accountability and combating against corruption; trigger debates on which measures should be taken on these issues. Various reports will be prepared and evaluation of the results of the previous year will be conducted.

Both by means of www.transparency.gov.tr and via seminars, conferences and workshops to be held under the leadership of Non-Governmental Organizations, our target is to keep the public's interest continuous on matters related to integrity, transparency, accountability and combating against corruption.

3. Plotting a risk map by determining the risk areas open to corruption and taking preventive -deterrent measures against corruption

We plan to collect statistical data based on notifications forwarded to the units which accept complaints from citizens, such as the Prime Ministry Inspection Board, inspection units of

Ministries, Public Prosecution Offices, the Prime Ministry Public Officers Ethics Board, the Prime Ministry Communication Center (BİMER) and Board for the Evaluation of Requests for Information. Besides the reports prepared by inspection and audit units, the Court of Accounts, international organizations, non-governmental organizations, think-tank institutions, as well as private sector and academic circles, studies such as surveys and rules of judicial authorities will be utilized. Scientific evaluation of these data will facilitate the determination of the root causes of corruption, hence enable us to take preventive and deterrent measures.

4. Measuring the suitability and effectiveness of the existing measures and policies in matters of reducing bureaucratic red-tape, increasing integrity, transparency and accountability and combating corruption through efforts to be carried out regularly and conducting surveys in order to determine the perception of citizens and the business world and sharing results with the public.

Through such work, we will strive to measure the effectiveness and suitability of public policies carried out in the abovementioned fields and to assess how these policies resonate with our citizens and the business world. Our aim is to conduct these studies regularly and to utilize available data in comparative studies over the years.

B. IMPROVING THE QUALITY OF PUBLIC SERVICES

1. Transparency in Public Expenditures – www.spending.gov.tr

Although the current legislative framework and information systems pertinent to public expenditure mark a significant enhancement in terms of transparency, there remains much to be done in order to make public expenditure data more user-friendly for the public at large. To that end, multiple information systems related to public expenditures will be integrated and more user friendly public expenditure portals will be established.

2. Engaging citizens and other concerned parties in policy-making processes –

www.regulation.gov.tr

Engaging citizens, the business world and other interested parties in the preparation phase of policy instruments such as laws, regulations, and notifications which are on the agenda of the government is important. Through the web portal www.regulation.gov.tr to be established

under the Prime Ministry, the public will be informed expeditiously and in a user friendly, clear manner. Moreover, participation and contribution will be encouraged over the initiation of blogs.

3. Electronic Public Procurement Platform

The electronic public procurement system will first be tested in the acquisition of medical devices and of general consumable goods which have been determined as the pilot areas of study. This system will make bidding and evaluation electronically possible, but will also necessitate changes in regulations and hard/soft ware procurement. In the future this system will be applied in other sectors. We will update and upgrade the system in compliance with the feedback from public institutions, active bidders and any legislative amendments that may take place.