

**NATIONAL
PROGRAMME OF
TURKEY**

**FOR THE ADOPTION OF
THE EU ACQUIS**

DECEMBER 2008

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NATIONAL PROGRAMMES OF TURKEY FOR THE ADOPTION OF THE EU ACQUIS

I PREAMBLE

Forging a strong and prosperous modern and social state, for the information age, respectful to the human rights, united as a nation based on the principles of the rule of law, democracy and secularism, and firmly founded upon the basic tenets of the Republic and the nationalism of Atatürk, is a historic and perennial responsibility towards past and future generations.

Turkey has always regarded modernization as its fundamental principle. Since the foundation of the Republic, Turkey has always been a part of renewal movements in politics, economics and law. This inclination has been given substance through progress and visionary reforms, and has been driven by the principle of secularism based on freedom of conscience and a compact of citizenship that transcends language, religion, race or gender, in such a way as to reinforce the territorial integrity and political unity of the Turkish Republic which finds its most plain expression in the unitary state structure.

Turkey is determined to continue its development until it reaches the ultimate stage of civilization. Turkey is making efforts to become a capable and creative 21st Century state, with world class production, a just distribution of wealth, human rights guarantees, the rule of law, participatory democracy, secularism and the freedom of religion and conscience.

Accession to the European Union is the principle project that will carry Turkey to its goal of prosperity. Turkey's aim of integration with the European Union is a social reform project that will affect both the present and future of every citizen. It is a great reform movement that will bring universal standards and practices to all areas of daily life, from production to consumption, from health to education, from agriculture to industry, from energy to environment, from justice to security. Every political, legal, economic or social reform on the path to membership, whilst increasing the living standards of the individual, also increases international economic influence, democratic respectability, and the security of the country, in line with universal standards and implementations.

Accession to the European Union is a national target, supported by our people. This aim, which is also an integral part of Turkey's strategic vision, fully corresponds to the founding philosophy of the Republic and Atatürk's ideal for the nation's integration with contemporary civilization.

Turkey has been a fundamental component of European political, economic and cultural geography throughout history. Turkey's 45 years of partnership with European Union has ushered in a new era of relations with the confirmation of its candidacy by the Helsinki European Council in 1999. The European Union, at the Copenhagen Summit held in 12-13 December 2002, committed itself to starting without delay accession negotiations, if Turkey fulfils, on the basis of European Commission's reports and recommendations, the Copenhagen political criteria by December 2004. Following that, The European Union, at the Brussels Summit held in 16-17 December 2004, affirmed the decisions which were taken by the 1999 Helsinki and 2002 Copenhagen Summits and decided that Turkey sufficiently fulfilled the Copenhagen political criteria to open accession negotiations, and that the accession negotiations would start on 3 October 2005. Ali Babacan, State Minister in 59th Government, was appointed as Chief Negotiator to conduct the negotiations with European Union on 3 June 2005. The General Affairs and External Relations Council (GAERC), which met in Luxembourg on 3 October 2005, accepted the negotiating framework based on the authorization from the Communiqué issued at the end of the Summit of EU Heads of State and Government in December 2004, the process of accession of Turkey into European Union has officially started. Concerning the implementation of the negotiations works, a "Committee of Monitoring and Orientation" has been established under the chairmanship of Chief Negotiator, composed of the General Secretary for the European Union Affairs, the Deputy Undersecretary of the Prime Ministry, the Deputy Undersecretary of the Ministry of Foreign Affairs, the Deputy Undersecretary of the State Planning Agency and the Permanent Representative of Turkey to the European Union.

The accession process consists of holding explanatory and bilateral screening meetings on the harmonization of the Turkish legislation to the *acquis communautaire* in 33 chapters and of negotiating these chapters. The chapter of Science and Research, which is the first chapter screened, opened into negotiation and closed in the same day in the Intergovernmental Conference, held in Luxembourg on 12 June 2006. Utmost importance is given to include all relevant sections of the society into the accession process which continues in close cooperation with the European Union and this process is carried out through increasing coordination and cooperation between the relevant institutions. With regard to harmonization to the *acquis communautaire*, all relevant units of bureaucracy directly take place in the accession process within the sphere of their competence and have a voice in determining the steps and targets. The contribution of civil society into the accession process is of vital importance. In this context, NGOs are informed about the conclusions of the screening meetings. In addition, the views of NGOs concerning the chapters which will be opened into negotiations are taken into consideration during the preparations of negotiating position papers of our country.

Turkey is going through a dynamic process of legal, political and economic reforms on the road to the European Union membership. The purpose of this process is to guarantee the functioning of the democratic system with all its rules and institutions. Participatory democracy, rule of law, human rights and fundamental freedoms are not only universal values, but are also the most reliable bases for political and economic stability and development. Turkey, by adopting the Copenhagen criteria, has proven through the reforms and alignment work made to date that she has the will to achieve a more liberal, more participatory and modern democracy.

On the other hand, Turkey has a stable functioning market economy, which is reinforced by the economic programme under implementation. The Customs Union has demonstrated Turkey's capacity to cope with the competitive pressures and market forces within the European Union. In the context of our Customs Union obligations, the fact that Free Trade Agreements that cannot be signed due to the fact that Turkey does not have equal or similar conditions with EU cause serious problems in Turkish economy and trade. This issue has been brought to agenda at the Ministerial level and additionally has been highlighted to EU Commission several times. Various precaution mechanisms need to be evaluated and an outcome for the solution of the problem need to be achieved through implementing the relevant provisions mainly Article 16 and Article 58 of Decision No 1/95 of the EC-Turkey Association Council laying down the rules on the functioning of the customs union between parties in order to overcome the said problems.

Becoming a negotiating country with the European Union and approaching the target of full membership is strengthening the position of our country in the context of politics, strategy and security. Turkey is determined to complete the accession process successfully.

A Turkey that has completed its grand social project and is a focus of democratic power in the 21st Century offers a priceless opportunity for the establishment of regional and international peace and stability, as well as a singular source of inspiration for those who, in our turbulent region and beyond, seek progress. The achievement of Turkey's project of integration with the European Union is a historical turning point in respect of carrying out the goal of Alliance of Civilizations, proving the universality of European Union's values and securing the international peace and stability.

Turkey's foreign policy is based on Atatürk's principle of "Peace at home, peace in the world". In this framework in accordance with Turkey's efforts to develop its relations with its neighbours and adjacent regions on the basis of its peace loving foreign policy objectives, Turkey will continue to undertake initiatives and efforts for the development of the cooperation with Greece in various areas such as economy/trade, transportation, energy and for the settlement of bilateral problems with Greece through dialogue. Turkey's interlocutors should also be in the same constructive understanding.

Similarly as a part of an enhanced political dialogue with the EU, Turkey will support the efforts in order to reach a fair and permanent solution in Cyprus. Turkey will continue to support efforts of the United Nations Secretary General's Good Offices with a view to finding a mutually acceptable settlement standing on the realities of the island, based on the existence of two separate people and democracy, bi-zonal, political equality of both sides, equal status of both founding states and parameters of new partner state. Treaties of Guarantee and of Alliance will remain in force. Turkey supports the steps taken by the Turkish Republic of Northern Cyprus, which will foster an environment of confidence and pave the way for a comprehensive settlement.

As is known, one of the three pillars of the accession process of Turkey to EU is civil society dialogue. The project "Promotion of the Civil Society Dialogue between European Union and Turkey" that aims to promote the image of Turkey within EU and the image of EU within Turkey and also to strengthen the links between societies, which is being implemented by the Secretariat General for EU Affairs has started in June 2008. In this context, 119 grant projects amounting to 19,3 million Euro are being implemented under the components of towns and municipalities, professional organisations, universities and youth initiatives for dialogue. At the following stages, the project will be extended and will cover all segments of the society.

The steps taken by Turkey on the path to the European Union membership are measures that directly accelerate the raising of economic and social standards and ensure a society with high democratic and legal norms. For this purpose, with an approach that preserves the founding principals of the Republic and Atatürk's legacy, Turkey has the resolution and determination to rapidly fulfill its obligations in the accession process of the European Union. The points set out in the National Programme reflect the stance of the Turkish nation.

II POLITICAL CRITERIA

Turkey has completed comprehensive constitutional and legislative reforms and has taken necessary steps rapidly in order to implement these reforms.

In this context, comprehensive legislative and administrative measures against torture and ill-treatment have been put into force and “zero tolerance” policy has been put into practice. The death penalty has been abolished in all circumstances. Freedom of thought and expression, and the freedom of press have been expanded in accordance with the provisions of European Convention on Human Rights and European Court of Human Rights case law. Provisions concerning associations, foundations and the right to assembly and demonstration have been advanced. Legislation has been amended to reinforce gender equality and to fight violence against women and children effectively. Cultural diversity and cultural rights of all Turkish citizens have been guaranteed and the right to learn and broadcast in different languages and dialects used traditionally by Turkish citizens in their daily lives has been ensured.

The dialogue established between state and civil society in the area of human rights through Provincial and Sub-Provincial Human Rights Boards has been strengthened. Restructuring works have been carried on the basis of the principal of separation of powers with regard to the executive.

Improvements on the legislation concerning our citizens belonging to non-Muslim communities have been put into practice.

The Reform Monitoring Group (RMG), established by our Government to ensure the effective implementation of the reforms, is being gathering on a regular basis since September 2003 and takes decisions with regard to the quick and effective implementation of the reforms by evaluating the steps taken so far on the implementation, primarily about topics that requires special attention.

On the other hand, several conventions related to the political criteria have been signed or ratified, among which the “United Nations Convention Against Corruption”, “Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment”, “Additional Protocol No.13 to the European Convention on Human Rights concerning the Abolition of the Death Penalty in all Circumstances”, “Second Optional Protocol to the International Covenant on Civil and Political Rights”, “Optional Protocol to the International Covenant on Civil and Political Rights”, the “Convention for the Safeguarding of the Intangible Cultural Heritage” can be cited.

Efforts to implement the reforms effectively and simultaneously continue. Numerous administrative measures have been put into effect in order to reflect fully the spirit of the reforms in practice. In this respect, bylaws on broadcasting in and learning different languages and dialects used traditionally by Turkish citizens in their daily lives have been adopted and put into practice. Bylaws on the disposal of real estate by community foundations, and on associations, have entered into force, and the implementation of these bylaws has been internalized.

Circulars have been issued to raise the awareness of civil servants on the prevention of torture and ill-treatment. Human rights training programmes for civil servants, particularly for law enforcement officers, have been broadened and human rights have become the constant subject of the training programmes for civil servants, particularly law enforcement officers. Comprehensive training programmes for judges and prosecutors, especially on ECHR provisions and ECtHR case law, continue in collaboration with the Council of Europe and the European Union. There are several references to both ECHR and ECtHR case law and Article 90 of our Constitution and the Ministry of Justice circulars on various subjects that have come into force since 01.01.2006. In addition, with the “Applications Concerning the Media” circular which came into force on 20.01.2006, it was asked to show special attention in the evaluation of thought declarations made within the borders of criticism, with consideration of the decisions of ECtHR in inquiries and examinations, within the context of freedom of expression and thought which is one of the most significant rights of the fundamental rights and freedoms.

Solid progress, in parallel to the reforms, has been made in all these areas in practice. The Turkish Grand National Assembly EU Harmonization Commission continues to play an effective role in the legislative harmonisation process.

While the complete redrafting of all basic legislation is a long-term legislative process, many basic laws such as “Turkish Penal Code”, “Criminal Procedural Code”, “Press Law”, “Zoning Law”, “Law on Foundations”, “Law of Associations”, “Special Provincial Administration Law”, the “Law on Turkish Radio and Television” and “Municipality Law” are renewed in this process. The Government aims at carrying on the works of renewing the basic legislation as a whole in the next term. In the context of harmonisation works, the reform process will continue with the enactment of the “Draft Law on Union of Judges and Prosecutors”, “Civil Procedure Draft Law”, “Draft Law on Court of Audits”. “Law Amending the Law on Establishment and Legal Procedures of Military Courts” has already come into force.

Our Government is resolved to complete legislation referred to under the various headings below. The Government has full commitment to improve the effectiveness of all reforms made with regard to fundamental rights and freedoms, democracy, rule of law, human rights, protection of and respect to minorities in practice and to urgently implement the necessary complementary legal provisions.

Turkey has now mainly entered in the period of improving implementation of reforms realized mainly on the field of political criteria and reinforcement of ongoing mentality transformation.

1 Functionality of Public Administration

In order to achieve a transparent and effective administrative system, work for the adoption of Law on General Administrative Procedures will continue. In this context the Law on Administrative Legal Procedures will also be amended.

A fully effective Ombudsman Institution will be established.

Within the scope of the fight against corruption, the Prime Ministry Inspection Board, which carries out the secretariat work for the “Commission on Improving Transparency in Turkey and Enhancing Good Governance in Public Sector” continues effectively its works on improving transparency and enhancing good governance, and ensuring coordination among institutions fighting against corruption and development of strategy on the fight against corruption.

The Board of Ethics has been established by Law on the Establishment of the Board of Ethics of the Public Officials and Amending Some Relevant Laws in order to determine code of ethical conduct to be respected by public servants such as transparency, neutrality, honesty, accountability, safeguarding public interest and to supervise the implementation. The Board of Ethics for the Public Officials continues its works effectively.

The comprehensive works launched on modules including special audit techniques prepared by Ministry of Finance Board of Audit and fight against corruption and informal economy will continue.

Works on the “Draft Law on the Establishment of a Political Ethics Commission and Amending Various Laws” will be completed rapidly and the Draft Law will be forwarded to the Parliament In the framework of the Draft, determination of the code of conduct such as transparency, impartiality, honesty, accountability and considering public interests for the members of the Turkish Grand National Assembly and for the members of the Cabinet and the establishment of a Political Ethics Commission in the

TGNA to increase the efficiency in the implementation of the political ethics regulation, have been anticipated. The tasks, authorization, working procedure and principles of the Commission will be regulated in accordance with the principles of clean politics and transparency. Moreover, the Draft comprises regulations on political ethics and statements regarding the amendments on the Law on Corruption and Bribery and on Law on Informing of Assets in line with the Turkish Penal Code Law No: 5237, dated 01.06.2005.

Works on the restructuring of the Prime Ministry Human Rights Presidency in the framework of Paris Principles will be concluded.

National Task Force that was established with the participation of representatives of the relevant public institutions to implement the provisions of OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions and the 1997 Revised Recommendation will effectively continue its works in coordination of Ministry of Justice

Efforts to fulfil the recommendations of First and Second Round Evaluation Report on Turkey of The Council of Europe's Group of States against Corruption (GRECO) will continue in an effective way.

Ongoing efforts to provide conformity with the practices in the European countries regarding legislations on political parties and financing of politics will be carried on. Within this framework, works regarding the "Draft Law on the Amendment of Fundamental Principles for Elections and Electoral Rolls" will be completed rapidly and will be forwarded to the Parliament.

Effective implementation of the legislation regarding the restructuring of the central administration and transferring authority to the local administrations in an effective way, adopted earlier, will continue. In this framework, "Municipality Law", "Metropolitan Municipality Law", "Law on Special Provincial Administration", "Law on Local Authority Associations", and "Law on Share Given to Special Provincial Administration and Municipalities from General Budget Tax Revenues" have already been enacted.

Studies on Public Personnel Reform will continue.

Providing internal security services by professional and specialized law enforcement units under the check and supervision of the Government within the framework of "rule of law", "human rights and freedoms", in line with the policies that will be determined by the Government, is the core principal. In the same context, the provisions in the legislation and implementation preventing the coordination of internal security management and the tasks, competences and responsibilities of civilian authority regarding the internal security will be amended.

2 Civil - Military Relations

The role of the National Security Council (NSC) as an advisory body has been redefined with the amendments on the Constitution and the related laws. The effective implementation of these reforms realized and in this framework, preparation of national security strategy and its implementation under the responsibility of the Government will continue.

In accordance with the amended Article 160 of the Constitution, all incomes, expenditures and state properties of Turkish Armed Forces is subject to the audit of Court of Audits. New Draft Law on Court of Audits, prepared in the previous legislative period, includes two articles in order to fulfil all the technical regulations related to its implementation.

As a part of Judicial Reform Strategy that will be prepared in line with the principles of a democratic state governed by the rule of law, the regulations related to the definition of tasks and competences of the military courts will also continue.

3 Functionality and Efficiency of the Judiciary

Ensuring the implementation of the legal provisions concerning retrials in line with the judgments of the European Court of Human Rights decisions will be continued.

A “Judicial Reform Strategy” is being prepared by Ministry of Interior in order to strengthen the independence, impartiality and efficiency of the judiciary. “Judicial Reform Strategy” includes targets oriented to strengthening of impartiality of judiciary, improvement of impartiality of judiciary, increasing the efficiency and efficacy of judiciary, increasing the professional competency, improvement of the management system of judiciary organization, increasing the trust in judiciary, facilitating the access to justice, ensuring the preventive measures for disputes more effective , improving alternative ways of dispute resolution and improving penitentiary.

A Strategic Plan is being prepared by Ministry of Justice in order to strengthen the independency, impartiality and efficiency of judiciary more, to determine the mission and vision regarding the years between 2010 and 2014.

High Council of Judges and Prosecutors (HCoJP) will be restructured on the basis of objectivity, impartiality, transparency, accountability and broad representation and an effective objection mechanism against the decisions of the Council will be established.

Regional Courts of Appeal in Judicial Justice will start to operate and works regarding the establishment of Regional Courts of Appeal in the administrative judiciary will continue.

Infrastructure work necessary for the improvement of functionality and efficiency of the Judiciary has been accelerated. In this respect, works on establishment and operation of new courts, uniting the courts in close location, spread of specialized courts, strengthening the Council of Forensic Medicine, strengthening the physical and technological infrastructure together with increasing the number of judges, prosecutors and judicial staff to a sufficient level will continue rapidly.

Reviewing the expertise institution in Civil Procedure Law, the necessary amendments will be made in order to ensure the trials conducted rapidly, simply, with minimum expenditure and effectively. The works on developing conciliation in penal procedures and alternative ways of dispute resolution will continue. The works on improving the conciliation institution and making it more effective will go on. In this context, the “Draft Law on Conciliation in Penal Procedures” has been prepared by Ministry of Justice.

With regard to the principles of “equality of arms” between prosecution and defence, measures that can be considered necessary will be taken in conformity with the essence and tradition of the Turkish legal system.

The rearrangements of tasks, authorities and responsibilities of law enforcement officers and prosecutors in crime detection and investigation in line with the best practices in European countries will continue on the basis of constitutional principle of the separation and independence of the executive and the judiciary.

In order to increase the efficiency and functionality of the Judiciary, in-service training of judges, public prosecutors and auxiliary personnel by Turkish Justice Academy and by department of Training of Ministry of Justice will continue. Besides, training of judicial members regarding ECHR and the ECtHR case law will continue. In addition to this, in-service training will also continue to enhance the effectiveness of the court management.

Informing activities to the members of Constitutional Court, Court of Cassation and Council of State on ECHR, the ECtHR case law, the international conventions on human rights and fundamental freedoms to which Turkey is a party and the EU *acquis communautaire* will continue.

Ethical code for the members of judiciary will be formed.

“Law on the Protection of Personal Data” will be adopted.

The works on equipping penal enforcement institutions in accordance with the international standards will continue. In that context, probation services will be made effective and be widespread.

4 Prevention of Torture and Ill-treatment

The importance will continue to be attached to, the implementation of the measures adopted in the context of “zero tolerance policy” against torture and ill-treatment, covering all public officers, in line with the European Convention on Human Rights, the provisions of the Turkish Penal Code and the recommendations of the European Committee for the Prevention of Torture and prevention of impunity.

To cope with the difficulties during the implementation, training activities on human rights and investigation techniques continues particularly for judges, public prosecutors and law enforcement officers. Trainings regarding the Article 3 of the ECHR, relevant case law of ECtHR and the impact of these to the Turkish law continue.

The Ministry of Interior and the Ministry of Justice will continue to ensure the effective implementation of laws and bylaws regarding the prevention of torture and ill-treatment through circulars.

Necessary measures taken in order to use modern investigation techniques in line with universal human rights practices in criminal investigations continue. Trainings of forensic personnel, judges and public prosecutors in effective application of medical techniques within the framework of Istanbul Protocol continue.

The enhancement of the judicial capacity of the police in crime analysis, criminal investigation and questioning will continue.

Improved techniques in statement taking and questioning will be widespread.

Improvement of the training system for law enforcement officers will continue. The working conditions of law enforcement officers will be reviewed. Attaching importance and priority to preventive measures through using new technologies for preventing human right violations will continue.

Ethic Principles for Law Enforcement Officers have been issued. The works regarding the reflecting of these Principles in the basic training and in-service training will be carried out.

The Optional Protocol of “The United Nations Convention Against Torture, Other Cruel, Inhuman or Degrading Treatment or Punishment” will be ratified within a proper term.

5 Access to Justice

Works on facilitating access to justice, including making legal aid effective, will continue.

The implementation of the provisions of Criminal Procedural Code and relevant bylaws diligently in compliance with human rights will continue.

Within the framework of the related legislation, persons in need of an interpreter will have this right.

Works on improving detention centres in conformity with international standards will continue.

6 Freedom of Expression, the Right to Form an Association and the Right to Peaceful Assembly

The exercise of freedom of expression, including freedom of press, will continue to be ensured in line with the European Convention on Human Rights and in accordance with the European Court of Human Rights case law. The references to the European Convention on Human Rights in the court decisions are increasing.

The works on harmonizing legislation regarding political parties with European Convention on Human Rights will continue.

Law on Meetings and Demonstrations will be revised and the effective implementation of the amendments to be made will be ensured.

In conformity with the European Convention on Human Rights and related case laws and in line with the implementation of all reforms regarding the freedom of peaceful assembly and demonstration, the capacity of Turkish police institution to intervene in the social events will be strengthened in the context of the implementation of measures regarding the use of proportional force by police.

The development of civil society and its involvement in the shaping of public policies will be more facilitated.

The dialogue, communication and cooperation between Turkish civil society and EU member states' civil society will be further encouraged.

In the framework of freedom of expression and ECHR, measures will be taken not to penalize the expressions which are in the form of criticism not including violence. The necessary amendments will be made.

In the framework of the Article 90 of the Constitution, the ongoing intensive training activities for local governors, law enforcement officers, judges and public prosecutors aiming to reflect fully and uniformly the ECHR and ECtHR case law will continue.

7 Full Enjoyment of All Fundamental Rights and Freedoms by All Individuals without Discrimination

In the Turkish Penal Code discrimination is qualified as a crime. In the Law on Execution of Penalties and Security Measures, ban on the discrimination during execution is regulated as well. The provisions of the new Penal Code which foresees serious sentences for the honour killings will be implemented effectively.

Measures considered necessary to ensure atmosphere of tolerance will continue in order to ensure freedom of religion fully.

The Law on Private Education Institutions is renewed. In the context of the basic principles of the Constitution and secular national education system, the appropriate measures will be taken in order to meet the need of clergy of non-Muslim communities.

The facilities of broadcast in different languages and dialects used traditionally by Turkish citizens in their daily lives have been expanded further by the Law Amending the Law on Turkish Radio and Television Law and Law on the Establishment of Radio and Television Enterprises and Their Broadcasts. In this context, the steps regarding its implementation will continue.

Efforts on revising curriculum including removal of the expressions that may contain discrimination from the textbooks will continue.

The implementation of the reforms realized in the field of cultural rights will continue at its best.

The accessibility of disabled people to all private or public services will be ensured. Discrimination against the disabled has been recognized as a crime in the Turkish Penal Code. Full harmonization with the European Union *acquis communautaire* regarding the equal opportunity in offices and in profession will be achieved.

8 Women Rights

The status of women in the society including their participation in the education, labour force and political and social life will be strengthened. In this framework, women organizations will continue to be supported.

In accordance with the current legislation, special trainings of judges and prosecutors, law enforcement bodies, municipalities and other relevant institutions regarding the women rights will continue. The works on establishing shelters for women under the threat of violence in the municipalities will continue. Informative and raising awareness trainings on combating violence against women will be provided to the law enforcement officers and employees working in the health sector.

The activities to determine the reasons and results of violence against women will be conducted.

Spreading the applications of micro credit in various provinces to other provinces in order to increase the participation of women to labour force will be ensured.

Measures on the prevention of violence against women will intensively be monitored and trainings and raising awareness activities will be supported. Comprehensive and broad campaigns will be organized in order to raise awareness of the public about combating violence against women and the participation of all sections of the society will be ensured.

The report of the Parliament's Investigative Commission established in order to determine the measures necessary to be taken through investigating reasons of the honour killings and violence against women and children has been endorsed by our Government. Within the framework of the Prime Ministry Circular No. 2006/17, report recommendation on combating violence against women and honour killings will be implemented.

9 Children's Right

Works on the protection of children's rights will continue in line with the international standards. Turkey will continue to become party to the international instruments of the UN and the Council of Europe concerning the children's rights.

Efforts to solve the problem of children living and/or working on the streets will continue. Efforts on fight against child labour will continue.

The Draft Law on Assistance to Children Victim of Violence will be submitted to the Parliament.

The trainings aiming to inform police on fight against violence are conducted.

10 Trade Union Rights

Efforts on reinforcing the social dialogue and facilitating and encouraging the cooperation with EU partners will continue.

“The Draft Law on Trade Union Rights” and “the Draft Law on Collective Labour Agreement, Strike and Lock-out” will be submitted to the Parliament following the accomplishment of consultations between social partners.

Efforts on establishing unions in accordance with EU standards and relevant ILO contracts, and protecting all trade union rights regarding strike, lock-out and collective labour agreement will continue.

11 Reduction of Regional Disparities

In accordance with the Ottawa Convention, all work concerning clearing and eliminating mine fields will continue.

The returns of the 1/3 of the internally displaced persons have been ensured within the framework of “the Return to Village and Rehabilitation Project”. Support efforts for voluntary returns will continue.

Compensation Commissions, which have been established under “the Law on Compensation for Losses resulting from Terrorism and the Fight against Terrorism” and recognized by the ECtHR as an effective and operational domestic remedy both in theory and practice, will continue their remaining works.

Development Agencies were established in eight regions in 2008. With the aim of removing regional disparities, measures to solve the economic and social problems of the less developed regions, also through the Development Agencies, will continue.

III ECONOMIC CRITERIA

1 Priorities of Economic Policy

In recent years Turkish economy recorded considerable improvements in terms of both macroeconomic stability and economic growth. With the help of stability-focused policies supported by extensive structural reform process, Turkish economy has realized a serious transformation process.

The general framework of stability-focused macroeconomic policies being implemented in Turkish economy will be preserved in the forthcoming period as well. In the context of the vision “Turkey, a country of information society, growing in stability, sharing more equitably, globally competitive and fully completed her coherence with the European Union” set in the Ninth Development Plan (2007-2013), which was started to be implemented in 2007, the main priorities of macroeconomic policies were determined. These priorities are set as ensuring price stability, preserving fiscal discipline, pursuing an incomes policy contributing to the macroeconomic stability. With the help of these policies, basically ensuring an environment for sustainable economic growth, raising the welfare of the society and reducing the development disparities between Turkey and EU are targeted.

Harmonization with the Copenhagen Criteria and convergence towards Maastricht Criteria constitute the main perspective in designing economic policies in the EU accession process. Turkey has achieved a significant success by keeping the general government gross debt stock and deficit figures below the levels stated in Maastricht Criteria since 2004 and 2005, respectively. Sustaining this achievement and full harmonization with Maastricht Criteria is targeted for the medium term.

In the scope of Copenhagen Criteria, strengthening market economy and increasing the competitive power of the economy are priority targets. In this context, implementation of privatization program will continue and continuation of necessary regulatory reforms will be attached to importance. On the other hand, works on the labour market and social security area will especially be handled with priority in order to increase the capacity to cope with the competitive pressures in the EU. Besides, works on education, health, energy and transportation areas will be carried on within a supportive framework for the competitive power of the country.

Strengthening Economic Policy Coordination Across Different Institutions

There is a clear distinction of duties and responsibilities among the institutions that take part in formulation and implementation of economic policy and there is an efficient coordination mechanism operating in the context of providing harmonization for the activities of different institutions in economic policy management. Economic policies are formulated via long term, medium term and short term policy documents prepared under coordination of State Planning Organization (SPO), based on the principle of participation. In this context, the development plan is the basic policy document that puts forward the economic, social and cultural transformation with an integrated approach. Medium term programme which is a yearly rolling document with 3 years perspective and prepared by SPO and covers the main economic magnitudes used both as an indicator and a target, starts the budget process. Annual programme, public investment programme and budget process are executed simultaneously in harmony. The projections of main economic variables in annual program are also the inputs for the budgetary process. SPO, Ministry of finance and Undersecretary of Treasury carry out the works for expenditures and revenues in the annual programme and central government budget. Debt management and implementation of fiscal policy are executed by Undersecretariat of Treasury and Ministry of Finance in the framework of legal distribution of tasks. The only institution that is responsible for implementation of monetary policy is Central Bank.

In the context of increasing effectiveness in public financial management, Public Financial Management and Control Law No 5018 was enacted in 2003, which aims to ensure effective, economic and efficient use of resources and strengthening the links among the plan, the programme and the budget. The said law has clearly put forward the duties of institutions in both preparation and implementation stages of budget process. In this context there is no ambiguity in authority and responsibility of institutions taking part in formulation and implementation of economic policies. From now on again, importance is given to ensuring efficient coordination among the relevant institutions and organizations in the processes of both determination and implementation of macroeconomic policies, ensuring the consistency among the different documents and strengthening the dialogue with the EU. In this context, Economic Coordination Council (ECC), having five Ministers responsible for economic issues as members ⁽¹⁾, plays effective role in this process. Moreover, Economic and Social Council (ESC), having special importance regarding the contribution of civil society in the formation of economic policies, pursues a critical function of coordination between private and public sectors. In order to generalize the culture of social dialogue and to strengthen the mechanism of social dialogue, ESC will be made more functional and effective.

Responding to the request of the Economic and Financial Affairs Council (ECOFIN Council) dated 26/27 November 2000, Turkey has prepared the Pre-Accession Economic Programme with the contributions of relevant ministries and institutions under the coordination of SPO and submitted it to the European Commission since 2001. In this framework, works for preparing Fiscal Notification and Pre-Accession Economic Programme will be continued regularly on a yearly basis with the participation of all institutions in the context of Fiscal Surveillance Procedure.

Fiscal Policy

The main objectives of fiscal policy are to contribute to the creation of a sustainable growth environment through strengthening fiscal discipline, to strengthen public financing structure by decreasing the public deficit permanently, to give support to the fight against inflation and to realize a public primary surplus that helps continue the process of decreasing the ratio of debt stock to national income.

In this framework; with the aim of strengthening budgetary discipline, widening the scope of the budget and ensuring transparency of public expenditures; special revenue-special appropriation practices were abolished. To re-define budgetary system according to international standards; to ensure budgetary and accounting unity in all public administrations within the scope of general government; to adopt multi-annual budgeting and performance-based budgeting system; to strengthen the principles of productivity, effectiveness and accountability in public financial management; to increase transparency in public sector; to adopt a managerial accountability-based approach in public financial management and internal control system and; to establish a new internal control system in public sector, which complies with international standards and EU practices, Public Financial Management and Control Law No 5018 has entered into force after its publication in the Official Gazette No 25326 and dated December 24, 2003. As from the beginning of 2006, multi-annual budgeting was adopted with the full coming into force of the Law No 5018. Analytic Budget Code System was adapted, which is compatible with international COFOG classification, as of 2004. Turkish Tax Administration was functionally restructured in 2005. The Corporate Tax Law was revised and put into effect by taking into account the priorities such as simplifying the tax legislation, expanding the tax base and fight against the informal economy. With this Law, the corporate tax rate was decreased to 20 per cent from 30 per cent. VAT rates, primarily on education, health and tourism were reduced.

Forthcoming years, public revenue, expenditure and borrowing policies will be pursued effectively in line with above-mentioned primary objectives and fiscal discipline will be maintained. Broadening the tax base will increase tax revenues. Besides, saving and efficiency in public spending will be provided in the context of public reform. In this framework;

- Measures will be taken to effectively implement financial management, internal control and internal audit activities in public administrations.

⁽¹⁾ Economic Coordination Council is chaired by the State Minister to whom Undersecretariat of State Planning Organisation is linked to, and consists of the Minister of Finance, the Minister of Industry and Trade, the State Minister to whom Undersecretariat of Treasury is linked to and the State Minister to whom Undersecretariat for Foreign Trade is linked to.

- Strategic planning and performance-based budgeting process will be strengthened.
- In order to improve the efficiency in public expenditures, expenditure programs will be revised and those of no longer in priorities will be cancelled.
- Works towards the rationalization of public investments will be continued.
- Works on simplifying tax legislation will be continued by reassessing exception, exemption and tax allowance provisions in the tax laws within the framework of economic and social policies.
- Stability will be the basis in tax policy practices in order to assist market players to make long-term economic decisions and increase predictability in taxation.
- In the framework of amelioration to be ensured in public financing; through increasing the share of education, health, R&D and social expenditures in GDP, the policies towards improving the life quality of the society, developing the qualifications of human capital, enhancing income distribution as well as ensuring amelioration in struggle with poverty and reducing the regional development disparities will continue to be implemented.
- Works on strengthening the control mechanism prescribed by Law No. 5018 will be continued and implementation stage of related secondary and tertiary legislation will be strengthened. In this framework, internal auditors and financial services experts will be trained in line with certain programs, functions of internal auditing and inspection will be defined clearly, and administrative capacity of central harmonization units will be strengthened by taking the principles of functional independency and neutrality as a basis.
- The budget will be structured as indicating performance of public institutions by taking into account the cost of policies to be implemented, areas that these policies affect and their opportunity cost.

Monetary and Exchange Rate Policy

The Central Bank of the Republic of Turkey (CBRT) has been implementing a monetary policy aiming to achieve and maintain price stability under floating exchange rate regime since 2001. This policy was named as “implicit inflation targeting” between 2002 and 2005. In this period, a good progress was made in reducing inflation; annual CPI inflation declined to 7,7 percent at the end of 2005 from 68,5 percent at the end of 2001. The full-fledged inflation targeting was launched at the beginning of 2006, based on the fact that preconditions such as maintaining fiscal discipline, economic and financial stability, and required technical infrastructure have been met.

In this framework, inflation targets are defined as annual percentage change of end year CPI. The targets are set as point target jointly by the government and CBRT for 3 years. Symmetric uncertainty band around the inflation path consistent with end-year target are announced on an annual basis. The uncertainty band around the target for year 2008 has been set as ± 2 percentage points. Inflation targets for 2007 and 2008 have been set as 4 per cent. The targets for 2009 and 2010 were announced as 4 per cent through the monetary policy announcements in 2007 and 2008.

In 2006 and 2007, the inflation rates exceeded the determined targets due to the external factors beyond the control of monetary policies such as increases in food and energy prices and the uncertainties in global financial markets.

These effects persisted in the beginning of 2008, but in the middle of the year, perceptions and forecasts of agencies regarding that the increases in food and energy prices are not temporary and reflects structural change resulting from the global market developments and could continue in the medium term, has strengthened. Due to continuing supply shock longer than expectations, persisting uncertainties in global financial markets and observing secondary effects of these developments; the CBRT revised inflation targets upward by a significant margin. In the Inflation Report of April 2008, it is reported that converging to the 4-percent-medium-term target could take more than 2 years under the assumption that tight policy will continue. On the other hand, studies in the CBRT indicates that past inflation experience has been given more weight in determining inflation expectation and the anchoring role of current inflation targets has in a certain manner.

These developments were interpreted as the conditions to change the target⁽²⁾, which were explained in the December 2005 announcement of “General Framework of Inflation Targeting Regime and Monetary and Exchange Rate Policy for 2006”, has realized. In this framework, the CBRT and the Government jointly agreed to change the inflation targets for the period of 2009-2011 and new targets, determined in the open letter dated 3 June 2008, were announced to public. Accordingly, the year-end targets for 2009 and 2010 are revised as 7.5 percent and 6.5 percent respectively; and the target for the year 2011 is set as 5.5 percent⁽³⁾. Thereby, a more gradual path to the 4-percent-medium-term target is foreseen. Despite the upward revision in the inflation targets, CBRT has announced that the tight monetary policy stance will be preserved in the upcoming periods.

Achieving and maintaining price stability is the main condition for macroeconomic stability and predictability. Therefore, CBRT will continue to implement inflation targeting regime. Eventually, the inflation rate is aimed to be reduced further, to the level that complies with the Maastricht criterion on inflation.

The short-term interest rates are the main policy instruments of CBRT. The interest rate decisions are taken considering the medium-term inflation outlook and risks. Instruments such as reserve requirements or efficient liquidity management might also be used by CBRT, when deemed necessary. This framework will continue to be implemented in the forthcoming periods.

Transparency and accountability principles along with the efficient communication policy are indispensable elements of a successful inflation-targeting regime. In this context, when the inflation falls outside the uncertainty band, CBRT informs the Government and the public about the reasons of deviation, the measures to be taken to ensure that the inflation will converge to the target, and the risks. In addition, CBRT shares its inflation forecasts along with the risks and possible policy actions, and measures to be taken if the inflation deviates from the target as well as macroeconomic developments and inflation performance, in its quarterly Inflation Report, which is the main communication tool. Thus, Inflation Reports also play an important role with respect to accountability principle. The forecasts presented in the Inflation Reports published throughout 2006 covered a period of one and a half years. From 2007 onwards, the forecasts refer to a two-year period. This change aims to help economic agents to predict the future better⁽⁴⁾. Publication of the interest rate decisions and the minutes of the Monetary Policy Committee (MPC) meetings have been also significant instruments of the communication policy. All these implementations will continue in the forthcoming periods as well.

Under the floating exchange rate regime, exchange rates are determined by the demand and supply conditions in the foreign exchange market. However, CBRT may intervene in the market to smooth out excessive volatility in both directions. In addition, the CBRT holds scheduled foreign exchange purchase auctions for reserve build-up purposes in the periods that foreign exchange supply exceeds the demand. This framework will be preserved in the forthcoming period.

2 Existence of a Functioning Market Economy

In 2005 Progress Report, European Commission confirmed that Turkish economy could be accepted as a functioning market economy. In the forthcoming period, within the context of Copenhagen Criteria, implementation of privatization programme will be continued and emphasis will be given to the continuation of necessary regulatory reforms with the aim of strengthening market economy.

⁽²⁾ On 5 December 2005 dated announcement of “General Framework of Inflation Targeting Regime and Monetary and Exchange Rate Policy for 2006” is pointed that a pre-announced inflation target shall only change in the event that very sharp and long-term deviations from the target are expected or medium-term targets no longer make sense due to factors beyond the control of monetary policy. At this point, a new target will be set with the Government with respect to the Law.

⁽³⁾ End-year target of 2008 was not changed in order to pursue the accountability. In this context, the CBRT, has stipulated to explain the reasons behind the deviations from the targets and measures that is needed via open letters in the rest of the year.

⁽⁴⁾ Considering that the supply side shocks will keep inflation above 4 percent for a long period, the CBRT, to facilitate the expectation management process, decided to publish inflation projections in April 2008 Inflation Report for a three year horizon.

Privatization

The main medium term objectives of privatization, which is one of the essential elements of the economic programme, are to encourage entrepreneurship by decreasing the share of the state in the economy, to enhance the efficiency and cost structure into the competitive level, and to assure free market conditions with backing of the structural reforms. The aim is to limit the economic activities of state to a rational monitoring and regulation by ensuring that the state concentrates on its main responsibilities while moving away from being the producer of goods and services.

2005 is the milestone for the success of privatization operations in which great progress has been held in recent years. As a matter of fact, while the total revenues from the privatization operations for which sale/transfer processes were completed, in 2004 were at 1.3 billion dollars, it was realized as 12.5 billion dollars in 2005. As of the second quarter of 2006, the state has withdrawn from certain sectors such as petroleum refining, distribution and transportation; iron and steel; textile and ready wear; cement industry; airport handling services, alcoholic beverages, metal mines (aluminum, silver, chromium, electrometallurgy, copper and zinc), animal feed, milk processing, fertilizer and forestry products. Moreover, the decisive role of the state has been transferred to the private sector in sectors such as telecommunication, tourism, paper, seaport operation.

In the framework of privatization vision, it is aimed that the state will completely withdraw from activities such as banking (in the short term: HALKBANK; medium term: VakıfBank and Ziraat Bank –the strategy to be prepared drawing on the experience of Halk Bank–); airlines and maritime transportation and locomotive and railway car production; meat and fish products market; sugar, tobacco and tea products processing; petrochemical industry, material procurement, distribution and wholesale trading of electricity, national lottery games, IMKB, gold exchange, various public services (motor vehicles inspection stations, highway/bridge operations, municipal-garbage/waste collection and revaluation), telecommunication and tourism. Furthermore, its shares in electricity generation, water network, sewage infrastructure, health, education, defence, radio broadcasting, television publishing, natural gas market, coal and other mining operations are targeted to be reduced. However, the state is envisaged to continue its activities in the areas of grain purchasing, seed production, railway transportation infrastructure, oil exploration, airport operation, postal services and coastal security provision.

With privatization of state economic enterprises such as TEDAS, TEKEL and EUAS, which are determining enterprises in their sectors, it is aimed to sustain a competitive market economy by ensuring the entrance of new domestic and foreign investors into these sectors.

Regulatory Reforms

Market Liberalization and Price Reforms in the Energy Sector

In Electricity Sector Reform and Privatization Strategy Report, it is envisaged that the opportunities of consumers for more electricity usage from free markets is going to be increased in line with the objective of opening the whole market to competition by 2010. Balancing and Settlement market has become operational from August 1, 2006. From that time onwards, the market participants meet their unanticipated electricity needs from this market.

Apart from the market oriented improvements; an important price reform has been realized. Based on High Planning Council Decision (14/2/2008 No. 2008/T-5) Cost Based Price Adjustment Mechanism (CPM) has been put in implementation as of 1 July 2008. CPM covers four main state economic enterprises (SEEs; Turkish Coal Enterprises, Petroleum Pipeline Corporation, Electricity Generation Company, Turkish Electricity Trading Company) and 20 regional distribution companies operating in energy sector. According to CPM, tariffs of companies are going to be revised based on the backward and forward cost linkages. The revised tariffs are going to allow companies to realize annual financial targets, accordingly to finance their planned investments and other expenses.

CPM envisages a robust tariff adjustment sequence. This implies that BOTAS is going to adjust its tariffs on monthly basis whereas other companies are going to adjust their tariffs in January 1, April 1, July 1 and October 1. This calendar is going to settle cash flows among companies on a regular and solid basis. As a consequence of this, financial capacity of energy SEEs is going to increase and thereby the privatization of distribution companies and portfolio generation groups belonging to the EÜAŞ will be easier.

The CPM is going to be implemented between July 1, 2008 and December 31, 2010. In addition, Treasury is going to supervise CPM. Distribution companies are going to remove the cross subsidization in their tariffs on a gradual basis till end of 2010 as stated in Electricity Market Law, No. 4628. Moreover, the tender in 2005 about the transfer of 4 billion sm³ of BOTAS's annual gas purchasing contracts to the private sector was finalized and the stage of signing an agreement with related firms was reached.

Price Liberalization and Price Reforms in Agriculture Sector

It is the fundamental aim in the agriculture sector to build an organized and a highly competitive structure while eliciting food safety and security and taking care of the sustainable usage of natural resources.

Price liberalization in the agriculture sector continues with the executions towards the SEEs. In fact, before 2002, Turkish Grain Board (TGB) used to regulate the grain market with the support purchase prices announced by the Decree of Council Of Ministers; after 2002 the market is regulated by the prices announced by the enterprise. Besides, in the grain sector, to be in harmony with EU and to ensure a more effective operating market, Grain and Rice Implementation Regulations were accepted in 2008. In Turkey, at least two payment institutions is planned to establish. The main approach is to reorganize some existing institutions as payment institutions. Determining the authorization and responsibility of these institutions and, in this context, legal works related to reorganization are expected to be finalized by the year of 2013.

By the Decree of Privatization High Council (PHC) issued in 2007, it was decided to place the public shares of Turkish Sugar Companies Corporation under the scope of privatization to the privatization programme. By the other Decree of PHC in 2008, the assets of cigarette production belonging to Tobacco Company and Cigarette Industry Enterprises and Trade Corporation were sold. In the short term, completion of price liberalization in the areas of tobacco and sugar is expected.

For the completion of opening criteria of 'Agriculture and Rural Development' Chapter, strategy documents for agricultural support, IACS (Integrated Administration and Control System) / LPIS (Land Parcel Identification System) infrastructure and agricultural statistics need to be prepared. Works carried out in this context are coordinated by the Ministry of Agriculture and Rural Affairs. Related departments aim that these strategies are linked to each other in a way to reflect the desired changes in Turkish agricultural sector.

Improvement of the Investment Environment

With the Improvement of the Investment Environment Reform Program, which was put into implementation in 2001, reducing the administrative obstacles in the front of the investments is aimed. The Program is carried out via Co-ordination Council for the Improvement of the Investment Environment (YOİKK) and Investment Advisory Council.

YOİKK, through 12 Technical Committees gathers together the institutions and organizations, which have responsibility and duty for the investment environment. By this way, YOİKK carries out the works to ensure a more investment friendly environment for investors and to overcome administrative and bureaucratic obstacles faced by domestic and foreign investors for enhancing the competitiveness and productivity of the economy.

With the aim of bringing an international perspective to the activities carried out in the scope of the works for improving the investment climate, Investment Advisory Councils that were formed in 2004, regularly meet under the auspices of prime minister in every year.

Works within the framework of the YOİKK Technical Committee action plans will contribute to reducing informality, improving innovation and R&D, increasing flexibility of the labor force, improving competitiveness at the national level and increasing the role of the private sector in economy by focusing on policies to enhance productivity and employment in the forthcoming period.

Identification of Informal Economy

Within the scope of the fight against informality, “Hello 170, Informal Employment and Social Security Information Line” has been put into service in order to inform citizens and get their complaints as well as notifications about informal employment. Besides, according to the provisions of Law No. 5510, which has been amended by Law No. 5754, public administrations and banks will notify the SSI about the insurance status of their clients by using the electronic infrastructure provided by SSI while they are performing their transactions, thereby helping the identification of informal employment. Moreover, the obligation to pay wages of employees via banks will also contribute to the promotion of registered work. Besides, the year 2008 has been declared to be “The Year to Fight Against Informal Employment” by the Ministry of Labour and Social Security.

Revenue Administration, which is responsible for the preparation of the strategy to fight with informal economy, has determined various medium-term and long-term targets for the aim of improving and monitoring all kinds of economic activities in order to fight with informal economy and provide voluntary compliance. Within this scope:

- The magnitude, sectoral distribution and reasons of informal economy shall be determined. Dimensions and characteristics of tax avoidance and evasion will be regularly ascertained via various methods by the Revenue Administration. The sectors, where tax avoidance as well as evasion are prevalent and the relevant reasons for this situation will be determined, and necessary measures will be taken so as to prevent unfair competition created by the informal economy.
- In order to avert tax avoidance and evasion, a model based on risk analysis will be developed to be used in the selection of the taxpayers to be audited. Besides, audit standards, which significantly affect the effectiveness and quality of the auditing process, will be improved and efficiency of the coordination among the audit departments will be maintained. Audit performance will be monitored regularly in order to measure the efficiency of tax audits performed. Tax penalty system will be rationalized. The Uniform Chart of Account and Turkish Accounting Standards will be harmonized.
- Scope of the database, which has been developed to monitor economic activities of real people through national identity numbers and of corporations through tax identity numbers and to make effective use of the compiled data by the audit departments has been enlarged. Besides further improvement of the existing data collection capacity in accordance with the requirements, capacity of the database will be expanded through the information to be received from institutions such as Notaries Union in addition to the current information compiled from real estate purchases and sales, exports, goods and money movements in order to comprehend economic activities. The data in the database are planned to be used in the prevention of tax avoidance, tax evasion and the continuation of the fight against informal economy.

3 The Capacity To Cope With Competitive Pressures Within The Union

In the period of National Programme, required structural reforms, which are aimed to strengthen the capacity of cope with competitiveness pressures within the Union and to eliminate possible risks in the area causing macroeconomic instability in the future, are targeted to continue. In this context, labor market, social security and social assistance, education, health, energy and transportation are treated as the main reform areas.

In addition, efforts are ongoing for finding collective solutions to important issues together with all sides of society. Regular Ad-hoc Committee of Improvement of Industrial Competitiveness (DOİK) is the most important one of these efforts.

On the other hand, the draft law is submitted to Turkish Grand National Assembly for establishing an institution having responsibility of inspecting and monitoring the public aids in accordance with EU acquis in the area of competitiveness law and policies, and this draft is expected to become law in 2009.

Labour Market

Basic features of the labour market in Turkey are low labour force participation rates and low employment rates, especially among women, the rapid increase in the working-age population, high young unemployment rate, limited capacity of the economy to create employment, high level of informal employment, and inadequate employment growth in spite of high real GDP growth rates due to dissolution in agricultural economy.

Within this framework, the main objectives of employment policy are to enhance employment opportunities, to strengthen the link between education and labour market, to increase the efficiency of the labour market, to provide equal opportunities for the employment of the disadvantaged groups, to promote active labour programmes on the basis of the requirements of the labour market, to reduce informal employment and to increase decent work.

The Law No. 5763, which is known as “the employment package” and covers priorities of reducing the labour market costs, increasing the employment of women, youth and disables, improving active labour market policies, reducing informality, facilitating the foundation of private employment agencies, regulating the relation of sub-employers’ status and reducing the bureaucracy for establishment of new enterprises was approved in the Turkish Grand National Assembly on 15/5/2008 and published on 26/5/2008. Work towards harmonization with the acquis communautaire will continue.

Adaptability of workers to the novel conditions will be increased through providing new ability and skills in parallel with changes and developments in the labour market. The abilities, skills and qualifications needed by the labour market will be defined by occupational standards that will be developed and updated by the Vocational Qualifications Authority (VQA). To this end, the capacity of the VQA and social partners will be enhanced.

The young unemployed and women will be given vocational training on business establishment, training on business development, and information, counselling and guidance services on these issues.

Labour market information system will be established in order to follow changes and developments in the labour market, to determine policies and strategies to increase employment and decrease unemployment both at local and national levels, and to define and implement active labour market programmes in line with the needs of the labour market. The active labour market policies will be implemented effectively, disseminated and the services provided by those programs will be diversified. In this context, programmes especially focusing on the improvement of employability, qualifications and skill levels of unqualified workers coming out of the agricultural sector, youth, women and disabled will be given priority.

Social Security and Social Assistance

In order to overcome the eligibility and financing problems of the social security system, to establish a fair social security system covering the whole population and bringing the whole population under the coverage of health security, to unify five different social insurance regimes, and to establish an effectively functioning information infrastructure, the Social Security Agency Law No: 5502 was put into force on May 20, 2006. As part of the reform, Social Insurance and Universal Health Insurance Law No: 5510 has become fully effective as of October 1, 2008.

With the implementation of the Universal Health Insurance, all citizens will enjoy healthcare services with the same coverage and at the same quality level. The citizens who can not afford to pay health insurance premium will be determined according to objective criteria and the state will pay their health insurance premium on their behalf.

In order to attain an effective and sustainable social assistance system, works on information sharing and database coherence among public institutions and the determination of beneficiaries of the social assistance system according to objective criteria, are going on.

Within the context of providing cost-effective and modern social services, child care services for children in need of protection and home care services for the disabled will be made widespread.

Education

As part of the review of education programs, efforts towards attaining a vocational education system flexible enough to respond to the developments in the labour market have been initiated with the participation of social partners. In this context, transformation to a modular and flexible system in vocational and technical education will be realized. The vocational training at higher and secondary levels will be transformed into a single structure that will focus on the integrity of the programs, and applied training techniques, which play an important role in educating a qualified labour force in vocational education, will be emphasized.

In order to provide the education system and labour market with a more flexible structure, to increase employment and enhance labour productivity, work force will be trained in the areas demanded by the economy taking the life-long education strategy into consideration.

The efforts related to National Professional Qualifications System will be finalized, covering the following basic functions; development and certification of qualifications based on occupation standards, and accreditation of education and certifying institutions. Additionally, a vocational education structure that is sensitive to this system will be developed.

So as to support the development of human resources, education system will be evaluated with a holistic approach and with a coherent life-long learning perspective. Furthermore, efficiency and accessibility of the education system will be strengthened and equal opportunity will be ensured.

A lifelong education strategy will be developed towards enhancing the skills of individuals in line with the requirements of a changing and developing economy and labour market. In order to develop the skills and abilities of people, this strategy will cover mechanisms that will support increasing formal and non-formal education opportunities, strengthening the horizontal and vertical relationship between these types of education, structuring apprenticeship and public education accordingly as well as supporting the involvement of the private sector and NGOs in this area.

With the aim of ensuring the lifelong education approach to be adopted by the society, opportunities in non-formal education, including e-learning, will be developed, individuals beyond the education age will be encouraged to benefit from open education programs, and activities related to enhancing skills and vocational training will be increased.

In order to determine trends related to the supply and demand conditions of the labour market, necessary data including the education, employment and occupation situations of households will be produced, compiled and labour market requirement analysis will be carried out.

In order to increase the quality of education, curriculums focusing on innovativeness and research orientation will be spread throughout the country, and students will be encouraged towards scientific research and entrepreneurship.

In order to reduce the school dropouts, necessary measures primarily targeting the rural areas and girls will be taken and rates of transition to secondary education will be increased.

Within the framework of university-industry collaboration; human resources will be developed in accordance with knowledge based competitive economy needs and contributing to the development of research potential. Standards about qualifications of technical personnel will be developed and various certification programs will be organized to eliminate differences among technical staff.

Work force will be qualified and the efforts regarding the development of the vocational and technical qualities for currently employed will be supported. Through education programs, labour force that is prone to R&D activities and technology production will be trained

Health

The basic objectives of health policy are to ensure that all citizens will be taken part in economic and social life as healthy individuals and to assist them to raise their quality of life.

To this end, primary health services will be strengthened and made widespread through special emphasis on mother, childcare and preventive health services. An effective primary health services will be introduced through the implementation of family practitioners system, needs of health infrastructure and personnel will be filled with a view to increase access to health services. Ongoing Health Transition Programme will be completed.

Energy

The main objective of the energy policy is to meet the energy needs of economic growth and social development in a continuous, quality and secure manner at least-costs through competitive free market environment.

Both primary energy and electricity demand are increasing rapidly in parallel with growing economy and rising social wealth. However, due to the ongoing energy sector liberalization since 2001, in the transition period there has been a significant investment gap and supply-demand projections indicate an electricity supply shortage in the medium-term. Therefore, to preclude electricity supply shortage in the medium-term and to mitigate the negative effects of this shortage and to sustain the long-term energy supply security, necessary measures will be taken.

By completing the energy sector liberalization process establishment; of a well functioning, free and competitive market is targeted. Thus, continuing private sector investments in a sustainable manner and declining in energy costs are foreseen. To ensure the well-functioning of the market, the institutional capacity will be improved.

Privatization of public owned electricity generation and distribution assets and efficient administration of those assets through improvement of service quality, reduction of losses of distribution to rational levels and improvement of efficiency in generation are targeted.

To eliminate adverse environmental impacts of energy production/consumption and decrease the economic and social costs of rising energy prices, effective measures towards increasing the energy efficiency will be developed.

Reducing import dependency in energy will be given priority. In this context, to decrease the very high share of natural gas in electricity production, domestic and renewable energy resources will be expedited.

Building of nuclear power plants, which serve the diversification of electricity supply, supply security and long-term cost reduction, will be started. To improve the nuclear safety, necessary legislation will be set.

Natural gas usage in a competitive manner will be expanded. National gas supply security will be ensured by taking the seasonal demand variations into account. To ensure the sufficiency of emergency petroleum stocks and provide efficient management thereof a stock agency will be established.

To make Turkey a transit route and a hub in the transportation of energy resources (oil, gas and electricity) in our region to international markets, works due will be continued. For the purpose of integration into the EU internal energy market, necessary infrastructure works will be given priority.

Transportation

The main objective for rail transport is to ensure gradual liberalization of the railway sector in Turkey by opening Turkish rail transport market to competition and separation of functions regarding infrastructure management and provision of transport services.

It is aimed to enact draft Laws on Railway Framework and TCDD by the end of 2009 and to put into force implementing regulations on Railway Safety, Licensing, Interoperability and Access to Railway Infrastructure. . Draft Laws are to ensure that new railway construction and rehabilitation of existing lines will be realized by the infrastructure manager through public budget. Infrastructure manager will charge for the use of infrastructure to fund its maintenance and repairing business.

TCDD will be restructured as a new organization consisting of an infrastructure manager and a railway undertaking, both of which have separate legal entities.

Economic efficiency of TCDD will be increased with new infrastructure and rolling stock investments, improving railway operations and an integrated personnel policy, such as decreasing number of staff by providing incentives for early retirement and easing the way for employment of required new staff.

Constructing new high speed lines are given priority in order to increase passenger transportation by rail between major metropolitan cities. Moreover, logistic villages are to be established so as to improve intermodal transport and increase share of rail freight transport. Beside that, existing conventional lines and rolling stocks are to be renewed or rehabilitated in order to increase line and rolling-stock capacity especially by loans from International Finance Institutions, including World Bank.

Strategic plans have been prepared and works are continued in order to encourage private sector investment in railways within the scope of public-private partnership models. A company, EUROTEM, is established in cooperation with private sector, especially to produce high speed train sets. Apart from that, the works towards construction of new factories with private sector are continued for production of switches and sleepers in Turkey.

On the other side, transport companies engaging in national/international road transport perform their operations within free competition environment in line with the necessities of market economy.

Until 2003, there was no special law regulating the mentioned road transport activities and road transport sector was far behind the structure of which is in line with the contemporary, institutionalized and provide quality transport service. Turkish legislation has been mostly aligned with the EU requirements determining the conditions for access to the road transport market and profession in terms of content, through Road Transport Law and Road Transport Regulation, a secondary legislation, based on the mentioned Law. Therefore, road transport in Turkey has become one of the sectors that are ready for the EU negotiations.

In the forthcoming period, one of the main targets of road transport policies is to decrease the present idle capacity and eliminate it after a reasonable time. Besides, it is aimed to contribute to the establishment and improvement of enterprises having financial-professional competence, good reputation, and are strong and productive, and to encourage/ foster the institutionalized transport enterprises. In addition, increasing the road traffic safety and save in fuel and operation expenses by more effective technical inspection of vehicles and weight control and building a road transport sector that is in line with EU Acquis and efficient, systematic, reliable, economic and integrated with the other transport modes as well are among the main targets.

The new policies that will be implemented are expected to have significant reflections on the market and the sector. With the help of these policies, actors are expected to be more selective regarding the type of the road transport activity that they are going to perform and small and individual actors in the sectors are expected to institutionalize by converging their facilities. Thus, actors in the sector are expected to specialize in their own fields. Another positive reflection will be to create more healthy market structure by preventing unfair competition.

In order to put forward institutionalisation, quality and no-trouble-service in accordance with the EU criterion, the new type of license for domestic transport market for the first time has been introduced. Thanks to the recent developments in road transport regulations and with the help of cheap and qualified labour market in Turkey, Turkish haulers have become one of the largest international road transport fleet not only in Europe but also in the world. In this regard, it is obvious that Turkish carriers hold the strong competitive power in the European road transport market, which is functioning in line with free market principles, during the EU accession period.

IV ABILITY TO ASSUME THE OBLIGATIONS OF MEMBERSHIP

CHAPTER 1 FREE MOVEMENT OF GOODS

Priority 1.1 Abolishment of import permits or licence requirements, as well as disproportionate requirements for certificates in respect of products other than used motor vehicles

1 Schedule of legislative alignment

Table 1.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	EC Agreement, Article 28	Amendment to the Communiqué No. 2007/6 on Products Which Can Only be Imported With a Guarantee Certificate.	Abolishment of the requirement of import licences for the import of goods in free movement gradually until 2013 in the framework of the obligations originating from the Customs Union.	Ministry of Industry and Trade Undersecretariat for Foreign Trade	2009 ¹
2	EC Treaty, Article 28	Communiqué No.2008/13 on Imports of Some Materials which Affects Safety at Work and Health of Workers	Abolishment of the requirement of import licences for the import of goods in free movement in the framework of the obligations originating from the Customs Union,	Ministry of Labour and Social Security	After 2011

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

¹ Gradual alignment has been started by 1 January 2008 and the practice is aimed to be gradually annulled until 2013.

Priority 1.2 Submission to the Commission a plan for abolishing import permits on used motor vehicles

1 Schedule of legislative alignment

Table 1.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1		Performing an Assessment for the Used Motor Vehicles in the Article 7 of Import Regime	Assessment of abolishing the import permits on used motor vehicles	Undersecretariat for Foreign Trade	To be considered for the period after 2011 in the framework of impact analysis.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

Priority 1.3 Completing the identification of measures contrary to Articles 28 to 30 of the EC Treaty, drawing up a plan for their removal and introducing the mutual recognition clause into the Turkish legal order

1 Schedule of legislative alignment

Table 1.3.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Communication No. 2003/C 265/02 Decision No. 3052/95/AT	Implementing Regulation of the Council of Ministries on Mutual Recognition in the Non-harmonized Area	In the interpretative communication dated 4 November 2003, the European Commission declared that, in the non-harmonized area, the Turkish products would also be subjected to the same treatment with the products of any EU Member State origin, and demanded that, in principle, products manufactured in Turkey or products put in free movement in Turkey despite they are of third country origin should not be subject to checks at the Community customs. In this framework; laying down the procedures and principles for the incorporation of the mutual recognition clause in the national technical regulations in order to ensure free movement of goods in the non-harmonized area between Turkey and the EU, and for the notification of national measures, which prevent the free movement of goods between Turkey and the EU.	Undersecretariat for Foreign Trade	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

Priority 1.4 Addressing the remaining issue on regulatory data protection for pharmaceutical products

1 Schedule of legislative alignment

Table 1.4.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 2004/27/EC	Amendment to Implementing Regulation on the Authorization of Medicinal Products for Human Use	Alignment of data exclusivity, which is currently being implemented in accordance with the Directive No 2001/83/EC, with the data exclusivity provisions of Directive No. 2004/27/EC	Ministry of Health	To be enacted within the framework of full membership perspective
2	Directive No. 2004/24/EC	Implementing Regulation on Simplified Licensing of Traditional Herbal Medicinal Products	Surveillance of traditional use and prevention of adverse effects on public health through identifying the products of which traditional use is supported bibliographically or by expert proofs according to their content in which one or more of the active substances is combined with one or more preparates or one or more this kind of herbal preparates	Ministry of Health	2009
3	Directive No. 2001/83/EC	Implementing Regulation on the Storage and Wholesale Distribution of Medicinal products	Laying down the procedures and principles regarding purchase, sale, storage, shipment and distribution of social medicine products licensed/permitted to protect social health or veterinary medical products used in veterinary medicine, and the procedures and principles for the conduct of such operations under appropriate conditions in order to ensure the provision of these products safely and at the desired quality, and withdrawal of false and spoiled products from the market when necessary.	Ministry of Health	2009
4	Directive No. 2001/83/EC	Law Amending Medicinal and Pharmaceutical Products Law No. 1262	Permission of publicity of out-of-prescription medicinal products for human use.	Ministry of Health	To be enacted within the framework of full membership perspective

Table 1.4.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
5	Regulation No. 141/2000	Implementing Regulation on Orphan Drugs	Within the scope that patients suffering from illnesses arising from rare conditions that have right to be treated on equal conditions with other patients and therefore medicine industry should search, develop and introduce to the market drugs necessary for those rare illnesses; identifying procedures and principles for licensing of orphan drugs designed for diagnosis, prevention and treatment of a condition which threatens the life or weakens the patient chronically; or in case that the drug is designed for diagnosis, prevention and treatment of a serious and chronic condition which threatens the life or weakens the patient chronically but marketing the medical product can not produce enough profit to compensate the cost of investment without any incentive.	Ministry of Health	To be enacted within the framework of full membership perspective
6	Regulation No. 847/2000	Implementing Regulation on the Specification and Application of Criteria for Identifying a Medicinal Product as Orphan Drug, and Definitions of “Similar Medicinal Product” and “Clinically Superior”	Specification of drugs used for diagnosis, prevention and treatment of rare diseases and conditions; classifying them according to the cost of production and prevalence; determining the responsibility for using the terms of “equivalent” and “clinically superior” in terms of production and consumption; and prompting manufacturers to develop these kind of drugs and introduce to the market.	Ministry of Health	To be enacted within the framework of full membership perspective

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation**Table 1.4.2**

No	Requirements	Year
(Ministry of Health)		
1	Institutional capacity building by establishment of Turkish National Pharmaceuticals and Medical Device Institution	2009-2013

3 Financial requirements and resources

Table 1.4.3

(Euro)

Requirements (Ministry of Health)	Year	National Budget	EU sources	Other	Total
I- Investment					
Computer Network	2009-2013	10,000	30,000		40,000
Software (setting up a database, supplying MedDRA terminology and ensuring its sustainability, providing Micromedex and other periodical literature)	2009-2013	10,000	30,000		40,000
Establishment and Sustainability of Vigibase online	2009-2013	425	1,275		1,700
LEC Network	2009-2013	10,000	30,000		40,000
Software (intended for database)	2009-2013	7,500	22,500		30,000
II- Legislative approximation and implementation					
- Personnel					
- Training					
Training, internship and attending international meetings on pharmacovigilance	2009-2013	30,000	145,000		175,000
Training, internship and attending international meetings on certification of pharmaceuticals	2009-2013	15,000	15,000		30,000
Training, internship and attending international meetings on quality control of pharmaceuticals	2009-2013	50,000	250,000		300,000
Training, internship and attending international meetings on clinical trials of pharmaceuticals	2009-2013	50,000	50,000		100,000
- Consultancy					
Expertise	2009-2013		25,000		25,000

Table 1.4.3 (Continued)

(Euro)

Requirements (Ministry of Health)	Year	National Budget	EU sources	Other	Total
- Translation					
Translation and publication of WHO books and booklets on drug safety	2009-2013	10,000			10,000
Translation of ICH and EU guidelines	2009-2013		35,000		35,000
- Other					
Reference books	2009-2013		5,000		5,000
Total		192,925	638,775		831,700

CHAPTER 2 FREE MOVEMENT OF WORKERS

Priority 2.1 Ensuring that the Public Employment Services have adequate capacity to guarantee participation in the EURES (European Employment Services) network

1 Schedule of legislative alignment

No legislative alignment is envisaged under this priority at this stage.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 2.1.2

No	Requirements	Year
(Turkish Employment Organisation)		
1	Improving the database and web-site of the Directorate General of Turkish Employment Organisation (ISKUR), for being able to display all national vacancies and operate in conformity with EURES network; training of the related parties/staff.	2010-2012

3 Financial requirements and resources

Table 2.1.3

(Euro)

Requirements (Turkish Employment Organisation)	Year	National Budget	EU sources	Other	Total
I- Investment-					
(Computer hardware, equipment, technical substructure)	2010-2012	750,000	2,250,000		3,000,000
II- Legislative approximation and implementation					
- Personnel					
- Training	2010-2012		1,125,000		1,125,000
- Consultancy	2010-2012		525,000		525,000
- Translation	2010-2012		50,000		50,000
- Other					
Total		750,000	3,950,000		4,700,000

Priority 2.2 Continuing to strengthen administrative structures, in particular for the coordination of social security schemes

1 Schedule of legislative alignment

Table 2.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Regulations No. 1408/71, 574/72, 1390/81, 883/2004, 629/2006 and 859/2003	Necessary Secondary Legislation for the Implementation of Law on Social Security Institution ¹	Ensuring the implementation of Law on Social Security Institution.	Social Security Institution	2009 ²
2	Regulations No. 1408/71, 574/72, 1390/81, 629/2006 and 859/2003	Implementing Regulation on Insurance Procedures ³	Ensuring the implementation of Law on Social Insurance and Universal Health Insurance.	Social Security Institution	2009
3	Regulations No. 1408/71, 574/7, 1390/81, 629/2006 and 859/2003	Implementing Regulation on Health Insurance Procedures ⁴	Ensuring the implementation of Law on Social Insurance and Universal Health Insurance.	Social Security Institution	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 2.2.2

No	Requirements	Year
(Social Security Institution)		
1	Strengthening the institutional capacity for better coordination of social security systems	2009

¹ It is also mentioned under “Priority 19.4 Continuing transposition of the acquis and strengthening the related administrative and enforcement structures including the labour inspectorates, in association with social partners”

² Partial alignment will be achieved with the enactment of secondary legislation of the Law on Social Security Institution. Full alignment is envisaged to be completed 1 year before the accession, the implementation of legislation will be started upon accession.

³ It is also mentioned under “Priority 19.4 Continuing transposition of the acquis and strengthening the related administrative and enforcement structures including the labour inspectorates, in association with social partners”

⁴ It is also mentioned under “Priority 19.4 Continuing transposition of the acquis and strengthening the related administrative and enforcement structures including the labour inspectorates, in association with social partners”

3 Financial requirements and resources

Table 2.2.3

(Euro)

Requirements (Social Security Institution) ⁵	Year	National Budget	EU sources	Other	Total
I- Investment	2009	15,000	45,000		60,000
II- Legislative approximation and implementation					
- Personnel					
- Training	2009		1,050,000		1,050,000
- Consultancy					
- Translation					
- Other					
Total		15,000	1,095,000		1,110,000

⁵ Financed by the project titled “Capacity Building of Social Security Institution- TR 0702.22” under Pre-Accession Financial Assistance 2007 Programme.

CHAPTER 3 RIGHT OF ESTABLISHMENT AND FREEDOM TO PROVIDE SERVICES

Priority 3.1 Presenting a detailed strategy which should include a timetable of all necessary steps in terms of legislative alignment and institutional capacity in order to comply with the acquis covered by this chapter

1 Schedule of legislative alignment

Table 3.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1		Strategy	Meeting the opening benchmark of the chapter Detailed strategy which should include a timetable of all necessary steps in terms of legislative alignment and institutional capacity will be set up in order to comply with the acquis covered by this chapter.	Prime Ministry, Ministry of Industry and Trade, Ministry of Foreign Affairs, Ministry of Finance, Ministry of Labour and Social Security, Ministry of Transport, Higher Education Council, SPO, EUSG, Public Procurement Authority, Vocational Qualifications Authority	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

Priority 3.2 Continue alignment with the acquis for the mutual recognition of professional qualifications by adopting the minimum training requirements set out in Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications, providing for a procedure for professional recognition distinct from academic recognition

1 Schedule of legislative alignment

Table 3.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 2005/36/EC	Preparation of a Strategy Document in consultation with all relevant bodies concerning the professions to be regulated on national scale	Creating an inventory of professions regulated on national scale, preparing a work plan concerning the professions that are not regulated, and working out a comprehensive strategy in consultation with all relevant stakeholders for establishing the qualifications in these professions	Vocational Qualifications Authority	2009
2	Directive No. 2005/36/EC	Law on Regulation and Recognition of the Vocational Qualifications ¹	Identification of procedures and principles related to vocational qualifications required for the acquisition and performance of the occupations, for performing the occupations acquired in EU member states or in third countries in his/her own office or by being an employee Harmonization with the system of mutual recognition of vocational qualifications.	Vocational Qualifications Authority	2010-2013
3	Directive No. 2005/36/EC	Necessary Secondary Legislation on Vocational Qualifications, which are to be Established at the National Level	Specification of national vocational qualifications, and ensuring the mutual recognition of these vocational qualifications by harmonization with the EU legislation	Vocational Qualifications Authority	2010-2013

¹ It is also mentioned under “Priority 3.6 Continuing alignment with the acquis for the mutual recognition of professional qualifications and, in particular, working towards repealing nationality requirements”.

Table 3.2.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
4	Directive No. 2005/36/EC, Recommendation No.2008/C 111/01	Implementing Regulation on Vocational Qualifications, Testing and Certification	In accordance with the qualifications within the scope of Vocational Qualifications Authority Law No. 5544, identification of procedures and principles regarding developing qualifications conducted by the Authority and by the institutions awarded by the Authority, awarding the institutions, testing and certification, training and financial issues. Identification and certification of the national vocational qualifications and providing the accreditation of these qualifications.	Vocational Qualifications Authority	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation**Table 3.2.2**

No	Requirements	Year
(Vocational Qualifications Authority)		
1	Training of the staff (for the issues such as; developing occupational standards and qualifications, test bank, accreditation, administrative, financial, management information system (MIS) etc.)	2009-2010
2	Establishing the infrastructure for documentation and system towards the implementation of the Implementing Regulation on Occupational Standards and Testing and Certification	2009-2010
3	Establishing the infrastructure for MIS related to Occupational Standards and Testing and Certification	2009-2010
4	Establishing the vocational qualifications system and providing the functionality of the system in the selected priority sectors.	2009-2010
5	Activities towards the publicity of the Authority and the qualifications system and raising the awareness	2009-2010
6	Provide the internalisation of the vocational qualifications system by the social partners, increasing the capacity of Occupational Standards Development, Vocational Knowledge and Skills Testing and Certification Centres (VOC-TEST).	2009-2011
7	Equipment purchase	2009-2010

3 Financial requirements and resources

Table 3.2.3

(Euro)

Requirements (Vocational Qualifications Authority)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training					
- Consultancy					
- Translation					
- Other					
Strengthening of the Vocational Qualifications Authority and of national vocational qualifications ²	2009-2010	200,000	10,700,000		10,900,000
Total		200,000	10,700,000		10,900,000

² Financed by the project titled “Strengthening the National Qualifications System and Vocational Qualifications Authority in Turkey” under 2007 Instrument for Pre-Accession (IPA). Except the personnel, issues such as required equipments, training, consultancy, information etc. related to the above mentioned precautions will be financed by the related project. Within the scope of the above mentioned EU Project, it is also aimed to strengthen the capacity of social partners.

Priority 3.3 Beginning alignment with the acquis on postal services

1 Schedule of legislative alignment

Table 3.3.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directives No. 97/67/EC, 2008/6/EC and 2002/39/EC	Law on the Regulation of Postal Services	<p>Liberalization of the postal sector in a controlled and gradual way in order to provide countrywide postal services of good quality continuously with a fee affordable for all consumers under the framework drawn by the principles based on competition, and exercising regulation and control on a financially strong, stable and transparent sector.</p> <p>Within the scope of the law, provision of reception, collection, processing, distribution and deliverance services for mail deliveries; specification of principles regarding authorization, scale rates and conditions of service, and establishment, tasks, competency and responsibility of the Postal Regulation and Control Board will be regulated.</p>	Ministry of Transport	2009-2010
2	Directives No. 97/67/EC, 2008/6/EC and 2002/39/EC	Law on the Tasks, Competency and Responsibilities of the General Directorate of Post and Telegraph Organization	Regulation of the procedures and principles regarding the structure, fields of activity and the provision of services of the General Directorate of Post and Telegraph Organization, which is a public corporation autonomous in its activities and whose responsibility is limited by its capital.	Ministry of Transport	2009-2010

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 3.3.2

No	Requirements	Year
(Ministry of Transport)		
1	Abroad working visits of the experts of the Postal Regulation and Control Board to get technical aid	2009
2	Equipment purchase	2009
3	Homeland training	2009
4	Outsourcing foreign advisory service	2009
5	Translation Service (Translation of Law on the Regulation of Postal Services into English and French, simultaneous interpretation for briefing given by advisor, and etc.)	2009

3 Financial requirements and resources

Table 3.3.3

(Euro)

Requirements (Ministry of Transport)	Year	National Budget	EU sources	Other	Total
I- Investment	2009	19,595	58,786		78,381
II- Legislative approximation and implementation					
- Personnel					
- Training	2009	20,000	56,000		76,000
- Consultancy	2009	143,650	34,750		178,400
- Translation	2009	10,000	7,800		17,800
- Other					
Total		193,245	157,336		350,581

Priority 3.4 Further removing restrictions on the right of establishment and the freedom to provide cross-border services

1 Schedule of legislative alignment

Table 3.4.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 2004/38/EC	Law Amending Work Permits of Foreigners Law and Certain Laws	Satisfying the needs emerging during the application process regarding the work permit requests of foreigners, who will be assigned especially within the scope of professional services, and reducing the work permit process.	Ministry of Labour and Social Security	2009-2010
2	Directive No. 2004/38/EC	Implementing Regulation of the Law on Work Permits of Foreigners	Specification of the application principles for work permit procedures.	Ministry of Labour and Social Security	2010
3	Directive No. 2006/123/EC	Legislation for Temporary Service Provision	Filling the gaps in our legislation on the pursuance of temporary service provision.	Ministry of Industry and Trade, Ministry of Foreign Affairs, Ministry of Finance, Ministry of Labour and Social Security, Public Procurement Authority	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 3.4.2

No	Requirements	Year
(Ministry of Industry and Trade)		
1	Consultancy and technical assistance service for the examination of best practices of EU Member State	2009-2011
2	Establishing an infrastructure for facilitating the exchange of information among the related institutions (Ministry of Industry and Trade, Ministry of Labour and social Security, Ministry of Foreign Affairs, Undersecretariat of Treasury, Revenue Administration, Chambers of Industry and Commerce and Chambers of Tradesman and Artisan)	2009-2011

3 Financial requirements and resources

Table 3.4.3

(Euro)

Requirements (Ministry of Industry and Trade)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training					
- Consultancy	2009-2011	30,000 ³	300,000		330,000
- Translation					
- Other					
Total		30,000	300,000		330,000

³ For each year between 2009 and 2011, the contribution from national budget is 10.000 Euro and the contribution from EU Resources is 100.000.Euro. The above numbers indicate the total contribution from both sides for the period 2009-2011.

Priority 3.5 Continuing alignment on the acquis for postal services

1 Schedule of legislative alignment

Table 3.5.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directives No. 97/67/EC, 2008/6/EC and 2002/39/EC	Implementing Regulation on the Arrangement of Postal Services	Designation of the procedures and principles concerning implementation after the enactment of the Law on the Arrangement of Postal Services.	Ministry of Transport	2010
2	Directives No. 97/67/EC, 2008/6/EC and 2002/39/EC	Implementing Regulation on the Tasks, Competencies and Responsibilities of the General Directorate of Post and Telegraph Organization	Designation of the procedures and principles concerning implementation after enactment of the Law on the Tasks, Competencies and Responsibilities of the General Directorate of Post and Telegraph Organization.	Ministry of Transport	2010

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

Priority 3.6 Continuing alignment with the acquis for the mutual recognition of professional qualifications and, in particular, working towards repealing nationality requirements

1 Schedule of legislative alignment

Table 3.6.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 2005/36/EC	Law on the Regulation and Recognition of Vocational Qualifications ⁴	Harmonization with the mutual recognition of vocational qualifications system.	Vocational Qualifications Authority	2010-2013
2	Directive No. 2006/123/EC	Legislation on the Work Permits of Foreigners and Professions for which Citizenship is Required	Regulating the procedures regarding the issuance of work permits in line with the practice in the EU in order to ensure freedom to provide services, and removing the citizenship requirement for various professions.	Ministry of Labour and Social Security, Vocational Qualifications Authority, Ministry of Foreign Affairs	To be considered within the framework of full membership perspective.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

⁴ It is also mentioned under “Priority 3.2 Continue alignment with the acquis for the mutual recognition of professional qualifications by adopting the minimum training requirements set out in Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications, providing for a procedure for professional recognition distinct from academic recognition”

CHAPTER 4 FREE MOVEMENT OF CAPITAL

Priority 4.1 Continuing to remove restrictions affecting foreign direct investments originating from the EU

1 Schedule of legislative alignment

Table 4.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Articles 56-60 of the EC Treaty	Amendment to the Law No. 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts ¹	Improvement of regulations restricting the activities of foreign real or legal persons in the sector.	Radio and Television Supreme Council	2010
2	Articles 56-60 of the EC Treaty	Amendment to the Law No. 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts ²	Removal of restrictions to foreign capital.	Radio and Television Supreme Council	³
3	Articles 56-60 of the EC Treaty	Article 35 of Land Registry Law No. 2644	Regulation of the acquisition of real estate in our country by foreigners within the framework of EU principles.	Ministry of Public Works and Settlement (General Directorate of Land Registry and Cadastre)	To be considered within the framework of full membership perspective.
4	Directive 88/361/EEC	Communiqué on Assets Covering the Technical Reserves of Insurance and Reinsurance Companies	Regulation of the rules and principles regarding disclosure of real estate in foreign countries and financial assets issued by foreign countries and financial assets traded in the stock exchange of foreign country markets that are subject to rating.	Undersecretariat of Treasury	2009

¹ It is also mentioned under the “10.2 Continuing alignment of legislation in the field of audio-visual policy, in particular with regard to the Television without Frontiers directive”

² It is also mentioned under the “10.2 Continuing alignment of legislation in the field of audio-visual policy, in particular with regard to the Television without Frontiers directive”

³ Required arrangements for legislative alignment will be made two years prior to membership and enter into force upon accession.

Table 4.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
5	Directive 88/361/EEC	Law Amending the Insurance Law ⁴	Harmonization with rules such as the EU passport and Home Member State supervision.	Undersecretariat of Treasury	⁵
6	Directive 88/361/EEC	Implementing Regulation Amending the Implementing Regulation on the Establishment and Operation Principles of Insurance and Reinsurance Companies ⁶	Harmonization with rules such as the EU passport and Home Member State supervision.	Undersecretariat of Treasury	⁷
7	Directive 88/361/EEC	Decision of Council of Ministers on the Operation of Foreign Insurance and Reinsurance Companies in Turkey ⁸	Harmonization with rules such as the EU passport and Home Member State supervision.	Undersecretariat of Treasury	⁹
8	Directive No. 88/361/EEC	Amendment to the Electricity Market Law No. 4628	Removal of restriction imposed on foreign capital.	Ministry of Energy and Natural Resources, Privatization Administration, Undersecretariat of Treasury	¹⁰

⁴ It is also mentioned under the “Priority 9.1 Continuing alignment with the new capital requirements for credit institutions and investment firms and with the other related directives (deposit guarantee scheme, winding up and reorganisation, financial conglomerates, bank accounts)”.

⁵ Required arrangements for legislative alignment will be made two years prior to membership and enter into force upon accession.

⁶ It is also mentioned under the “Priority 9.1 Continuing alignment with the new capital requirements for credit institutions and investment firms and with the other related directives (deposit guarantee scheme, winding up and reorganisation, financial conglomerates, bank accounts)”.

⁷ Required arrangements for legislative alignment will be made two years prior to membership and enter into force upon accession.

⁸ It is also mentioned under the “Priority 9.1 Continuing alignment with the new capital requirements for credit institutions and investment firms and with the other related directives (deposit guarantee scheme, winding up and reorganisation, financial conglomerates, bank accounts)”.

⁹ Required arrangements for legislative alignment will be made two years prior to membership and enter into force upon accession.

¹⁰ Required arrangements for legislative alignment will be made two years prior to membership and enter into force upon accession.

Table 4.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
9	Directive No. 88/361/EEC	Implementing Regulation on Airports Ground handling (SHY-22) ¹¹	Annulment of the limitation that the majority of those who administrate and represent the ground handling service providers, which will get Group A (for providing all or compulsory ground handling services) or Group C Licenses (for providing un compulsory ground handling services), must be Turkish citizen and in the main contract of the company, majority of the votes must be held by the Turkish shareholders.	Directorate General of Civil Aviation	2009
10	Directive No. 88/361/EEC	Law Amending the Decree Law No. 91 on Stock Exchanges ¹²	Removal of restrictions to capital movements in relation to the listing of foreign securities.	Capital Markets Board	2009-2010
11	Directive No. 88/361/EEC	Amendment to the Implementing Regulation on the Establishment and Working Principles of Stock Exchanges ¹³	Removal of restrictions to foreign capital movements in relation to the listing of foreign securities.	Capital Markets Board	2010
12	Directive No. 88/361/EEC	Amendment to the Implementing Regulation on the Istanbul Stock Exchange Listing Regulation ¹⁴	Removal of restrictions to capital movements in relation to the listing of foreign securities.	Capital Markets Board	2009

¹¹ It is also mentioned under the “Priority 14.3 In the field of aviation, working towards a technical solution to ensure the necessary communication in order to guarantee the appropriate level of air safety in the South Eastern Mediterranean region. Engagement in a process towards the recognition of "Community designation" and providing a clear strategy for the progressive alignment to the acquis on the Single European Sky. Alignment with, and implement, the relevant provisions and specificities of the European Civil Aviation Conference's policy statement in the field of civil aviation security”

¹² It is also mentioned under the “Priority 9.2 Strengthening prudential and supervisory standards both in banking and in the non-bank financial sector including establishment of an independent regulatory and supervisory authority”.

¹³ It is also mentioned under the “Priority 9.2 Strengthening prudential and supervisory standards both in banking and in the non-bank financial sector including establishment of an independent regulatory and supervisory authority”.

¹⁴ It is also mentioned under the “Priority 9.2 Strengthening prudential and supervisory standards both in banking and in the non-bank financial sector including establishment of an independent regulatory and supervisory authority”.

Table 4.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
13	Directive No. 88/361/EEC	Amendment to the Communiqué Series III No. 20 on the Registration and Sale of Foreign Capital Market Instruments	<p>Removal of restrictions to capital movements in relation to the issue and sale of foreign capital market instruments.</p> <p>In cases where the relevant EU legislation includes provisions that can only be implemented upon full membership, such as provisions based on the single passport principle, alignment shall be achieved by taking into account reciprocity and third country rules. In cases where amendments create an undue burden on markets, programs and transition periods shall be adopted for the gradual completion of amendments. It is planned to achieve full alignment in this context one year prior to full membership with the related provisions entering into force upon full membership.</p>	Capital Markets Board	¹⁵

¹⁵ Required arrangements for legislative alignment will be made two years prior to membership and enter into force upon accession.

Table 4.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
14	Directive No. 88/361/EEC	Amendment to the Communiqué Series VII No. 14 on the Registration and Sale of Foreign Mutual Fund Certificates of Participation	<p>Removal of restrictions to capital movements in relation to the issue and sale of foreign investment fund shares.</p> <p>In cases where the relevant EU legislation includes provisions that can only be implemented upon full membership, such as provisions based on the single passport principle, alignment shall be achieved by taking into account reciprocity and third country rules. In cases where amendments create an undue burden on markets, programs and transition periods shall be adopted for the gradual completion of amendments. It is planned to achieve full alignment in this context one year prior to full membership with the related provisions entering into force upon full membership.</p>	Capital Markets Board	16
15	Directive No. 88/361/EEC	Amendment to the Communiqué Series V No. 46 on Regarding Principles on Intermediary Activities and Intermediary Institutions	<p>Removal of restrictions to capital movements in relation to the establishment of branches by foreign intermediary institutions.</p> <p>Amendments in relation to the removal of the limits on the number of brokerage houses shall be made by taking into account their effects on the markets. Alignment with regard to, single passport rules that allow institutions to establish branches within the Community upon the authorisation by their Home Member States, alignment shall be achieved by taking into account reciprocity and third country rules. It is planned to achieve full alignment in this context one year prior to full membership with the related provisions entering into force upon full membership.</p>	Capital Markets Board	17

¹⁶ Required arrangements for legislative alignment will be made two years prior to membership and enter into force upon accession.

¹⁷ Required arrangements for legislative alignment will be made two years prior to membership and enter into force upon accession.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

Priority 4.2 Starting to align payment systems legislation with the acquis

1 Schedule of legislative alignment

Table 4.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Regulation No. 2560/2001 Directive No. 97/5/EC and No. 2007/64/EC	Payment Systems Law ¹⁸	Providing refund guarantee in the event of non-execution of transfers by the institutions involved in the execution of a cross-border credit transfer, equalization of domestic and foreign transfer fees for cross-border Euro payments and determination of rules and procedures related to payment services and payment institutions.	Central Bank of the Republic of Turkey	2009-2011 ¹⁹
2	Regulation No. 2560/2001 Directive No. 97/5/EC and No. 2007/64/EC	Legislation on Payment Systems	Providing refund guarantee in the event of non-execution of transfers by the institutions involved in the execution of a cross-border credit transfer, equalization of domestic and foreign transfer fees for cross-border Euro payments and determination of rules and procedures related to payment services and payment institutions.	Central Bank of the Republic of Turkey	2009-2011

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

¹⁸ It is also mentioned under the “Priority 9.1 Continuing alignment with the new capital requirements for credit institutions and investment firms and with the other related directives (deposit guarantee scheme, winding up and reorganisation, financial conglomerates, bank accounts)”.

¹⁹ Harmonization with the EU legislation will be ensured within the framework of full membership perspective and implementation will be started upon accession.

CHAPTER 5 PUBLIC PROCUREMENT

Priority 5.1 Giving an organisation for procurement the task of guaranteeing a coherent policy and steering its implementation

1 Schedule of legislative alignment

Table 5.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1		Necessary Legislation for Tasking an Organisation for Developing and Monitoring a Coherent and Applicable Policy within a Comprehensive Approach on Public Procurement	Making arrangements to meet the first opening benchmark of the chapter	Ministry of Finance	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 5.1.2

No	Requirements	Year
(Ministry of Finance)		
1	Strengthening of the administrative capacity of the existing department within the General Directorate of Budget and Fiscal Policy of the Ministry of Finance with a view to develop a coherent and applicable policy within a comprehensive approach on public procurement and ensure effective and efficient monitoring of the implementation of this policy	2009

3 Financial requirements and resources

Table 5.1.3

(Euro)

Requirements (Ministry of Finance)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training					
Strengthening the administrative capacity of the existing department within the General Directorate of Budget and Fiscal Policy of the Ministry of Finance	2009		10,000		10,000
- Consultancy					
- Translation					
- Other					
Total			10,000		10,000

Priority 5.2 Presenting a comprehensive strategy which will include all reforms necessary for legislative alignment and institutional capacity building in order to comply with the acquis

1 Schedule of legislative alignment

Table 5.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1		Public Procurement Strategy Document	Presenting a comprehensive strategy including all reforms necessary in terms of legislative alignment and institutional capacity building in order to comply with EU acquis under Public Procurement Chapter	Ministry of Finance	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

Priority 5.3 Implementing the public procurement strategy

1 Schedule of legislative alignment

Table 5.3.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 2004/17/EC	Law on the Contracts of Entities Acting in the Fields of Energy, Water, Transport, Postal Services	Regulating procurement procedures within the framework of alignment with the EU acquis, for the entities and enterprises operating in the water, energy, transportation and postal sectors	Ministry of Finance, Public Procurement Authority	2009-2010
2	Directive No. 2004/18/EC	Public Procurement Law	Introducing a new law on Public Procurement, which will bring the scope and exceptions of Turkish PPL in line with the EU acquis and overcome the shortcomings and deficiencies on the implementation of the Law.	Ministry of Finance, Public Procurement Authority	2009-2010
3	Directive No. 2004/18/EC	Legal Arrangement regarding Concessions Awarded for Certain Investments and Services	Regulating the procurement procedures for awarding concessions, which has gradually become a common practice all around the world. Ensuring harmonization of procedures for awarding concessions according to the EU and other international rules	Ministry of Finance Public Procurement Authority Undersecretariat of State Planning Organization Undersecretariat of Treasury	2009-2010
4	Directive No. 2004/18/EC Green Paper No. COM/2004/0327	Law on Realization of Certain Investments and Services within the Framework of Public-Private Partnership Models	Regulating the Public-Private Partnerships procedures (PPPs), which are used widely throughout the world, for realizing infrastructure investments. The Law envisages regulating procedures and principles of realizing certain investments and services of the entities by the real or legal persons through public-private partnership model contracts subject to private law. The tender procedure within this framework will be subject to Public Procurement Law.	Undersecretariat of State Planning Organization	2009-2010

Table 5.3.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
5	Directive No. 2004/18/EC	Implementing Regulation on Procedures and Principles of Electronic Procurement, Amendments on existing Implementation Regulations	Implementing the amendment in the Public Procurement Law No. 4734 regarding electronic procurement, and transposing other amendments to current implementing regulations.	Public Procurement Authority	2009
6	Directive No. 2004/17/EC	Implementation Regulation of the Law on Entities acting in the fields of Energy, Water, Transport and Postal Services ¹	Regulating the procurement procedures of the entities operating in water, energy, transport and postal sectors .	Public Procurement Authority	2010
7	Directive No. 2004/18/EC	Secondary Legislation on Concessions Granted for Certain Investments and Services ²	Regulating the procurement procedures concerning concessions awarded for certain investments and services.	Public Procurement Authority	2010
8	Directive No. 2004/18/EC	Implementing Regulation Amending the Implementing Regulation on Procurement of Goods ³	In order to overcome the shortcomings and deficiencies on the implementation of the Law, putting into force the amendments and regulations in Law No. 4734 and Law No. 4735, and bringing the implementation in line with the EU practices, procedures and principles.	Public Procurement Authority	2010
9	Directive No. 2004/18/EC	Implementing Regulation Amending the Implementing Regulation on Procurement of Services ⁴	In order to overcome the shortcomings and deficiencies on the implementation of the Law, putting into force the amendments and regulations in Law No. 4734 and Law No. 4735, and bringing the implementation in line with the EU practices, procedures and principles.	Public Procurement Authority	2010

¹ It will be enacted after the adoption of Law on the Contracts of Entities Acting in the Fields of Energy, Water, Transport, Postal Services (Table 5.3.1., Line 2)

² It will be enacted after the adoption of Legal Arrangement regarding Concessions Granted for Certain Investments and Services (Table 5.3.1., Line 4)

³ It will be enacted after the adoption of Public Procurement Law (Table 5.3.1., Line 3)

⁴ It will be enacted after the adoption of Public Procurement Law (Table 5.3.1., Line 3)

Table 5.3.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
10	Directive No. 2004/18/EC	Implementing Regulation Amending the Implementing Regulation on Procurement of Works ⁵	In order to overcome the shortcomings and deficiencies on the implementation of the Law, putting into force the amendments and regulations in Law No. 4734 and Law No. 4735, and bringing the implementation in line with the EU practices, procedures and principles.	Public Procurement Authority	2010
11	Directive No. 2004/18/EC	Implementing Regulation Amending the Implementing Regulation on Procurement of Consultancy Services ⁶	In order to overcome the shortcomings and deficiencies on the implementation of the Law, putting into force the amendments and regulations in Law No. 4734 and Law No. 4735, and bringing the implementation in line with the EU practices, procedures and principles.	Public Procurement Authority	2010
12	Directives No. 2004/18/EC and 89/665/EC, 2004/17/EC and 92/13/EC	Implementing Regulation Amending the Implementing Regulation on Administrative Applications against Procurements ⁷	In order to overcome the shortcomings and deficiencies on the implementation of the Law regarding complaint procedures and ., putting in to force the amendments and regulations of Law No. 4734 and Law No. 4735, and bringing the implementation in line with EU practices, procedures and principles with the enforcement of the Draft Procurement Law on Entities operating in Energy, Water, Transport, and Postal Services.	Public Procurement Authority	2010
13	Directives No. 2004/18/EC and 89/665/EC, 2004/17/EC and 92/13/EC	Communiqué on Administrative Applications against Procurements ⁸	With the enactment of the Draft Procurement Law on Entities Operating in Energy, Water, Transport, and Postal Services, and of the Public Procurement Law, effectuating relevant arrangements and ensuring implementation to be in accordance with EU practices, standards and principles.	Public Procurement Authority	2010

⁵ It will be enacted after the adoption of Public Procurement Law(Table 5.3.1., Line 3)

⁶ It will be enacted after the adoption of Public Procurement Law(Table 5.3.1., Line 3)

⁷ It will be enacted after the adoption of Public Procurement Law(Table 5.3.1., Line 3)

⁸ It will be enacted after the adoption of Public Procurement Law(Table 5.3.1., Line 3)

Table 5.3.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
14	Directives No. 2004/18/EC and 2004/17/EC	Communiqué Amending the General Communiqué of Public Procurements ⁹	Making necessary amendments on the General Communiqué for a better understanding and implementation of the regulations within the framework of alignment with the EU acquis by the entities.	Public Procurement Authority	2010
15	Directive No. 2004/18/EC	Implementing Regulation of the Law on the Realization of Certain Investments and Services within the Framework of Public-Private Partnership Models ¹⁰	Enacting secondary legislation on public-private partnerships.	Undersecretariat of State Planning Organization	2010
16	Directive No. 2004/18/EC Regulation No. 2003/2151	Law Amending the Public Procurement Law and Public Procurement Contracts Law	Alignment to EU legislation in terms of domestic preferences and the use of Common Procurement Vocabulary (CPV) of the EU	Ministry of Finance, Public Procurement Authority	Upon accession ¹¹
17	Directive No. 2001/78/EC	Transposing EU Legislation Regarding Standard Forms to Turkish Legislation.	Establishing the infrastructure of the standard forms concerning the publication of the tender notices which will be submitted to Official Journal of the EU upon accession and ensuring uniform application, facilitating the implementation, thereby improving transparency and competition until accession.	Public Procurement Authority	Upon accession ¹²

⁹ It will be enacted after the adoption of Public Procurement Law (Table 5.3.1., Line 3)

¹⁰ It will be enacted after the adoption of Law on the Realization of Certain Investments and Services within the Framework of Public-Private Partnership Models (Table 5.3.1., Line 5)

¹¹ Required arrangements for legislative alignment will be made one year prior to membership and enter into force upon accession.

¹² Required arrangements for legislative alignment will be made one year prior to membership and enter into force upon accession.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 5.3.2

No	Requirements	Year
(Public Procurement Authority)		
1	Restructuring of the Public Procurement Authority in parallel with the legal arrangements	2009-2013
2	Training program of the trainers for the public procurement experts for the implementation of the aligned Public Procurement Law	2009-2013
3	Restructuring and strengthening of the Electronic Public Procurement Platform in order to disseminate electronic public procurements	2009-2013
4	Training of the users of Electronic Public Procurement Platform	2009-2013
5	Exchange of experience and training in the member states in order to increase the skills of the Authority's staff on the amendments to comply with the EU acquis; especially on the implementation of electronic procurement, dynamic purchasing system and framework agreements	2009-2013
6	Training the stakeholders on the novelties introduced by the alignment process to the EU acquis and their implementation (in terms of electronic auction, dynamic purchasing system and other electronic procurement implementation)	2009-2013
7	Training of stakeholders on the implementation of the legislation on Concessions and Public-Private Partnership	2009-2013
8	Strengthening the capacity of the Public Procurement Authority and other related institutions for the implementation of Law on the Contracts of Entities Operating in the Fields of Energy, Water, Transport, Postal Services	2009-2013
9	Strengthening the capacity of related institutions for effective implementation of the remedies system.	2009-2013
10	Establishment of certification systems relating to qualification of economic operators in order to provide efficiency and standardization in public procurements.	2009-2013

3 Financial requirements and resources

Table 5.3.3

(Euro)

Requirements (Public Procurement Authority)	Year	National Budget	EU sources	Other	Total
I- Investment	2010-2012	4,000,000	12,000,000	-	16,000,000 ¹³
II- Legislative approximation and implementation					
- Personnel					
- Training	2010-2012	1,000,000	3,000,000	-	4,000,000 ¹⁴
- Consultancy	2010-2012	200,000	600,000	-	800,000
- Translation	2010-2012	100,000		-	100,000
- Other	2010-2012	25,000	75,000	-	100,000
Total		5,325,000	15,675,000		21,000,000

Priority 5.4 Promoting the use of electronic means in procurement procedures

1 Schedule of legislative alignment

Legislative alignment measures envisaged under this priority are mentioned in Table 5.3.1.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Institutional capacity building requirements envisaged under this priority are mentioned in Table 5.3.2.

3 Financial requirements and resources

Financial requirements envisaged under this priority are mentioned in Table 5.3.3.

¹³ Figures for investment within the tables refer to the investments to be made in order to implement electronic procurement procedures.

¹⁴ Training activities are envisaged on the issues such as concessions and public-private partnership; contracts of entities acting in the fields of energy, water, transport, postal services; framework agreement, dynamic purchasing system, electronic auction, electronic procurement implementations...etc. and also covering other public institutions and administrations.

CHAPTER 6 COMPANY LAW

Priority 6.1 Adoption of the new Commercial Code

1 Schedule of legislative alignment

Table 6.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directives No. 68/151/EEC, 77/91/EEC, 78/855/EEC, 82/891/EEC, 89/667/EEC, 78/660/EEC, 83/349/EEC, 2006/43/EC and 2007/36/EC	Turkish Commercial Code ¹	Ensuring full harmonization with chapters on capital stock companies of the EU legislation on company law, providing the legal infrastructure needed by commercial life and actors of commercial life, improving the international competitive power of our companies.	Ministry of Justice	2009
2	Regulation No. 1606/2002	Law on Enforcement and Implementation of Turkish Commercial Code	Eliminating problems which might occur in the implementation, during the process of the replacement of the Turkish Commercial Code in force with the New Turkish Commercial Code	Ministry of Justice	2009
3	Directives No. 68/151/EEC, 2003/58/EC	Regulation Amending the Commercial Registry Regulation	Identification of administrative structures and implementations regarding establishment of on-line companies, pursuing the obligation of registry and announcement and access in electronic form.	Ministry of Industry and Trade	2009
4	Directives No. 2006/43/EC	Implementing Regulation on the Establishment and Working Principles of Independent Audit Companies and Qualifications of Auditors ²	Identification of establishment and working principles of independent audit companies and qualifications of auditors	Ministry of Industry and Trade	2009

¹ Secondary legislation within the framework of Strategy Paper and Negotiation Position Document will be issued after the enactment of Turkish Commercial Code.

² This function will be performed after the adoption and under the scope of Law on Establishment of Turkish Auditing Standards and Public Oversight Board (Table 6.2.1 Line 10).

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 6.1.2

No	Requirements	Year
(Ministry of Justice)		
1	Training of the judges and the personnel of the Ministry of Industry and Trade who will implement the Turkish Commercial Code after the enactment of the new law.	2008-2013
(Ministry of Industry and Trade)		
2	Providing necessary equipment and software to improve the technological infrastructures of Ministry of Industry and Trade and registration organizations.	2010-2013
3	Organizing training programmes for MIT and registry personnel and for the companies on on-line register proceedings.	2010-2013

3 Financial requirements and resources

Table 6.1.3.1

(Euro)

Requirements (Ministry of Justice)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training	2008-2013	1,070,000	500,000		1,570,000
- Consultancy					
- Translation					
- Other					
Total		1,070,000	500,000		1,570,000

Table 6.1.3.2

(Euro)

Requirements (Ministry of Industry and Trade)	Year	National Budget	EU sources	Other	Total
I- Investment					
Equipment and software necessary for improving the technological infrastructure of Ministry of Industry and Trade and registration organizations.	2010-2013	1,000,000	1,000,000		2,000,000
II- Legislative approximation and implementation					
- Personnel					
- Training					
Training on on-line register proceedings	2010-2013	1,000,000	1,000,000		2,000,000
- Consultancy					
- Translation					
Translation on on-line register implementations	2010-2013	50,000			50,000
- Other					
Total		2,050,000	2,000,000		4,050,000

Priority 6.2 Adoption of a general-purpose financial reporting framework in the area of corporate accounting and auditing in line with EU standards

1 Schedule of legislative alignment

Table 6.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directives No. 78/660 EEC and 83/349/EEC Regulation No. 1606/2002	Law on Turkish Accounting Standards Board	Draft law, strengthening administrative capacity of Turkish Accounting Standards Board	Ministry of Finance	2009
2	Directive No. 78/660/EEC	New Communiqué on the basis of General Communiqué of Accounting System Implementation.	Issuing a new Communiqué based on the General Communiqué of Accounting System Implementation in order to comply with the Fourth Council Directive.	Turkish Accounting Standards Board	2009
3	Directive No. 78/660/EEC	Amendment to the Communiqué on the Principles and Rules concerning Financial Statements and Reports in the Capital Market	Following the legislative measures of the Turkish Accounting Standards Board (TASB), aligning annual financial statements of publicly held companies with EU regulations by Capital Markets Board in compliance with arrangements of TASB.	Capital Markets Board	2010
4	Directive No. 83/349/EEC	New Communiqué on Consolidated Financial Statements.	Issuing a new Communiqué in order to comply with the Seventh Council Directive.	Turkish Accounting Standards Board	2009
5	Directive 83/349/EC	Communiqué regarding Preparation of Consolidated Financial Statements	Specification of the rules in drawing up consolidated financial statements	Undersecretariat of Treasury	2009

Table 6.2.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
6	Directive 83/349/EC	Communiqué Amending the Communiqué regarding Preparation of Consolidated Financial Statements	Following the legislative measures of TASB, revising the principles regarding the preparation of consolidated financial statements by Undersecretariat of Treasury in compliance with those of TASB.	Undersecretariat of Treasury	2010
7	Directive No. 83/349/EEC	Amendment to the Communiqué on Preparation of Consolidated Financial Statements of Banks	Including non financial subsidiaries, which are not in the nature of a credit institution or a financial institution, in consolidated financial statements of banks.	Banking Regulation and Supervision Agency	2010
8	Directive No. 83/349/EEC	Amendment to the Communiqué establishing the procedures and principles of Consolidated Financial Statements and Accounting of Participations in the Capital Market	Following the legislative measures of TASB, aligning consolidated financial statements of publicly held companies with EU regulations by Capital Markets Board in compliance with the arrangements of TASB.	Capital Markets Board	2010
9	Directive 2006/43/EC	Law on Establishment of Turkish Auditing Standards and Public Oversight Board ³	Establishment of Turkish Auditing Standards and Public Oversight Board having the authority of determining auditing standards, authorizing independent audit companies and overseeing the actions and audit performance of independent auditors in order to ensure the uniform implementation, necessary confidence and quality in the area of independent audit.	Ministry of Finance	2009

³ Secondary legislation within the framework of Strategy Paper and Negotiation Position Document will be issued after enactment of Law on Establishment of Turkish Auditing Standards and Public Oversight Board.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 6.2.2

No	Requirements	Year
(Turkish Accounting Standards Board)		
1	Recruiting new Assistant Experts for Turkish Accounting Standards Board	2009
2	Training of TASB personnel on International Accounting/Financial Reporting Standards	2009
3	Increasing the capacity of the premises of the Board	2009
4	Providing required consultancy	2009-2013
5	Training of the experts and providing consultancy service for harmonization	2009-2013
(Capital Markets Board)		
6	Completion of project activities with the objective of legislative alignment and establishing implementing measures ⁴	2009-2011

⁴ Refers to the activities envisaged within the scope of company law components of the project titled “Strengthening the Capital Markets Board (CMB)- TR 08 02 07” under Pre-Accession Financial Assistance 2008 Programme, financial requirements for the relevant components of the project are provided for in Table 6.2.3.2.

3 Financial requirements and resources

Table 6.2.3.1

(Euro)

Requirements (Turkish Accounting Standards Board)	Year	National Budget	EU sources	Other	Total
I- Investment	2009	300,000			300,000
II- Legislative approximation and implementation					
- Personnel	2009	150,000			150,000
- Training	2010-2013	200,000	150,000		350,000
- Consultancy	2010-2013	100,000	335,000		435,000
- Translation	2010-2013	150,000			150,000
- Other					
Total		900,000	485,000		1,385,000

Table 6.2.3.2

(Euro)

Requirements (Capital Markets Board)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training	2009-2011	2,398	45,558	-	47,956
- Consultancy	2009-2011	12,598	239,358	-	251,956
- Translation	2009-2011	1,605	30,489	-	32,094
- Other					
Total		16,601	315,405		332,006

Priority 6.3 Strengthening disclosure requirements. In particular, adoption of a general requirement for companies to file audited legal entity and consolidated financial statements in order to make them publicly available

1 Schedule of legislative alignment

Table 6.3.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directives No. 77/91/EEC, 78/855/EEC, 82/891/EEC, 2004/25/EC and 2007/36/EC	Capital Market Law ⁵	Transposing EU legislation on company law for publicly held companies by an amendment after the adoption of Turkish Commercial Code.	Capital Markets Board	2009
2	Directive No. 77/91/EEC	Amendment to the Communiqué on the Principles of Registered Capital System	Harmonization of the registered capital system for publicly held companies with the EU legislation after the adoption of Turkish Commercial Code and Capital Market Law	Capital Markets Board	2009
3	Directive No. 78/855/EEC	Amendment to the Communiqué on the Principles regarding Merger Operations	Harmonization of merger operations of publicly held companies with the EU legislations after the adoption of Turkish Commercial Code and Capital Market Law	Capital Markets Board	2009
4	Directive No. 82/891/EEC	Amendment to the Communiqué on the Principles of Registering Shares at the Board and Sale of Shares	Harmonization of merger operations of publicly held companies with the EU legislations after the adoption of Turkish Commercial Code and Capital Market Law	Capital Markets Board	2009
5	Directive No. 2004/25/EC, 2007/36/EC	Amendment to the Communiqué on the Principles of Voting on Commission at the General Assembly of Publicly Held Companies and Takeover	Harmonization of takeovers of publicly held companies with the EU legislation after the Amendment to Capital Market Law. Harmonization of principles to be complied in general assemblies of publicly held companies with the EU legislations after the adoption of Turkish Commercial Code and Capital Market Law	Capital Markets Board	2009

⁵ It is also mentioned under the “Priority 9.2 Strengthen prudential and supervisory standards both in banking and in the non-bank financial sector. Establish an independent regulatory and supervisory authority in the insurance and pension sector”.

Table 6.3.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
6	Directive No. 2007/36/EC	Communiqué on the Implementation of Article 1527 of the New Turkish Commercial Code	Preparation of a communiqué regarding procedures for participation in general assembly in electronic form which will be obligatory for the companies trading on the stock exchange	Ministry of Industry and Trade	2009
7	Commission Recommendation on independent directors and directors' remuneration	Capital Markets Board Corporate Governance Principles	Harmonisation of CMB Corporate Governance Codes with the EU Recommendations, taking into account market conditions.	Capital Markets Board	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

CHAPTER 7 INTELLECTUAL PROPERTY LAW

Priority 7.1 Improving the capacity of police, customs and the judiciary to enforce intellectual property rights, including strengthening coordination between these bodies

The Action Plan for the implementation of the EU acquis on intellectual and industrial property rights, required for the fulfilment of the opening benchmark for Intellectual Property Law Chapter, was officially submitted to European Commission on 24 January 2008. “Intellectual and Industrial Property Coordination Board”, “Technical Committee for Intellectual Property Rights” and “Technical Committee for Industrial Property Rights” will ensure strengthening of coordination between all institutions responsible for the enforcement of intellectual property rights.

1 Schedule of legislative alignment

Table 7.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Regulations No. 2913/92, 2700/2000, 1383/2003 and 648/2005	Law Amending the Customs Law and Certain Laws and Decree Laws ¹	Increasing the effectiveness and efficiency of customs activities; authorising customs administrations for granting authorisations regarding customs procedures with economic impact; making customs controls based on risk identification and assessment and using computerised risk analysis techniques; establishing risk management framework of Undersecretariat of Customs and identification of risk criteria and priority control areas; filling the gaps in the customs legislation on the identification of the boundaries and entry and exit points of free zones.	Undersecretariat of Customs	2009
2	Regulations No. 1383/2003, 2454/93 and 1891/2004.	Implementing Regulation Amending the Implementing Regulation on Customs ²	Improvement of the effectiveness and efficiency of the customs activities.	Undersecretariat of Customs	2009

¹ It is also mentioned in “Priority 29.1 Aligning legislation on free zones with the relevant acquis, particularly for rules concerning customs controls and tax auditing”, “Priority 29.2 Strengthening the enforcement capacity of the customs administration, particularly regarding the fight against illegal trade and counterfeit. Continuing the preparations for interconnectivity of the IT systems with the EU” and “Priority 29.4 Completing alignment of customs legislation on dual-use goods and technologies, precursors and counterfeit and pirated goods”

² It is also mentioned in “Priority 29.2 Strengthening the enforcement capacity of the customs administration, particularly regarding the fight against illegal trade and counterfeit. Continuing the preparations for interconnectivity of the IT systems with the EU” and “Priority 29.4 Completing alignment of customs legislation on dual-use goods and technologies, precursors and counterfeit and pirated goods”

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 7.1.2

No	Requirements	Year
(Ministry of Justice)		
1	Assigning certain number of juvenile courts specifically for cases caused by the infringement of IPR by children in places where there is more than one juvenile court.	2009
2	Establishing prosecutor's offices responsible for IPR investigations in places where annual number of investigations on IPR is more than 500. In places where the workload does not necessitate establishment of separate bureaus, IPR investigations will be under the responsibility of one of the existing bureaus or certain prosecutors.	2009
3	Establishing the "Juridical Consultation Group for IPR".	2009
4	Establishing an electronic data network between Specialised IPR Courts and other relevant institutions.	2009
(Undersecretariat of Customs) ³		
5	Centralization of customs implementation for protecting the Intellectual Property Rights and establishment of a computer database accessible by the local customs administrations	2009
6	Establishment of a central risk analysis unit	2009
7	Establishment of the regional risk analysis departments ⁴	2010-2013
(Ministry of Interior (Turkish National Police))		
8	Organizing training programs, cooperation seminars and workshops under the EU project in order to strengthen the administrative and technical capacity of the Turkish Police in the enforcement of intellectual and industrial property rights and to enhance co-ordination and co-operation with judiciary, customs and other enforcement bodies and right owner associations. ⁵	2008-2009

³ Financial requirement regarding these institutional capacity building measures are mentioned under Chapter 29 of the Customs Union with Table 29.2.3.

⁴ To be financed by the project titled "Modernisation of the Turkish Customs Administration VI" under Pre-Accession Financial Assistance 2009 Programme

⁵ Financed by the project titled "Support to the Turkish National Police in enforcement of intellectual and industrial property rights - TR06IBJH05" under Pre Accession Financial Assistance 2006 Programme.

3 Financial requirements and resources

Table 7.1.3.1

(Euro)

Requirements (Ministry of Justice)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training					
Training of judges and public prosecutors dealing with preparatory investigations of IPR infringements ⁶	2008-2011	120,000			120,000
- Consultancy					
- Translation					
- Other					
Establishing the “Juridical Consultation Group for IPR”	2009	6,500			6,500
Total		126,500			126,500

⁶ Contribution of national budget is 30,000 Euro for each year between 2008-2011.

Table 7.1.3.2

(Euro)

Requirements (Ministry of Interior (Turkish National Police)) ⁷	Year	National Budget	EU sources	Other	Total
I- Investment					
Procurement of technical equipment to strengthen technical capacity of the Turkish Police	2008-2009	177,500	532,500		710,000
II- Legislative approximation and implementation					
- Personnel					
- Training					
Training the trainers, specialized training programs, awareness and cooperation seminars, and study visits	2008-2009	100,000	530,000		630,000
- Consultancy					
Project resident twinning advisor and EU experts	2008-2009		196,000		196,000
- Translation					
Interpreter and translation of training materials	2008-2009		50,000		50,000
- Other					
Resident twinning advisor assistant	2008-2009		24,000		24,000
Total		277,500	1,332,500		1,610,000

⁷ Financed by the twinning project titled "Support to the Turkish National Police in enforcement of intellectual and industrial property rights - TR06IBJH05" under Pre-Accession Financial Assistance 2006 Programme

Priority 7.2 Addressing, in particular, the counterfeiting of trade marks and piracy

1 Schedule of legislative alignment

The EU legislation to be aligned under this priority is Directive No. 2004/48/EC and the schedule of legislative alignment is available under “Priority 7.3 Continuing alignment and ensuring an effective enforcement of intellectual property rights”

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 7.2.2

No	Requirements	Year
(Ministry of Culture and Tourism)		
1	Setting up a common database for monitoring and protecting intellectual property rights and recruiting 15 technical personnel to set up and maintain this common database	2009
2	Training for the staff of the 81 Provincial Directorates of Culture and Tourism on banderol, certification and fight against piracy	2008-2009
3	Preparing spot films focusing on fight against piracy	2008-2009
(Turkish Patent Institute)		
4	Increasing the TPI's institutional capacity	2008-2009
5	Increasing the public awareness on industrial property rights and their infringement (constantly)	2009
(Ministry of Interior (Turkish National Police))		
6	Organizing one-day trainings especially for the personnel working in public order sections in the provinces with high rate of IPR infringements in order to raise the awareness of police chiefs and officers about IPR issues.	2009

3 Financial requirements and resources

Table 7.2.3.1

(Euro)

Requirements (Ministry of Culture and Tourism)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
Recruitment of 15 technical personnel	2009	135,000			135,000
- Training					
Training for the 162 staff of the provincial directorates of culture and tourism for 3 days	2008-2009	55,250			55,250
- Consultancy					
- Translation					
- Other					
Software, data transfer, licence, hardware for a common database	2008-2009	800,000			800,000
Preparing spot films focusing on fight against piracy	2008-2009	37,500			37,500
Total		1,027,750			1,027,750

Table 7.2.3.2

(Euro)

Requirements (Turkish Patent Institute)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
Recruiting 4 new administrative staff	2009	25,000			25,000
- Training					
Attending to seminars, study visits and workshops on implementation and enforcement of IPRs ⁸	2008-2009	16,000	94,000		110,000
- Consultancy					
- Translation					
- Other					
Enhancing implementation of industrial property rights ⁹	2008-2009	60,000	1,200,000		1,260,000
Total		1,071,000	1,294,000		1,395,000

⁸ Detailed information is available in the action plan designed for the implementation of the EU Acquis on intellectual property rights.

⁹ Financed by the project titled "Supporting Turkey for Improvement of the Implementation and Enforcement of the Industrial Rights – TR0702.14" under Pre Accession Financial Assistance 2007 Programme. This figure refers to the total project budget.

Table 7.2.3.3

(Euro)

Requirements (Ministry of Interior (Turkish National Police))	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training	2009	30,000			30,000
- Consultancy					
- Translation	2009	6,000			6,000
- Other					
Total		36,000			36,000

Priority 7.3 Continuing alignment and ensuring an effective enforcement of intellectual property rights

1 Schedule of legislative alignment

Table 7.3.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directives No. 98/44/EC and 2004/48/AT Regulation No. 816/2006	Patent and Utility Model Law	Further improvement of the harmonization of patent legislation with the EU, and regulating the issue of patent and utility model by a Law, which is regulated by a Decree Law. In this framework, legislation shall be enacted for effective protection of inventions based on biotechnological research and issuing compulsory license for the production of patented pharmaceutical products. Furthermore the provisions on civil measures and remedies will be aligned with the EU legislation.	Turkish Patent Institute Ministry of Justice	2009
2	Directive No. 89/104/EC and 2004/48/EC	Trademarks Law	Further improvement of the harmonization level of trademark legislation with the EU and regulating the issue of trademarks by a Law, which is regulated by a Decree Law. Furthermore the provisions on civil measures and remedies will be aligned with the EU legislation.	Turkish Patent Institute Ministry of Justice	2009
3	Directives No. 98/71/EC and 2004/48/EC	Law on Protection of Designs	Further improvement of the harmonization level of design legislation with the EU and regulating the issue of designs, which is regulated by a Decree Law. Furthermore, the provisions on civil measures and remedies will be aligned with the EU legislation.	Turkish Patent Institute Ministry of Justice	2009
4	Directive No. 2004/48/EC	Law Amending the Law No. 5747 on the Protection of Integrated Circuit Topographies	Harmonization of the provisions on civil measures and remedies with the EU legislation.	Turkish Patent Institute Ministry of Justice	2009

Table 7.3.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
5		Law Establishing the Turkish Patent Institution	Increasing the TPI's efficiency and its institutional capacity. It will also serve to establish an Industrial Property Academy with an objective of giving training to examiners, attorneys and private sector in cooperation with universities and R&D institutions.	Turkish Patent Institute	2009
6		Amendment to the Regulation on The Collecting Societies and Federations for the Authors of the Intellectual and Artistic Works and Related Rightholders	Enabling collective operation of all related collecting societies under one umbrella.	Ministry of Culture and Tourism	2009
7	Directives No. 2001/84/EC, 93/83/ EEC, 96/9/ EC, 2006/116/ EC, 91/250 EEC, 2006/115 EC, 2004/48/ EC, 2001/29/ EC	Law Amending Certain Articles of the Law No. 5846 on Intellectual and Artistic Works	Enabling full harmonisation of the Law no 5846 with the EU acquis.	Ministry of Culture and Tourism Ministry of Justice	2009-2010
8	Directive No. 98/44/EC Regulation No. 816/2006	Implementing Regulation on the Patent and Utility Model Law ¹⁰	Regulating detailed provisions for the implementation of Patent and Utility Model Law.	Turkish Patent Institute	2009
9	Directive No. 89/104/EEC Regulation No. 816/2006	Implementing Regulation on Trademarks Law ¹¹	Specifying the procedures and principles to be followed regarding the place, time, and arrangement of application documents for trademark registration application, which is identified in Trademarks Law, and concerning other applications on trademarks. It includes the principles, rules and requirements for the protection of trademarks eligible for registration.	Turkish Patent Institute	2009

¹⁰ It will be enacted after the adoption of Patent and Utility Model Law.

¹¹ It will be enacted after the adoption of Trademarks Law.

Table 7.3.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
10	Directive No. 98/71/EC	Implementing Regulation on the Law on Protection of Designs ¹²	Regulating detailed provisions for the implementation of the Law on Protection of Designs.	Turkish Patent Institute	2009
11	Directive No. 2006/115/AT	Implementing Regulation on the Renting and Lending of Intellectual and Artistic Works	Specifying the principles and the procedures for the use of the exclusive rights by the right holders concerning renting and lending.	Ministry of Culture and Tourism	2009
12	Directives No. 2001/84/EC, 93/83/ EEC, 96/9/ EC, 2006/116/ EC, 91/250 EEC, 2006/115 EC, 2004/48/ EC, 2001/29/ EC	Implementing Regulations on the Law Amending Certain Articles of the Law No. 5846 on Intellectual and Artistic Works ¹³	Regulating the implementation of the articles amending Law No5846.	Ministry of Culture and Tourism	2010

¹² It will be enacted after the adoption of the Law on Protection of Designs.

¹³ It will be enacted after the adoption of the Law No. 5846 on Intellectual and Artistic Works.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 7.3.2

No	Requirements	Year
(Ministry of Culture and Tourism, Directorate General of Copyright and Cinema)		
1	Reorganisation of Directorate General of Copyright and Cinema under Ministry of Culture and Tourism in order to ensure effective enforcement of intellectual property rights	2009
3	Establishing mechanisms for increasing coordination and cooperation between collecting societies.	2009
4	Supervising collecting societies on a regular basis	2009
5	Strengthening the infrastructure of the Ministry of Culture and Tourism and collecting societies with a view to enabling fair allocation of remuneration collected within the scope of 2. paragraph of Article 44 of the Law No. 5846 to the right holders	2009
6	Maintaining the functioning of Technical Committee for Intellectual Property Rights (quarterly on a regular basis)	2009 and Beyond
(Turkish Patent Institute)		
7	Establishment of Technical Committee for Industrial Property Rights and maintaining its activities (continuous activity)	2009 and Beyond
8	Increasing the TPI's institutional capacity	2009-2011
9	Increasing the public awareness on fight against counterfeiting and piracy (continuous activity)	2009-2011

3 Financial requirements and resources

Table 7.3.3

(Euro)

Requirements (Turkish Patent Institute)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
Recruiting 62 new examiners and 38 administrative staff ¹⁴	2009-2011	3,816,000			3,816,000
- Training					
Attending to seminars, study visits and workshops on implementation of IPRs.	2009-2011	162,000	243,000		405,000
- Consultancy					
Preparing a collection of the Turkish Courts' rulings on IPRs.	2009-2011		150,000		150,000
- Translation					
- Other					
Conferences and activities for increasing public awareness on industrial property rights and their infringement ¹⁵	2009-2011	3,200,000			3,200,000
Total		7,178,000	393,000		7,571,000

¹⁴ Law Establishing the Turkish Patent Institution is to be adopted as a prerequisite for meeting the personnel needs.

¹⁵ These figures indicate the total budget of the Department of Information, Documentation and IT for the period 2009-2011 involving all promotional activities including AP priorities. Exclusive budget limited to the priority can not be presented.

CHAPTER 8 COMPETITION POLICY

Priority 8.1 Adoption of a State Aid Law in line with the *acquis* requirements and setting up an operationally independent state aid monitoring authority able to fulfil existing transparency commitments

1 Schedule of legislative alignment

Table 8.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Articles 87-89 of the EC Treaty Regulation No. 659/1999	Law on State Aids ¹	Establishment of the system of monitoring supervision and economic coordination of state aids practices	The Institution to which the State Aid Monitoring and Supervision Authority will be established	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 8.1.2

No	Requirements	Year
(The Institution to which the State Aid Monitoring and Supervision Authority will be established)		
1	Capacity building concerning state aids within the institution to which the State Aid Monitoring and Supervision Authority will be affiliated.	2009

¹ It is also mentioned under "Priority 8.4 Ensuring transparency in the area of state aid in line with existing bilateral commitments. Informing the Community of all aid schemes in force and notifying in advance any individual aid to be granted"

3 Financial requirements and resources

Table 8.1.3

(Euro)

Requirements (The Institution to which the State Aid Monitoring and Supervision Authority will be established)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training					
Study visits to member states	2009-2010		30,000		30,000
- Consultancy					
Consultancy for improving the institutional capacity regarding state aids and for training of the institutions providing state aid	2010-2012		1,000,000		1,000,000
- Translation					
- Other					
Total			1,030,000		1,030,000

Priority 8.2 Finalisation and adoption of the National Steel Restructuring Programme in line with EU requirements

1 Schedule of legislative alignment

Table 8.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Turkey – ECSC Free Trade Agreement	National Restructuring Program for Iron and Steel Sector	Aligning the state aids granted to the iron and steel sector as from 2001 with provisions of Turkey – ECSC Free Trade Agreement, and ensuring compliance of future state aids to be granted to the sector with the EU	Undersecretariat for Foreign Trade Ministry of Industry and Trade Undersecretariat of State Planning Organization Undersecretariat of Treasury	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

Priority 8.3 Alignment of secondary legislation in the state aid field

1 Schedule of legislative alignment

Table 8.3.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Regulations No. 659/1999, 794/2004, 1998/2006, 68/2001, 70/2001, 1407/2002 and 2204/2002. Commission Guidelines No. 2001/C 37/03 and 2006/C 194/02. Commission Notices No. 98/C 384/03, 98/C 39/02 and 2000/C 71/07. Commission Communications No. 97/C 209/03, 97/C 281/03, 2002/C 043/04, 2001/C320/04, 2002 /C 70/05 and 2004/C244/02 Commission Directive No. 80/723/EEC Community Frameworks No. 2003/C 317/06, 2006/C323/01 and 2005/C297/04.	Secondary Legislation regarding State Aid Monitoring ²	With a view to enabling the functioning of state aid monitoring and supervision mechanism, enacting approximately 25-30 secondary legislation concerning state aids for SMEs, environment, R&D, employment, regional aids, etc. following the entry into force of the Draft Law on State Aids.	The Institution to which the State Aid Monitoring and Supervision Authority will be established	2009-2011

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Institutional capacity building requirement is mentioned in Table 8.1.2.

3 Financial requirements and resources

Financial requirement is mentioned in Table 8.1.3.

² It will be enacted after the adoption of Law on State Aids.

Priority 8.4 Ensuring transparency in the area of state aid in line with existing bilateral commitments. Informing the Community of all aid schemes in force and notifying in advance any individual aid to be granted

1 Schedule of legislative alignment

Table 8.4.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Articles 87-89 of the EC Treaty Regulation No. 659/1999	Law on State Aids ³	Establishment of the system of monitoring supervision and economic coordination of state aids practices	The Institution to which the State Aid Monitoring and Supervision Authority will be established	2009
2	Directive No.2006/111/EC	Law on Governance of State Economic Enterprises	Ensuring the relations between public administrations and public enterprises to be transparent	Undersecretariat of Treasury	2009-2010

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Institutional capacity building requirements envisaged under this priority are mentioned in Table 8.1.2.

3 Financial requirements and resources

Financial requirements envisaged under this priority are mentioned in Table 8.1.3.

³ It is also mentioned under “Priority 8.1 Adoption of a State Aid Law in line with the acquis requirements and setting up an operationally independent state aid monitoring authority able to fulfil existing transparency commitments”

CHAPTER 9 FINANCIAL SERVICES

Priority 9.1 Continuing alignment with the new capital requirements for credit institutions and investment firms and with the other related directives (deposit guarantee scheme, winding up and reorganisation, financial conglomerates, bank accounts)

1 Schedule of legislative alignment

Table 9.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 84/641/EEC	Communiqué on the Implementing Principles of Tourist Assistance Insurance	Identification of Tourist Assistance Insurance rules	Undersecretariat of Treasury	2009
2	Directive No. 2003/41/EEC	Implementing Regulation on the Actuarial Supervision of Occupational Pension Plans Established within Supplementary Trusts and Provident Funds	Regulation regarding the rules and regulations on the actuarial supervision of occupational pension plans established within supplementary trusts and provident funds	Undersecretariat of Treasury	2009
3	Directive No. 84/5/EEC	Council of Ministers' Decision on Guarantee Fund Cover for Physical Damages Arising from Traffic Accidents with Serious Physical Injury	Including physical damages arising from traffic accidents with serious bodily injuries among traditional payments of the Guarantee Fund corresponding Compulsory Third Party Liability Insurance for Highway Motor Vehicles	Undersecretariat of Treasury	After 2011 ¹

¹ In current practice, only physical injuries are covered within the context of the traditional functions of the Guarantee Fund. Covering the damage to property at the same time may cause not allocating adequate funds for physical injuries which is the main objective of this Fund.

Table 9.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
4	Directive No. 72/166/EEC	Law Amending the Road Traffic Law	Making more flexible checks removing systematic checks on insurance within Turkey's borders concerning Compulsory Third Party Liability Insurance for Highway Motor Vehicles	Undersecretariat of Treasury	After 2011 ²
5	Directive No. 84/5/EEC	Implementing Regulation on Implementing Principles for the tariffs of Compulsory Third Party Liability Insurance for Highway Motor Vehicles	Increasing the minimum limits of coverage for Motor Insurance	Undersecretariat of Treasury	To be considered within the framework of full membership perspective ³
6	Directive No. 2000/26/EC	Implementing Regulation on Establishment of Certain Institutions Regarding Compulsory Third Party Liability Insurance for Highway Motor Vehicles	Transfer of certain institutions that exist in EU regarding Motor Insurance for Highway Motor Vehicles to our national insurance legislation	Undersecretariat of Treasury	After 2011 ⁴

² In the EU, within the scope of the chapters such as free movement of goods, services and persons, non-systematic checks on motor insurance at the border can only be applied in the accession process. According to the system established by the EU Acquis, motor insurance provides coverage for travelling across Member States and member states citizens. Without our membership to the EU, in other words, without falling under the coverage for this insurance, removing systematic checks on motor insurance at the border may result in uninsured entrances to our country.

³ Increasing the minimum limits of coverage for Motor Insurance gradually during the accession period is a necessity for our insurance sector. The difference between the minimum limits of coverage foreseen by the Directives and the minimum limits of coverage in our sector is not at a negligible level. Therefore, it is not possible for our sector to apply such coverage at once.

⁴ In the EU, within the scope of the chapters such as free movement of goods, services and persons, the precondition of the system established to provide easier coverage for visiting victims is being a member of the EU. Because that system requires international reciprocity and cooperation regarding handling of the claims within the scope of the EU Acquis, Otherwise, even if we establish claims institutions to protect the rights of tourists who travel from our country to EU Member States, these institutions will not be recognized by the Member States.

Table 9.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
7	Directives No. 2002/83/EC, 73/239/EEC, 73/240/EEC, 88/357/EEC, 90/618/EEC, 92/49/EEC, 95/26/EC and 2000/64/EC	Law Amending the Insurance Law ⁵	Harmonization with rules such as the EU passport and Home Member State supervision.	Undersecretariat of Treasury	⁶
8	Directives No. 2002/83/EC, 73/239/EEC, 73/240/EEC, 88/357/EEC, 90/618/EEC, 92/49/EEC, 95/26/EC, 2000/64/EC, 2005/68/EC, 64/225/EEC and 87/334/EEC	Implementing Regulation Amending the Implementing Regulation on the Establishment and Operation Principles of Insurance and Reinsurance Companies ⁷	Harmonization with rules such as the EU passport and Home Member State supervision.	Undersecretariat of Treasury	⁸
9	Directives No. 2002/83/EC, 73/239/EEC, 73/240/EEC, 88/357/EEC, 90/618/EEC, 92/49/EEC, 95/26/EC and 2000/64/EC	Decision of Council of Ministers on the Operation of Foreign Insurance and Reinsurance Companies in Turkey ⁹	Harmonization with rules such as the EU passport and Home Member State supervision. ¹⁰	Undersecretariat of Treasury	¹¹

⁵ It is also mentioned under "Priority 4.1 Continuing to remove restrictions affecting foreign direct investments originating from the EU".

⁶ Required arrangements for legislative alignment will be made two years prior to membership and enter into force upon accession.

⁷ It is also mentioned under "Priority 4.1 Continuing to remove restrictions affecting foreign direct investments originating from the EU".

⁸ Required arrangements for legislative alignment will be made two years prior to membership and enter into force upon accession.

⁹ It is also mentioned under "Priority 4.1 Continuing to remove restrictions affecting foreign direct investments originating from the EU".

¹⁰ In order to make the necessary amendments regarding the acceptance of EU Passport principle rapidly, devolution of authority is given to the Council of Ministers to determine the rules and regulations on the Operation of Foreign Insurance and Reinsurance Companies in Turkey with Article 3 of the Insurance Law No.5684.

¹¹ Required arrangements for legislative alignment will be made two years prior to membership and enter into force upon accession.

Table 9.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
10	Directives No. 2001/24/EC and 94/19/EC	Amendment to the Banking Law No. 5411	Providing stability and confidence in financial markets which is the general aim of the law, enabling effective functioning of credit system and protecting rights and interests of savers.	Savings Deposit Insurance Fund	2009-2010
11	Directive No. 94/19/EC	Implementing Regulation on Deposits subject to Insurance and the Premium to be Collected by the Savings Deposit Insurance Fund ¹²	-Inclusion of legal persons to the types of deposits and profit sharing funds subject to insurance. -Re-specification of the types of deposits and profit sharing fund accounts to be excluded from the scope of insurance. - Harmonization of the scope of deposits subject to insurance by considering the home-host relation that has been applied in the framework of the EU banking directives	Savings Deposit Insurance Fund	2010
12	Directives No. 2001/24/EC and 94/19/EC	Implementing Regulation on the Procedures and Principles regarding the Payment of Insured Deposits and Profit Sharing Funds in the Banks, Official Authorization of which have been Revoked, and on the Bankruptcy and Liquidation of such Banks ¹³	Increasing the confidence in the banking system by elaborating the steps taken in paying the insured deposits in a bank, the official authorization of which has been revoked, and the liquidation of such bank.	Savings Deposit Insurance Fund	2010
13	Directive No. 94/19/EC	Amendment to the Implementing Regulation on the Sources of the SDIF and the Use of these Sources ¹⁴	Harmonizing sources of the Fund and the use of these sources with the EU directives and reviewing in accordance with foreseen amendments in legislation.	Savings Deposit Insurance Fund	2010

¹² It will be enacted after the adoption of Law Amending the Banking Law No. 5411 (Table 9.1.1, Line 14)

¹³ It will be enacted after the adoption of Law Amending the Banking Law No. 5411 (Table 9.1.1, Line 14)

¹⁴ It will be enacted after the adoption of Law Amending the Banking Law No. 5411 (Table 9.1.1, Line 14)

Table 9.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
14	Directive No. 2002/87/EC	Law on Consolidated Supervision of Financial Conglomerates	Ensuring coordination among administrations which are in charge of the supervision of conglomerates. (Specification of procedures and principles on the financial conglomerates by Banking Regulation and Supervision Agency, Undersecretariat of Treasury and Capital Markets Board, because regulated entities in financial conglomerates, credit institutions, insurance undertakings and investment firms are regulated and supervised by different authorities in Turkey.)	Banking Regulation and Supervision Agency, Undersecretariat of Treasury, Capital Markets Board	After 2011
15	Directives No. 2006/48/EC and 2006/49/EC	Implementing Regulation Amending the Implementing Regulation on Banks' Internal Systems	Making the principles of proportionality and significance operative, enhancing the risk management responsibilities of boards of directors, defining risk management principles (regarding counter party risk, market risk, liquidity risk, operational risk, interest rate risks in banking accounts, and country and transfer risks) and measures to be taken by banks against such risks, establishing principles and processes regarding data collection and reporting in risk management.	Banking Regulation and Supervision Agency	2009
16	Directives No.2006/48/EC and 2006/49/EC	Implementing Regulation on Measurement and Assessment of Capital Adequacy of Banks	Harmonization with the Capital Measurement and Capital Standards (Basel II) established by the Basel Banking Supervision Committee and adapted to the EU acquis by the mentioned directives	Banking Regulation and Supervision Agency	2009
17	Directives No.98/26/EC and 2000/46/EC	Payment Systems Law ¹⁵	Specification of procedures and principles on electronic money institutions. Ensuring that netting and settlement are final and irrevocable in the payment systems.	The Central Bank of the Republic of Turkey	2009-2011

¹⁵ It is also mentioned under "Priority 4.2 Starting to align payment systems legislation with the acquis

Table 9.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
18	Directive 2006/49/EC	Amendment to the Communiqué Regarding the Capital and Capital Adequacy of Brokerage Firms	Alignment with EU legislation on capital adequacy. (Since it is necessary in this respect to ensure the consistency of the regulations with regard to banks and brokerage houses, it will be enacted after the adoption of Implementing Regulation on Banks' Capital Adequacy)	Capital Markets Board	2010-2011

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation**Table 9.1.2**

No	Requirements	Year
(Banking Regulation and Supervision Agency)		
1	Ensuring that all experts and sworn bank auditors in audit and risk management departments attend necessary educational and consultancy services regarding risk focused supervision and Basel II applications	2009
2	Ensuring that experts and sworn bank auditors in audit and risk management departments obtain internationally accepted certificates	2009-2011
3	Setting up infrastructure for risk focused supervision and Basel II	2009

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

Priority 9.2 Strengthening prudential and supervisory standards both in banking and in the non-bank financial sector including establishment of an independent regulatory and supervisory authority

On the other hand, 2008 Accession Partnership Document signifies “establishment of an independent regulatory and supervisory authority in the insurance and pension sector within the scope of the second priority under the chapter “Financial Services””. As known, insurance sector in Turkey is being regulated and supervised by Undersecretariat of Treasury. Regulation of the insurance sector and implementation and surveillance of corresponding policies are being carried out by Directorate General of Insurance under Undersecretariat of Treasury whereas the supervision task is being performed by Insurance Supervisory Board. Both units are affiliated to and operate under Undersecretariat of Treasury in order to provide maximum harmonization between regulation and supervision. Expert Supervisors and actuaries that are supervisory staff of the Insurance Supervisory Board are being appointed upon joint decision and any authority can not give them instructions concerning supervision. From this aspect, supervisory staff is independent on their supervision. Therefore, any legislative measure has not been stated in the tables regarding “establishment of an independent regulatory and supervisory authority in the insurance and pension sector”.

1 Schedule of legislative alignment

Table 9.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 2003/125/EC	Communiqué on the Principles Concerning Presentation of Financial Recommendations and Disclosure of Conflicts of Interest	Alignment with EU legislation on the presentation of financial recommendations.	Capital Markets Board	2009
2	Directives No. 2004/109/EC, 2003/6/EC, 2003/124/EC and 2004/72/EC	Amendment to the Communiqué on Principles Regarding Public Disclosure of Material Events	Alignment with EU legislation on market abuse and transparency requirements in public disclosure by publicly held companies.	Capital Markets Board	2009
3	Directive 91/674/EEC	Communiqué regarding Preparation of Consolidated Financial Statements	Specification of the rules in drawing up consolidated financial statements	Undersecretariat of Treasury	2009

Table 9.2.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
4	Directives No. 85/611/EEC, 97/9/EC, 2003/6/EC, 2003/71/EC, 2004/39/EC and 2004/109/EC	Capital Markets Law ¹⁶	<p>Ensuring the legislation on capital markets is ready for membership by drawing up a law and related communiqués harmonised with EU legislation after the adoption of Turkish Commercial Code.</p> <p>(EU legislations on issues such as prospectus requirements, collective investment institutions and investment services adopt the single passport principle. In case of provisions such as the single passport rule, alignment shall be achieved by taking into account reciprocity and third country rules. In cases where amendments in the Law create an undue burden on markets, programs and transition periods shall be adopted for the gradual completion of amendments. Full alignment in this context shall be achieved one year prior to full membership; however the related provisions shall enter into force upon full membership. Amendments in secondary regulations on issues covered by the Capital Markets Law shall also be completed in this context)</p>	Capital Markets Board	2009

¹⁶ It is also mentioned under “Priority 6.3 Strengthening disclosure requirements. In particular, adoption of a general requirement for companies to file audited legal entity and consolidated financial statements in order to make them publicly available”.

Table 9.2.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
5	Directives No. 2001/34/EC and 2004/39/EC	Law Amending the Decree Law No.91 on Stock Exchanges ¹⁷	<p>Alignment with EU legislation on exchanges.</p> <p>(In cases where EU legislation on exchanges includes provisions that can only be implemented upon full membership, such as provisions based on the single passport principle, alignment shall be achieved by taking into account reciprocity and third country rules. In cases where amendments create an undue burden on markets, programs and transition periods shall be adopted for the gradual completion of amendments. Full alignment in this context shall be achieved one year prior to full membership; however the related provisions shall enter into force upon full membership. Amendments in secondary regulations in relation to exchanges shall also be completed in this context)</p>	Capital Markets Board	2009-2010

¹⁷ It is also mentioned under “Priority 4.1 Continuing to remove restrictions affecting foreign direct investments originating from the EU”

Table 9.2.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
6	Directive No. 2003/71/EC	Amendment to the Communiqué on the Principles Regarding Issuers' Exemption Conditions and Deregistration from the Board ¹⁸	Alignment with EU legislation on prospectus requirements in public offerings	Capital Markets Board	2010
7	Directive 2003/71/EC and Regulation (EC) No. 809/2004	Amendment to the Communiqués on Principles Regarding Registration with the Board and Sale of Securities ¹⁹	Alignment with EU legislation on prospectus requirements in public offerings	Capital Markets Board	2010
8	Directives No. 2004/109/EC, 2003/6/EC, 2003/124/EC and 2004/72/EC	Amendment to the Communiqué on Principles Regarding Public Disclosure of Material Events ²⁰	Alignment with EU legislation on market abuse and transparency requirements in public disclosure by publicly held companies.	Capital Markets Board	2010
9	Directives No. 2003/6/EC and 2003/124/EC	Communiqué on the Principles in relation to the Identification of Manipulative Orders and Operations, and Accepted Market Practices ²¹	Alignment with EU legislation on market abuse.	Capital Markets Board	2010
10	Directive 2003/6/EC Regulation No. 2273/2003	Communiqué on Exemptions for Buy-Back Programs and Maintaining the Price Stability of Financial Instruments ²²	Alignment with EU legislation on market abuse, buy-back programs and price stability.	Capital Markets Board	2010

¹⁸ Related studies are going to be carried out in parallel with amendments after the new Capital Markets Law enters into force.

¹⁹ Related studies are going to be carried out in parallel with amendments after the new Capital Markets Law enters into force.

²⁰ Related studies are going to be carried out in parallel with amendments after the new Capital Markets Law enters into force.

²¹ Related studies are going to be carried out in parallel with amendments after the new Capital Markets Law enters into force.

²² Related studies are going to be carried out in parallel with amendments after the new Turkish Commercial Code and Capital Markets Law enters into force.

Table 9.2.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
11	Directives 2001/34/EC and 2004/39/EC Regulation No 1287/2006	Amendments to Implementing Regulations on Exchanges ^{23 24}	Alignment with EU legislation on investment services and exchanges.	Capital Markets Board	2010
12	Directives 2004/39/EC and 2006/73/EC Regulation No 1287/2006	Amendment to the Communiqué Series V.,No. 46 on Principles Regarding Intermediary Activities and Intermediary Institutions ^{25 26}	Alignment with EU legislation on investment services and markets	Capital Markets Board	2010
13	Directive No. 85/611/EEC	Amendment to the Communiqué on Principles Regarding Investment Funds ²⁷	Alignment with EU legislation on collective investment undertakings.	Capital Markets Board	2010
14	Directive 85/611/EEC	Amendment to the Communiqué Regarding Principles and Rules Concerning Financial Statements and Reports of Investment Funds ²⁸	Alignment with EU legislation on collective investment undertakings.	Capital Markets Board	2010
15	Directives No. 85/611/EEC, 2004/39/EC and 2006/73/EC	Amendment to the Communiqué on Principles Regarding Portfolio Management Activity and the Institutions to Undertake this Activity ²⁹	Alignment with EU legislation on portfolio management in the scope of collective investment undertakings and investment services	Capital Markets Board	2010

²³ It is also mentioned under “Priority 4.1 Continuing to remove restrictions affecting foreign direct investments originating from the EU”

²⁴ Related studies are going to be carried out in parallel with amendments after the adoption of new Capital Markets Law and amendments in the Decree Law No 91.

²⁵ It is also mentioned under “Priority 4.1 Continuing to remove restrictions affecting foreign direct investments originating from the EU”

²⁶ Related studies are going to be carried out in parallel with amendments after the new Capital Markets Law enters into force.

²⁷ Related studies are going to be carried out in parallel with amendments after the new Capital Markets Law enters into force.

²⁸ Related studies are going to be carried out in parallel with amendments after the new Capital Markets Law enters into force.

²⁹ Related studies are going to be carried out in parallel with amendments after the new Capital Markets Law enters into force.

Table 9.2.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
16	Directives 2004/39/EC and 2006/73/EC	Amendment to the Communiqué Regarding Principles on Investment Advice and Institutions Engaging in Investment Advice ³⁰	Alignment with EU legislation on investment advice in the scope of investment services and markets	Capital Markets Board	2010
17	Directives No. 98/26/EC and 2002/47/EC	Amendment to the Capital Markets Law	Shall be done, if necessary after the enactment of the Payment Systems Law by the Central Bank to ensure that legislation on capital markets is ready for accession by drawing up a law harmonised with EU legislation concerning payment systems and financial collateral.	Capital Markets Board	After 2011
18	Directive No. 97/9/EC	Implementing Regulation on the Investor Protection Fund ³¹	Alignment with EU legislation on investor compensation.	Capital Markets Board	After 2011
19	Directive No. 97/9/EC	Amendment to the Implementing Regulation on the Gradual Liquidation of Intermediary Institutions ³²	Alignment with EU legislation on investor compensation in relation to gradual liquidation.	Capital Markets Board	After 2011

³⁰ Related studies are going to be carried out in parallel with amendments after the new Capital Markets Law enters into force.

³¹ Related studies are going to be carried out in parallel with amendments after the new Capital Markets Law enters into force.

³² Related studies are going to be carried out in parallel with amendments after the new Capital Markets Law enters into force.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 9.2.2

No	Requirements	Year
(Capital Markets Board)		
1	Completion of project activities with the objective of legislative alignment and establishing implementing measures ³³	2009-2011

3 Financial requirements and resources

Table 9.2.3

(Euro)

Requirements (Capital Markets Board)	Year	National Budget	EU sources	Other	Total
I- Investment	2009-2011	324,000	972,000		1,296,000
II- Legislative approximation and implementation					
- Personnel					
- Training	2009-2011	18,081	289,548		307,629
- Consultancy	2009-2011	228,454	2,456,176		2,684,630
- Translation	2009-2011	4,909	76,278		81,187
- Other					
Total		575,444	3,794,002		4,369,446

³³ Refers to the activities envisaged within the scope of financial services components of the projects titled "Strengthening the Capital Markets Board (CMB)- TR 08 02 07" under Pre-Accession Financial Assistance 2008 Programme and "Strengthening Supervisory Capacity of Capital Markets Board" under SEI. Financial requirements with regard to both projects are provided for in Table 9.2.3.

CHAPTER 10 INFORMATION SOCIETY AND MEDIA

Priority 10.1 Completing the adoption and implementation of the key "starting conditions" for the 2002 EU regulatory framework

1 Schedule of legislative alignment

Table 10.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive 2002/20/EC	Implementing Regulation Amending the Implementing Regulation on Telecommunications Service and Infrastructure concerning Amendment to Title and Scope of Annex A-11 "Broadband Fixed Wireless Access Services" as "Broadband Wireless Access Services"	Identification of the procedures and principles regarding the provision of broadband wireless access on voice and data services and setting of strategic approach and evaluation concerning authorization of these services.	Information Technologies and Communications Authority	2009
2	Directive No. 2002/19/EC and 2002/20/EC	Implementing Regulation on Authorization of Mobile Virtual Network Services	Mobile Virtual Network Services: provision of mobile phone and value added telecommunications services to the subscribers by the operator with its own trademark without any frequency band allocated to itself through the infrastructure of the operators that signed a concession agreement with the Authority to provide mobile telecommunication services.	Information Technologies and Communications Authority	2009
3	Directive No. 2002/20/EC	Implementing Regulation on Authorization regarding the Electronic Communications Sector	Identification of the procedures and principles regarding authorizations.	Information Technologies and Communications Authority	2009

Table 10.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
4	Directive No. 2002/20/EC	Implementing Regulation Amending the Implementing Regulation on Authorization regarding Telecommunication Services and Infrastructure” concerning IMT-2000/UMTS Services and Infrastructure	Improvement and extensive use of mobile broadband applications, and identification of the applicable procedures and principles regarding the delivery of these services.	Information Technologies and Communications Authority	2009
5	Directive No. 2002/20/EC	Implementing Regulation Amending the Implementing Regulation on Telecommunication Services and Infrastructure” concerning Terrestrial Digital Platform Services	In parallel to convergence of technology and services, it is aimed to identify the procedures and principles for the use of the relevant infrastructure of terrestrial digital platform services operators in addition to (DVB-T) Terrestrial Digital Television Broadcasting and description / authorization of such service.	Information Technologies and Communications Authority Radio and Television Supreme Council	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

Priority 10.2 Continuing alignment of legislation in the field of audio-visual policy, in particular with regard to the Television without Frontiers directive

1 Schedule of legislative alignment

Table 10.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 89/552/EEC and 2007/65/EC	Law Amending the Law No. 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts	Definitions, Jurisdiction, Major events, Short reporting, Promotion of independent works, Scope (on-demand audiovisual media service), Broadcasting principles, European works, creation of legal basis for granting of licenses and digital broadcasting, regulating freedom of reception and transmission and retransmission, regulating advertising windows	Radio and Television Supreme Council	2009-2010
2	Directive No. 89/552/EEC and 2007/65/EC	Implementing Regulation on Broadcasting Principles and Procedures for Radio and TV ¹	Amendment to Implementing Regulation in line with the amendments on Law no. 3984	Radio and Television Supreme Council	2010
3	Directive No. 89/552/EEC and 2007/65/EC	Amendment to the Implementing Regulation on Administrative and Financial Provisions of Private Radio and TV Enterprises ²	Amendment to Implementing Regulation in line with the amendments on Law no. 3984	Radio and Television Supreme Council	2010
4	Directive No. 89/552/EEC and 2007/65/EC	Amendment to the Implementing Regulation on Provisions for Channel and Frequency Allocation to Radio and TV Enterprises and Relevant Tender Procedures; Broadcasting License and Permit ³	Amendment to Implementing Regulation in line with the amendments on Law no. 3984	Radio and Television Supreme Council	2010

¹ It will be enacted after the adoption of the Law Amending the Law No. 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts.

² It will be enacted after the adoption of the Law Amending the Law No. 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts.

³ It will be enacted after the adoption of the Law Amending the Law No. 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts.

Table 10.2.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
5	Directive No. 89/552/EEC and 2007/65/EC	Implementing Regulation on Smart Signs ⁴	Introduction of an Implementing Regulation on Smart Signs to be enacted in line with the amendments on Law no. 3984	Radio and Television Supreme Council	2010
6	Directive No. 89/552/EEC and 2007/65/EC	Amendment to the Implementing Regulation on Satellite Broadcast License & Permit ⁵	Amendment to Implementing Regulation in line with the amendments on Law no. 3984	Radio and Television Supreme Council	2010
7	Directive No. 89/552/EEC and 2007/65/EC	Amendment to the Implementing Regulation on Radio and Television Supreme Council Cable Broadcast License & Permit ⁶	Amendment to Implementing Regulation in line with the amendments on Law no. 3984	Radio and Television Supreme Council	2010
8	Article 12 of the EC Treaty	Amendment to the Law No. 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts ⁷	Improvement of regulations restricting the activities of foreign real or legal persons in the sector.	Radio and Television Supreme Council	2010
9	Article 12 of the EC Treaty	Amendment to the Law No. 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts ⁸	Removal of restrictions to foreign capital.	Radio and Television Supreme Council	⁹

⁴ It will be enacted after the adoption of the Law Amending the Law No. 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts.

⁵ It will be enacted after the adoption of the Law Amending the Law No. 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts.

⁶ It will be enacted after the adoption of the Law Amending the Law No. 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts.

⁷ It is also mentioned under the "Priority 4.1 Continuing to remove restrictions affecting foreign direct investments originating from the EU"

⁸ It is also mentioned under the "Priority 4.1 Continuing to remove restrictions affecting foreign direct investments originating from the EU"

⁹ Required arrangements for legislative alignment will be made two years prior to membership and enter into force upon accession.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 10.2.2

No	Requirements	Year
(Radio and Television Supreme Council)		
1	Establishment of a Forum of Consultation with public including Broadcasters; - To have exchange of views and opinions on the RTUK decisions - To ensure the public participation in the regulatory process (Radio-TV broadcasters will be invited to the Forum which will meet regularly. The Forum will be open to all audiovisual media service providers upon the enactment of the new law.)	2009
2	Reinforcement of the practices for transparency (share the council decisions with the Public)	2009
3	Structuring and reinforcement of the current unit as a separate body in order to follow more effectively the EU acquis harmonisation studies	2010
4	Establishment of a separate unit within Monitoring and Evaluation Department in order to implement more effectively the Smart Signs System that was initiated within the context of the Protection of Minors principle	2010
5	Establishment of an effective Institutional Relations Management Unit that will transmit appreciations, complaints and problems of the society and broadcasters regarding the radio and TV broadcasts via different communication channels	2010

3 Financial requirements and resources

Table 10.2.3

(Euro)

Requirements (Radio and Television Supreme Council)	Year	National Budget	EU sources	Other	Total
I- Investment					
Procurement of equipment and hardware for newly established units.	2008-2009	7,085,000			7,085,000
II- Legislative approximation and implementation					
- Personnel					
Recruitment of 20 personnel	2008-2009	700,000			700,000
- Training	2008-2010	10,000		400,000 ¹⁰	500,000
- Consultancy	2008-2009		10,000		10,000
- Translation	2008-2009	15,000			15,000
- Other					
Total		7,810,000	10,000	400,000	8,220,000

¹⁰A project is envisaged to be submitted under Turkey-Netherlands Bilateral Co-operation Programme.

Priority 10.3 Continuing the transposition and implementation of the acquis in the electronic communications area and prepare for full liberalisation of the markets

1 Schedule of legislative alignment

Table 10.3.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 2002/22/EC	Decision of Council of Ministers to be adopted in accordance with Article 5 of Law No. 5369 on Provision of Universal Services and Amendment to Certain Laws	Aligning legislative measures on inclusion of services relating to extension of information technologies including computer literacy and services relating to digital publishing within the scope of universal services with the relevant directives of EU.	Ministry of Transport	To be enacted within the framework of full membership perspective
2	Directive No. 2002/22/EC Commission Recommendation No. 2003/558/EC	Law on Provision of Emergency Services	Enabling 112 Emergency Call Number to provide services not only in the field of healthcare, but in all cases of emergency such as security, fire and natural disasters.	Ministry of Interior	2009-2010

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 10.3.2

No	Requirements	Year
(Ministry of Interior)		
1	Establishment of a separate unit under the Ministry of Interior, Directorate General of Provincial Administrations with the aim of ensuring coordination in the field of emergency services in Turkey,	2008-2009
2	After the pilot implementation ¹¹ establishment of separate units responsible for the execution of emergency services in each province	2010-2011
3	Enhancement of the institutional capacity, through consultancy and training on the provision of emergency services	2010-2011

¹¹ Pilot implementation first started in Antalya and Isparta, and training of the 22 personnel was concluded within the framework of the MATRA Programme financed by the bilateral cooperation with the Netherlands. These trainings which are in the form of training of trainers are expected to be finalized at the end of 2008, date of finalization of the project. After the end-up of the project, trainers will provide training in other provinces.

3 Financial requirements and resources

Table 10.3.3

(Euro)

Requirements (Ministry of Interior)	Year	National Budget	EU sources	Other	Total
I- Investment					
Establishment of emergency service units in the provinces and purchase of equipment ^{12 13}	2008-2011	5,000,000			5,000,000
II- Legislative approximation and implementation					
- Personnel					
- Training					
Training of the personnel to be employed in the provinces on the provision of the emergency services; study visits to experience best practices ¹⁴	2008-2011	530,000			530,000
- Consultancy					
Establishment of emergency service system in provinces and sustainability of the service	2009-2011			200,000 ¹⁵	200,000
- Translation					
Simultaneous interpretation and translation of the documents during training	2008-2009	265,000			265,000
- Other					
Total		5.795.000		200,000	5,995,000

¹² Some of the expenditures to be made within the scope of investment will be compensated by the budgets of Special Provincial Administrations however these amounts are not clear yet.

¹³ The tender pertinent to Work of Establishing Infrastructure for Computer Assisted Referral and Management System for 112 Emergency Assistance has been held on 25.12.2007, and the contract was signed on 04.04.2008 with Aselsan Inc. As the software purchased for Antalya and Isparta will be used in the other provinces too, there is no need to buy a separate software

¹⁴ As a counterpart of the pilot province implementation, study visits for the personnel to be employed in other provinces in various countries to witness the best practices and training by representatives of the institutions that are responsible for the implementation of the emergency services in Europe in the selected provinces are envisaged.

¹⁵ The project on dissemination of 112 Emergency Service Project under Turkey- Netherlands Bilateral Cooperation to other provinces was adopted.

Priority 10.4 Strengthening the independence and administrative capacity of the regulatory authority

1 Schedule of legislative alignment

Table 10.4.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 89/552/EEC and 2007/65/EC	Law Amending the Law No. 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts ¹⁶	Allocation of frequencies and granting of licenses in line with frequency planning in order to ensure efficient utilisation of scarce resources for general interest in the field of terrestrial broadcasting	Radio and Television Supreme Council	2011

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 10.4.2

No	Requirements	Year
(Radio and Television Supreme Council)		
1	Activating the function of Radio and Television Supreme Council	2012

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

¹⁶ Implementation of the legislative amendment mentioned in the first line of Table 10.3.1

CHAPTER 11 AGRICULTURE AND RURAL DEVELOPMENT

Priority 11.1 Establishment of an IPARD agency (Instrument for Pre-accession Assistance Rural Development Component) accredited in compliance with EU requirements

Law No. 5648 on Establishment and Duties of Agriculture and Rural Development Support Institution was published in the Official Gazette on 18 May 2007 and entered into force. Law No. 5818 amending the mentioned Law was published in the Official Gazette on 5 December 2008 and entered into force.

1 Schedule of legislative alignment

Table 11.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Regulation No. 1698/2005, 1085/2006, 718/2007 and 1974/2006	Implementing Regulation on Tasks and Working Rules and Principles of the Managing Authority for the Instrument for Pre-accession Assistance Rural Development Programme	Identification of the procedures and principles regarding the Managing Authority task of Ministry of Agriculture and Rural Affairs for rural development component in the framework of sectoral agreement	Ministry of Agriculture and Rural Affairs	2009
2	Regulation No. 1698/2005, 1085/2006, 718/2007 and 1974/2006	Implementing Regulation on Formation and Working Rules and Procedures of the Monitoring Committee for the Instrument for Pre-accession Assistance Rural Development Programme	Identification of the structure and working rules and procedures of Monitoring Committee which is in charge of monitoring, evaluation and reporting for implementation of Rural Development Programme prepared under IPARD	Ministry of Agriculture and Rural Affairs	2009
3	Regulation No.885/2006, 1663/95, 2222/2000, 1085/2006 and 718/2007 Draft IPA Framework Agreement and IPARD Sectoral Agreement.	Implementing Regulation on the Procedures and Principles concerning the Accreditation of the Agriculture and Rural Development Support Institution and Implementation of the Accreditation Criteria ¹	Identification of procedures and principles concerning accreditation and accreditation criteria and their sustainability according to extended decentralised implementation system envisaged under IPARD	Ministry of Agriculture and Rural Affairs	2009

¹ It will be enacted after IPARD Sectoral Agreement is signed.

Table 11.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
4	Regulation No.1290/2005, 1698/2005, 1085/2006 and 718/2007 Draft IPA Framework Agreement and IPARD Sectoral Agreement.	Implementing Regulation on Other Financial Issues within the scope of the Financial Assistance provided by the European Union ²	Regulation of the issues such as interest, payout variations and clearance of accounts concerning financial assistance that Agriculture and Rural Development Support Institution will use under this component within the scope of the extended decentralised implementation system envisaged under IPARD	Ministry of Agriculture and Rural Affairs	2009

² It will be enacted after IPARD Sectoral Agreement is signed.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 11.1.2

No	Requirements	Year
(Ministry of Agriculture and Rural Affairs)		
1	Setting up the software programme to be used by Agriculture and Rural Development Support Institution	2009

3 Financial requirements and resources

Table 11.1.3

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs) ³	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training					
Training on software programme	2009		6,000		6,000
Training on the system	2009		11,902		11,902
- Consultancy					
- Translation					
- Other					
Preparation of documents (under information component)	2009		86,282		86,282
Total			104,184		104,184

³ Financed by the project titled "Establishment of an IPA Rural development paying agency- TR 05.03.05" under Pre-Accession Financial 2005 Programme

Priority 11.2 Continuing developing the system of land identification and the National Farmer Registration System to prepare for controls on agricultural land

1 Schedule of legislative alignment

Table 11.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Regulation No. 1782/2003	Implementing Regulation on Integrated Administration and Control System (IACS)	Establishment of a system covering the mechanisms formed with a view to manage and control of agricultural planning and supporting and providing the employability of the system in the supporting mechanism.	Ministry of Agriculture and Rural Affairs	2009
2	Regulation No. 1782/2003	Law on Implementation of Simplified and Decoupled Agricultural Support System (SPS)	Integrating all of the existing income payment schemes and basing them on farm lands in terms of payment entitlements and equivalent square meters and maintaining cross-compliance	Ministry of Agriculture and Rural Affairs	After 2011
3	Regulation No. 1782/2003	Law Amending the Law on Agriculture and Rural Development Support Institution (ARDSI)	Restructuring Agriculture and Rural Development Support Institution (ARDSI) so as to charge it for payments to be made to farmers after accession as stated in SPS Law.	Ministry of Agriculture and Rural Affairs	After 2011

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 11.2.2

No	Requirements	Year
(Ministry of Agriculture and Rural Affairs)		
1	On-site visit of 35 staff for 3 weeks in 3 Member States in order to increase the experience of the staff that worked during the pilot implementation on the Land Parcel Identification System and Integrated Administration and Control Systems and make them trainers.	2009
2	Establishment of LPIS database	2009-2011
3	Identification of the principles regarding the cross-compliance rules and checking the compliance with these rules.	2010
4	Managing the payment system through IACS by establishing a unit within the Paying Agency	After 2011
5	Training of the staff of Ministry of Agriculture and Rural Affairs on IACS	2010-2011
6	Establishing a permanent crop register	2011
7	Maintenance and development of IACS software	2010-2011
8	Training on risk management and on-the-spot checks	2011
9	Recruitment of personnel to the management unit that will operate as IACS administrative unit.	2009-2012

3 Financial requirements and resources

Table 11.2.3

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs) ⁴	Year	National Budget	EU sources	Other	Total
I- Investment					
Establishment of LPIS database	2009-2011	6,592,493	19,777,477		26,369,970
Establishment of a unit within the Paying Agency in order to manage the single payment system through IACS	2012	3,466,250	10,398,750		13,865,000
Establishing permanent crop register	2011	38,592	115,776		154,368
II- Legislative approximation and implementation					
- Personnel					
Personnel to work at the management unit that will operate as IACS administrative unit	2009-2012	2,500,000			2,500,000
- Training					
Study visit of 35 staff that worked during the pilot implementation on the LPIS and IACS for 3 weeks in 3 Member States	2009	10,000	200,000		210,000
Training of the staff of Ministry of Agriculture and Rural Affairs on IACS	2010-2011	70,000	210,000		280,000
Training on risk management and on-the-spot checks	2011	38,333	327,000		365,333

⁴ Outcomes of the IACS/LPIS pilot projects and IACS Strategy Paper which was prepared to meet the opening benchmark of the chapter have been made use of while preparing this table.

Table 11.2.3 (Continued)

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs)	Year	National Budget	EU sources	Other	Total
- Consultancy					
Consultancy on establishment of LPIS database	2009-2011	2,282,302	20,540,716		22,823,018
Consultancy on cross-compliance	2010		363,660		363,660
Consultancy on managing the single payment system through IACS by establishing a unit within the Paying Agency	2010-2011	133,144	1,198,296		1,331,440
Consultancy on training of the staff of Ministry of Agriculture and Rural Affairs on IACS	2012	59,631	536,684		596,315
Consultancy on establishing permanent crop register	2011	2,322,046	20,898,410		23,220,456
Consultancy on maintenance and development of IACS software	201-2011		100,000		100,000
- Translation	2009-2010	30,000			30,000
- Other					
Institution building on IACS issues	2010-2011		255,165		255,165
Total		17,522,791	74,921,934		92,444,725

Priority 11.3 Starting preparing the implementation of pilot actions relating to environment and the countryside, in view of future implementation of agri-environmental measures

1 Schedule of legislative alignment

Table 11.3.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Regulation No. 1698/2005, 1085/2006, 718/2007 and 1974/2006	Concluding the Modified Agri-environmental Measures under IPARD Programme	Concluding agri-environmental measures of IPARD Programme after negotiating with European Commission	Ministry of Agriculture and Rural Affairs	2010

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 11.3.2

No	Requirements	Year
(Ministry of Agriculture and Rural Affairs)		
1	Project on Environment and Countryside under IPARD	2009-2010

3 Financial requirements and resources

Table 11.3.3

Requirements (Ministry of Agriculture and Rural Affairs)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training	2009-2010		40,000 ⁵		40,000
- Consultancy	2009-2010	85,000	1,015,000 ⁶		1,100,000
- Translation					
- Other					
Total		85,000	1,055,000		1,140,000

⁵ To be financed by the project titled "Environment and countryside under IPARD - TR 08.02.01" under Pre-Accession Financial 2008 Programme.

⁶ To be financed by the project titled "Environment and countryside under IPARD - TR 08.02.01" under Pre-Accession Financial 2008 Programme.

CHAPTER 12 FOOD SAFETY, VETERINARY AND PHYTOSANITARY POLICY

Priority 12.1 Adopting a framework law on food, feed and veterinary matters compliant with EU requirements and which allows a complete transposition of the EU acquis

1 Schedule of legislative alignment

Table 12.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Regulation No. 178/2002, 852/2004, 853/2004, 854/2004, 882/2004 and 183/2005	Veterinary Services, Food and Feed Law	Regulation of consumers and producers interests, food and feed safety, animal and public health and prosperity as well as the protection of environment.	Ministry of Agriculture and Rural Affairs	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 12.1.2

No	Requirements	Year
(Ministry of Agriculture and Rural Affairs)		
1	Presenting a comprehensive strategy (multi-annual control plan), including administrative and laboratory capacity, concerning alignment and implementation of legislation on food and feed safety, veterinary and phytosanitary	2008-2009
2	Establishing and operating Food Safety Information System	2008-2009
3	Training at home and abroad of MARA staff on food and feed safety	2008-2011
4	Establishment of "Risk Assessment Unit" in order to set up a risk analysis system in the field of food safety	2010-2011
5	Recruitment of new personnel to be employed in Risk Assessment Unit (50 engineers, veterinary surgeons, toxicologist, dieticians, statisticians, IT experts)	2009-2011

3 Financial requirements and resources

Table 12.1.3

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs)	Year	National Budget	EU sources	Other	Total
I- Investment					
Establishment and Operation of Food Safety Information System including Rapid Alert System	2009	400,000			400,000
Revision of current information network for risk assessment	2010	100,000			100,000
Procurement of devices and equipment for Risk Assessment Unit	2010	300,000			300,000
II- Legislative approximation and implementation					
- Personnel					
Contribution rate of panellists to be assigned in risk assessment	2010-2011	100,000			100,000
- Training					
Training of Ministerial staff on preparation of the comprehensive strategy (multi-annual control plan) and on food safety system.	2009-2010	212,000			212,000
Training of personnel to be employed in Risk Assessment Unit	2010-2011	400,000			400,000
- Consultancy					
Consultancy on Food Safety Information System (FSIS)	2008-2010	312,000			312,000
- Translation					
- Other					
Total		1,824,000			1,824,000

Priority 12.2 Ensuring the operationality of the system for the identification and registration of bovines and registration of their movement in compliance with the EU acquis and start the implementation of an appropriate system for sheep and goats in order to trace movements

1 Schedule of legislative alignment

Table 12.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 92/102/EC Regulation No. 21/2004, and 1505/2006	Implementing Regulation on Identification, Registration and Monitoring of Ovine and Caprine Animals	Ensuring registration and identification of ovine and caprine animals and controls to be made on the issue	Ministry of Agriculture and Rural Affairs	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 12.2.2

No	Requirements	Year
(Ministry of Agriculture and Rural Affairs)		
1	Identification of ovine and caprine animals	2010-2011
2	Setting up a database for recording and monitoring of ovine and caprine animals	2010-2011
3	Recruitment of 4 IT experts to operate the system	2009-2011

3 Financial requirements and resources

Table 12.2.3

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs) ¹	Year	National Budget	EU sources	Other	Total
I- Investment					
Procurement of ear tags for ovine and caprine animals	2009-2011	5,525,000	16,575,000		22,100,000
II- Legislative approximation and implementation					
- Personnel					
Recruitment of 4 IT experts	2009-2011	200,000			200,000
- Training					
- Consultancy					
Technical Assistance 1: Developing a data base and software with the aim of registration and monitoring of ovine and caprine animals	2009-2011	220,000	1,980,000		2,200,000
Technical Assistance 2: Information campaigns for ear tagging of sheep and goats	2009-2011	380,000	3,420,000		3,800,000
- Translation					
- Other					
Total		6,325,000	21,975,000		28,300,000

¹ To be financed by the project titled "Ear Tagging and Vaccination of Sheep and Goats - TR 08.02.08" proposed under Pre-Accession Financial Assistance 2008 Programme.

Priority 12.3 Taking the necessary measures to allow the Thrace region to be recognised by the World Organisation on Animal Health as a foot-and-mouth disease-free zone with vaccination

1 Schedule of legislative alignment

Table 12.3.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 2003/85/EC	Implementing Regulation on Control Measures for Foot-and-Mouth Disease ²	Laying down minimum control measures to be taken in case of an outbreak, irrespective of the type of the virus, and protective measures to increase the awareness and preparedness of the farmer community and the competent authorities	Ministry of Agriculture and Rural Affairs	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Institutional capacity building requirement is mentioned in Table 12.5.2.

3 Financial requirements and resources

Financial requirement is mentioned in Table 12.5.3.

² It is also mentioned under “Priority 12.5. Adopting control measures for animal diseases and set up eradication plans where this is justified by the animal health situation”

Priority 12.4 Classifying all agri-food establishments by category based on the EU acquis and prepare a National Programme for upgrading those establishments

1 Schedule of legislative alignment

Table 12.4.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Regulation No. 852/2004 and 853/2004	Implementing Regulation on Hygiene	Identification of hygiene standards for establishments	Ministry of Agriculture and Rural Affairs	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 12.4.2

No	Requirements	Year
(Ministry of Agriculture and Rural Affairs)		
1	Preparing a National Plan with a view to upgrading Dairy, Meat, Fisheries Products and Animal-by products establishments	2010-2011
2	Elaboration of the list of establishments to be approved	2008-2009

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

Priority 12.5 Adopting control measures for animal diseases and set up eradication plans where this is justified by the animal health situation

1 Schedule of legislative alignment

Table 12.5.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 82/66/EEC	Implementing Regulation laying down the Measures for the Control of Newcastle Disease	Identification of the measures to be taken in case of an outbreak of Newcastle disease	Ministry of Agriculture and Rural Affairs	2009
2	Directive No. 2003/85/EC	Implementing Regulation on Control Measures for Foot and Mouth Disease ³	Laying down minimum control measures to be taken in case of an outbreak, irrespective of the type of the virus, and protective measures to increase the awareness and preparedness of the farmer community and the competent authorities	Ministry of Agriculture and Rural Affairs	2009
3	Directive No. 64/432/EEC, 77/391/EEC and 78/52/EEC Commission Regulation No.535/2002	Implementing Regulation on the Measures to be taken for the Control of Bovine Tuberculosis	Identification of the measures to be taken in order to control and eradicate tuberculosis in our territory and to provide our territory with the status of officially free from tuberculosis	Ministry of Agriculture and Rural Affairs	2009
4	Directive No. 64/432/EEC, 78/52/EEC and 91/68/EEC Council Decision No. 90/242/EEC Commission Regulation No. 535/2002 Commission Decision No. 2004/226/EC	Implementing Regulation on the Measures to be taken for the Control of Bovine Brucellosis	Identification of the measures to be taken in order to control and eradicate brucellosis in our territory and to provide our territory with the status of officially free from brucellosis	Ministry of Agriculture and Rural Affairs	2009
5	Directive No. 64/432/EEC and 78/52/EEC	Implementing Regulation on the Measures to be taken for the Control of Enzootic Leucosis in Cattle	Identification of the measures to be taken in order to control and eradicate enzootic leucosis in our territory and to provide our territory with the status of officially free from enzootic leucosis	Ministry of Agriculture and Rural Affairs	2009

³ It is also mentioned under “Priority 12.3. Taking the necessary measures to allow the Thrace region to be recognised by the World Organisation on Animal Health as a foot-and-mouth disease-free zone with vaccination”

Table 12.5.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
6	Directive No. 2006/88/EC Commission Decision No. 1999/567/EC and 2003/390/EC	Implementing Regulation Introducing Minimum Measures for the Control of Certain Diseases Affecting Bivalve Molluscs and relating to the Animal Health Conditions Governing the Placing on the Market of these Aquaculture Animals and Products	Minimum measures to be taken for the control of certain diseases affecting bivalve molluscs and identification of the animal health conditions governing the placing on the market of these aquaculture animals and products	Ministry of Agriculture and Rural Affairs	2009
7	Directive No. 2000/75/EC	Implementing Regulation Laying Down the Specific Provisions for the Control and Eradication of Bluetongue Disease	Identification of the rules and measures for the control and eradication of Bluetongue Disease	Ministry of Agriculture and Rural Affairs	2009
8	Directive No. 92/119/EEC Commission Decision No. 2000/428/EC	Implementing Regulation Laying down the Measures for the Control of Rinderpest, Peste des Petits Ruminants, Swine Vesicular Disease, Epizootic Haemorrhagic Disease of Deer, Sheep and Goat Pox, Vesicular Stomatitis, Lumpy Skin Disease and Rift Valley Fever	Identification of the measures to be taken in the event of an outbreak of rinderpest, peste des petits ruminants, swine vesicular disease, epizootic haemorrhagic disease of deer, sheep and goat pox, vesicular stomatitis, lumpy skin disease, and Rift valley fever	Ministry of Agriculture and Rural Affairs	2009

Table 12.5.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
9	Directive No. 2006/88/EC Commission Decision No. 2003/466/EC	Implementing Regulation Introducing Minimum Measures for the Control of Certain Fish Diseases and Laying down the Conditions of Animal Health for the Placing on the Market of Fish and Fishery Products	Identification of the minimum measures for the control of certain fish diseases and laying down the animal health conditions for the placing on the market of fish and fishery products	Ministry of Agriculture and Rural Affairs	2009
10	Directive No. 82/894/EEC, 64/432/EEC, 91/68/EEC, 92/119/EEC and 95/70/EC Regulation No. 999/2001	Implementing Regulation on Notification of Animal Diseases	Identification of the rules that should be complied with for the notification of animal diseases notification of which are compulsory	Ministry of Agriculture and Rural Affairs	2009
11	Directive No. 92/35/EEC	Implementing Regulation on Control Rules and Measures to Combat with African Horse Sickness	Identification of the control rules and measures to combat with African horse sickness	Ministry of Agriculture and Rural Affairs	2009
12	Directive No. 2002/60/EC Commission Decision No. 2003/422/EC	Implementing Regulation on Control Measures to Combat with African Swine Fever	Identification of the measures to be implemented to combat with African swine fever within the borders of the Turkish Republic	Ministry of Agriculture and Rural Affairs	2009
13	Directives No. 2001/89/EC Commission Decision No. 2002/106/EC	Implementing Regulation on Control Measures to Combat with Classical Swine Fever	Identification of the measures to be implemented to combat with classical swine fever within the borders of the Turkish Republic	Ministry of Agriculture and Rural Affairs	2009
14	Regulation No. 98/58/EC, 2006/778/EC, 1999/74/EC, 2002/4/EC, 91/629/EEC and 91/630/EEC	Implementing Regulation on the Welfare of Farm Animals	Determination of the minimum standards for the management and husbandry conditions of farm animals kept for their products and service, taking into account their species, growth, adaptation and domesticity and physiological and ethiological needs and behaviour	Ministry of Agriculture and Rural Affairs	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 12.5.2

No	Requirements	Year
(Ministry of Agriculture and Rural Affairs)		
1	Preparation of Contingency Plans for diseases including Newcastle, Rinderpest and Bluetongue	2010-2011
2	Updating of existing contingency plans for FMD and PPR	2009
3	Conduct of simulation exercises for contingency plans	2010-2011
4	Strengthening of local and national crisis centres in terms of equipment and materials	2008-2009
5	Accreditation of all reference veterinary control and research institutes and laboratories for diagnostic tests giving priority to reference laboratories of veterinary control and research institutes	After 2011
6	Making all regional laboratories capable to carry out tests in OIE standards	After 2011
7	Development of a rehabilitation plan for the backyard poultry sector	2008-2009
8	Strengthening BSL-3 laboratories that meet international standards for the diagnosis of Avian Influenza	2008-2009
9	Supply of laboratory equipment, analysis kits and veterinary safety gear for increasing the diagnostic, monitoring and disease control capacity of laboratories with a view to control Avian Influenza	2008-2009
10	In the framework of the control of Avian Influenza, review of the current situation, development and implementation of a strategy and epidemiological programmes and surveys, as well as supply of services for the training of responsible staff	2008-2010
11	Training at home and abroad on avian influenza issues including culling of animals, implementation of contingency plans (including the requirements of the Ministry of Health) and epidemiological programmes and surveys	2008-2010
12	Raising public awareness on Avian Influenza	2008-2009
13	Fulfilment of obligations of national reference laboratories including ring tests, supply of standard materials and method development and confirmation tests	2010-2011
14	Determination of norm positions of veterinary laboratories and recruitment of qualified personnel required for these laboratories	2010-2011
15	Training for the strengthening of epidemiology units of institutes	2008-2009
16	Supply of vaccines and vaccination equipment for the control of FMD and implementation of mass vaccination	2008-2010
17	Supply of sero-surveillance equipment and cleaning and disinfection materials for the control of FMD	2008-2010

Table 12.5.2 (Continued)

No	Requirements	Year
18	Ensuring compensation payments for culling aimed at the control of animal diseases, including primarily the implementation of a regional compensated slaughtering programme for FMD	2008-2009
19	Supply of vaccines for the control of rabies, implementation of mass vaccination and supply of laboratory and other equipment for the diagnosis and treatment of the disease	2008-2010
20	Training for the control of rabies, and provision of assistance for development of vaccination and eradication programmes	2008-2010
21	Construction of 3 animal care units in 3 provinces and provision of supervision services for construction	2008-2009
22	Presenting a laboratory upgrading plan for enhancing diagnostic, monitoring and disease control capacity of laboratories, providing technical assistance for the determination of requirements and implementation of the plan	2010-2011
23	Supply of vaccines, disinfection equipment and survey equipment for the control of PPR and implementation of mass vaccination	2009-2011
24	Increase of vaccine production capacity for the control of PPR	2009-2011
25	Employment of 1000 veterinarians, 500 veterinary health technicians and IT experts	2008-2009
26	Temporary employment of private veterinarians during vaccination campaigns	2008-2009
27	Risk analysis for TSE group diseases	2010-2011
28	Updating of the existing control and eradication programmes for brucellosis and tuberculosis and the broadening the implementation scope of these programmes	2010-2011
29	Conduct of surveys in the equine population of eastern and south eastern provinces for the monitoring of equine infectious anaemia	2010-2011
30	Development of a database for the identification of equine animals	2010-2011
31	Elaboration of a programme concerning measures such as survey, vaccination disinfection...etc depending on assessment to be made after finalisation of animal diseases control projects ⁴	2011 and beyond

⁴ Financial requirement for this capacity building measure will be determined depending on assessment to be made after finalisation of animal diseases control projects

3 Financial requirements and resources

Table 12.5.3

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs)	Year	National Budget	EU sources	Other	Total
I- Investment					
Strengthening P3 laboratory for the of the diagnosis of Avian Influenza ⁵	2008-2009			3,860,000	3,860,000
Supply of vaccines for the control of FMD ⁶	2008-2009	2,111,750	6,335,250		8,447,000
Supply of cleaning and disinfection equipment for the control of FMD ⁷	2008-2009	275,000	225,000		500,000
Supply of sero-surveillance equipment for the determination of the prevalence of FMD ⁸	2008-2009	109,200	327,600		436,800

⁵ Financed by the project titled “Avian Influenza Preparedness and Response Project - TR AI.06” under the Pre-accession Financial Assistance 2006 Programme

⁶ Financed by the project titled “Control of Foot and Mouth Disease in Turkey - TR 06.03.02” under the Pre-accession Financial Assistance 2006 Programme

⁷ Financed by the project titled “Control of Foot and Mouth Disease in Turkey - TR 06.03.02” under the Pre-accession Financial Assistance 2006 Programme

⁸ Financed by the project titled “Control of Foot and Mouth Disease in Turkey - TR 06.03.02” under the Pre-accession Financial Assistance 2006 Programme

Table 12.5.3 (Continued)

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs)	Year	National Budget	EU sources	Other	Total
Supply of vaccines for the control of rabies ⁹	2008-2010	378,437	1,171,313		1,549,750
Supply of vaccines for the control of PPR ¹⁰	2009-2011	3,825,000	11,475,000		15,300,000
Supply of equipment and materials for surveys to be carried out in the equine population of eastern and south eastern provinces for the monitoring of equine infectious anaemia	2008-2009	3,328,900			3,328,900
Drafting an laboratory upgrading plan to increase the capacity of laboratories for diagnosis, monitoring and fighting against diseases, providing technical assistance for identifying the needs and implementing the plan ¹¹	2010-2011			50,000	50,000

⁹ Financed by the project titled "Control of Rabies Disease in Turkey - TR 05.03.06" under Pre-accession Financial Assistance 2005 Programme

¹⁰ To be financed by project titled "Ear Tagging and Vaccination of Sheep and Goats - TR 08.02.08" proposed under Pre-accession Financial Assistance 2008 Programme

¹¹ Technical assistance is planned to be taken within the scope of the support to be provided by FAO

Table 12.5.3 (Continued)

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs)	Year	National Budget	EU sources	Other	Total
II- Legislative approximation and implementation					
- Personnel					
- Training					
In-country and limited abroad training on the implementation of contingency plans for avian influenza, culling of animals (including the requirements of the Ministry of Health) and on epidemiological programmes and surveys ¹²	2008-2010			570,000	570,000
Training of hunters on Avian Influenza ¹³	2008-2009			30,000	30,000
Training of the personnel of small and medium sized enterprises on Avian Influenza ¹⁴	2008-2009			30,000	30,000
Preparation of posters, TV spots, etc. to raise public awareness on Avian Influenza ¹⁵	2008-2009			232,500	232,500

¹² Financed by the World Bank project titled "Avian Influenza and Human Pandemic Preparedness and Response Project"

¹³ Financed by the World Bank project titled "Avian Influenza and Human Pandemic Preparedness and Response Project"

¹⁴ Financed by the World Bank project titled "Avian Influenza and Human Pandemic Preparedness and Response Project"

¹⁵ Financed by the World Bank project titled "Avian Influenza and Human Pandemic Preparedness and Response Project"

Table 12.5.3 (Continued)

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs)	Year	National Budget	EU sources	Other	Total
- Consultancy					
Provision of supervision services for the construction of animal care units for the control of rabies ¹⁶	2008-2009	50,000	150,000		200,000
Training of personnel and preparation of vaccination and eradication programmes for the control of rabies.	2008-2009		761,500		761,500
- Translation					
- Other					
Support to the information and publicity campaigns and vaccination activities to be carried out for fighting against PPR ¹⁷	2009-2011	120,000	1,080,000		1,200,000
Making compensatory payment for culling of animals within the scope of fighting against animal diseases, giving priority to regional compensatory slaughter method against foot-and-mouth disease	2008-2010	15,000,000			15,000,000
Total		25,198,287	21,525,663	4,772,500	51,496,450

¹⁶ Financed by the project titled "Control of Rabies Disease in Turkey - TR 05.03.06" under Pre-accession Financial Assistance 2005 Programme

¹⁷ To be financed by the project titled "Tagging and Vaccination of Sheep and Goats - TR 08.02.08" under Pre-accession Financial Assistance 2008 Programme

Priority 12,6 Enhancing laboratory and control capacities in the food safety, veterinary and phytosanitary domain ,in particular as regards reference laboratories, residue testing (including control plans) and sampling procedures

1 Schedule of legislative alignment

Table 12,6,1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1		Strategy to Serve as a Basis for the Harmonization with and Implementation, Management and Enforcement of the EU Legislation on Food Safety, Veterinary and Phytosanitary Policy	Setting a strategy for the improvement in fight against animal diseases and enhancing institutional capacity including laboratories with a view to achieve an efficient harmonization with and implementation of EU legislation on food safety, veterinary and phytosanitary and thus fulfilling the opening benchmark	Ministry of Agriculture and Rural Affairs	2009
2	Regulation No. 882/2004	Implementing Regulation on Establishment of a National Food Reference Laboratory Presidency.	Bringing all laboratory services to the same level with the equivalent laboratories in EU and harmonization with the food safety policy of the EU	Ministry of Agriculture and Rural Affairs	2009
3	Directive No. 92/90/EC 92/105/EC and 93/50/EC	Implementing Regulation on Plant Passport	Establishing a structure in compliance with the plant passport implementation of EU	Ministry of Agriculture and Rural Affairs	2010

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 12,6,2

No	Requirements	Year
(Ministry of Agriculture and Rural Affairs)		
1	Construction and procurement of necessary equipment of 5 Veterinary Border Inspection Posts	2008-2009
2	Setting up a unit within the Ministry of Agriculture and Rural Affairs which will only be in charge of the Border Inspection Posts	2008-2009
3	Need assessment for the border inspection posts to make them operational and short-term technical assistance on the relevant training activities	2008-2009
4	Providing supervision service for the construction of Border Inspection Posts	2008-2009
5	Employment of personnel for Border Inspection Posts and making them operational	2010-2011
6	Construction and installation of equipment in Veterinary Border Inspection Posts in Ambarlı and Gürbulak	2010-2011
7	Establishment of phytosanitary reference laboratories	2010-2011
8	Establishment of National Food Reference Laboratory	2008-2009
9	Supplying tools and equipment which can not be financed by the supply component of the project titled "Establishment of National Food Reference Laboratory"	2010-2012
10	Abroad training for the personnel of National Food Reference Laboratory with a view to enable them to work with internationally accepted methods and gain experience on-site practices	2010-2012
11	Recruitment of local and foreign experts in order to increase the expertise capacity of National Food Reference Laboratory	2010-2012
12	Drafting projects with the support of international organisations and training some of the staff in this respect with the aim of ensuring National Food Reference Laboratory to function more efficiently and effectively	2010-2012
13	Training of personnel in order to lay down the current situation in the field of food safety in Turkey, to identify the risks and to contribute to risk assessment studies	2010-2012
14	Establishment of 5 quarantine control points in South East and East Anatolian regions and provision of infrastructure for minimum analysis and control	2009
15	Improving the current registry system in respect of plant passport system and the registration of operators through additional server and software programme	2009
16	Constructing greenhouses in Ankara Seed Registration and Certification Centre and Beydere/Manisa Seed Testing Centre.	2009

Table 12.6.2 (Continued)

No	Requirements	Yıl
17	Establishment of a central database concerning registration of plant varieties, seed certification and registration of breeders' rights	2008-2009
18	Improving the infrastructures of Seed Registration and Certification Centre and 6 seed testing centre directorates	2008-2009
19	Supply of IT equipment and reference collection for Plant Breeder's Rights Office to be established and establishment of the database	2008-2009
20	Trainings on registration, certification, marketing and diseases of all plant varieties and on database setup. Improving technical infrastructures of institutions and establishment of database system	2009
21	Establishment of plant passport system.	2010-2011
22	Providing supervision service for the construction of Border Inspection Posts	2009-2010
23	Employment of personnel for Border Inspection Posts and making them operational	2010-2011
24	Enhancing the infrastructure of Diyarbakır Seed Testing Laboratory	2008-2010
25	Training on phytosanitary for the personnel to be employed in Border Inspection Posts	2009
26	Abroad training for the personnel of Plant Breeder's Rights Office to be established.	2009-2010
27	Supplying consultancy service on transition to plant passport system	2009

3 Financial requirements and resources

Table 12.6.3

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs)	Year	National Budget	EU sources	Other	Total
I- Investment					
Construction of 5 Veterinary Border Inspection Posts	2007-2009	1,243,357	3,730,071		4,973,428
Inspection of 5 Veterinary Border Inspection Posts	2007-2009	149,875	449,725		599,600
Supply of equipment of 5 Veterinary Border Inspection Posts	2007-2009	149,908	449,726		599,634
Construction and installation of equipment for Veterinary Border Inspection Posts in Ambarlı and Gürbulak	2010-2011	771,570	2,314,761		3,086,331
Establishment of 5 quarantine control points in South East and East Anatolian regions and provision of infrastructure for minimum analysis and control	2009-2010	750,000	2,250,000		3,000,000
Improving the current registry system in respect of plant passport system and the registration of operators through additional server and software programme ¹⁸	2009	35,000	105,000		140,000
Constructing greenhouses in Ankara Seed Registration and Certification Centre and Beydere/Manisa Seed Testing Centre ¹⁹	2009	75,000	225,000		300,000
Establishment of a central database concerning registration of plant varieties, seed certification and registration of breeders' rights ²⁰	2008-2009		200,000		200,000
Improving the infrastructures of Seed Registration and Certification Centre and 6 seed testing centre directorates ²¹	2008-2009	215,000	645,000		860,000

¹⁸ Financed by the project titled "Plant Passport System and Registration of Operators - TR 07 IB AG 02" under Pre-Accession Financial Assistance 2007 Programme

¹⁹ Financed by the project titled "Development of Seed Sector in Turkey and Alignment to EU - TR 06.03.09" under Pre-accession Financial Assistance 2006 Programme

²⁰ Financed by the project titled "Development of Seed Sector in Turkey and Alignment to EU - TR 06.03.09" under Pre-accession Financial Assistance 2006 Programme

²¹ Financed by the project titled "Development of Seed Sector in Turkey and Alignment to EU - TR 06.03.09" under Pre-accession Financial Assistance 2006 Programme

Table 12.6.3 (Continued)

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs)	Year	National Budget	EU sources	Other	Total
Supply of office and IT equipment and reference collection for Plant Breeder's Rights Office to be established and establishment of the database	2008-2009	625,000	1,875,000		2,500,000
Enhancing the infrastructure of Diyarbakır Seed Testing Laboratory.	2008-2010	200,000	400,000		600,000
Establishment of phytosanitary reference laboratories	2009-2010	1,565,000	4,685,000		6,250,000
Establishment of National Food Reference Laboratory ²²	2010-2012	350,000	1,050,000		1,400,000
Supplying tools and equipment which can not be financed by the supply component of the project titled "Establishment of National Food Reference Laboratory"	2010-2012	2,000,000			2,000,000
II- Legislative approximation and implementation					
- Personnel					
- Training					
Training on phytosanitary for the personnel to be employed in Border Inspection Posts	2009	20,000	60,000		80,000
Abroad training for the personnel of Plant Breeder's Rights Office to be established	2009-2010	15,000	30,000		45,000
Abroad training for the personnel of National Food Reference Laboratory with a view to enable them to work with internationally accepted methods and gain experience on-site practices ²³	2010-2012	100,000	300,000		400,000

²² Financed by the project titled "Establishment of National Food Reference Laboratory - TR 05.03.04" Pre-Accession Financial Assistance 2005 Programme

²³ Financed by the project titled "Establishment of National Food Reference Laboratory - TR 05.03.04" Pre-Accession Financial Assistance 2005 Programme

Table 12.6.3 (Continued)

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs)	Year	National Budget	EU sources	Other	Total
Drafting projects with the support of international organisations and training some of the staff in this respect with the aim of ensuring National Food Reference Laboratory to function more efficiently and effectively ²⁴	2010-2012	50,000	150,000		200,000
Training of personnel in order to lay down current situation in the field of food safety in Turkey, to identify the risks and to contribute to risk assessment studies.	2010-2012	50,000	150,000		200,000
- Consultancy					
Supplying consultancy service on transition to plant passport system ²⁵	2009		250,000		250,000
Need assessment for the border inspection posts to make them operational and short-term technical assistance on the relevant training activities ²⁶	2008-2009		250,000		250,000
Providing supervision service for the construction of Border Inspection Posts ²⁷	2009	250,000	750,000		1,000,000
Recruitment of local and foreign experts in order to increase the expertise capacity of National Food Reference Laboratory.	2010-2012	100,000			100,000
- Translation					
- Other					
Total		8,714,710	20,319,283		29,033,993

²⁴ Financed by the project titled "Establishment of National Food Reference Laboratory - TR 05.03.04" Pre-Accession Financial Assistance 2005 Programme

²⁵ Financed by the project titled "Plant Passport System and Registration of Operators - TR 07 IB AG 02" under Pre-Accession Financial Assistance 2007 Programme.

²⁶ Financed by the project titled "Establishment of Border Inspection Posts - TR 05.03.07" Pre-Accession Financial Assistance 2007 Programme

²⁷ Financed by the project titled "Establishment of Border Inspection Posts - TR 05.03.07" Pre-Accession Financial Assistance 2007 Programme

Priority 12.7 Aligning the legislation on Transmissible Spongiform Encephalopathies (TSE) and animal by-products and start to set up the necessary collection and treatment system

1 Schedule of legislative alignment

Table 12.7.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Regulation No. 999/2001	Legislation Defining the Rules for Control, Eradication and Prevention of TSE	Aligning the rules implemented during the process of production and marketing of live animals and animal-by products with the relevant EU legislation on eradication, control and prevention of TSE in animals	Ministry of Agriculture and Rural Affairs Ministry of Environment and Forestry Ministry of Interior (Municipalities), NGOs	2011
2	Regulation No. 1774/2002	Legislation to be Drafted in Accordance with Regulation No. 1774/2002	With the aim of protecting lives of human beings and animals, aligning the public health and animal health rules concerning collection, storage, treatment, use and destruction of animal-by products with the relevant legislation of the EU	Ministry of Agriculture and Rural Affairs Ministry of Environment and Forestry Ministry of Interior (Municipalities), NGOs	After 2011

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 12.7.2

No	Requirements	Year
(Ministry of Agriculture and Rural Affairs)		
1	Enhancing rapid testing capacity of the laboratories within 8 Veterinary Control and Research Institutes	2010-2012
2	Preparing survey plans	2010-2012
3	Training on diagnosis of disease and sampling for the personnel of laboratories and local units of the Ministry	2010-2012
4	Harmonizing Rendering establishments with Regulation No. 1774/2002	After 2012
5	Harmonizing slaughterhouses with Regulation No. 1774/2002	After 2012
6	Establishing burning units	After 2012

3 Financial requirements and resources

Table 12.7.3

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs)	Year	National Budget	EU sources	Other	Total
I- Investment					
Establishment of burning units	After 2012	175,000	525,000		700,000
Harmonization of rendering establishments with Regulation No. 1774/2002	After 2012	22,500,000	67,500,000		90,000,000
Harmonization of slaughterhouses with Regulation No. 1774/2002	After 2012	41,622,500	124,867,500		166,490,000
II- Legislative approximation and implementation					
- Personnel					
- Training					
Enhancement of rapid testing capacity of the laboratories within 8 Veterinary Control and Research Institutes / Preparation of survey plans / Training on diagnosis of disease and sampling for the personnel of laboratories and provinces	2010-2012	2,125,000	6,375,000		8,500,000
- Consultancy					
- Translation					
- Other					
Total		66,422,500	199,267,500		265,690,000

CHAPTER 13 FISHERIES

Priority 13.1 Reinforcing the administrative structures in particular by creating a central unit in charge of all fisheries matters. Paying special attention also needs to be paid to strengthening fisheries inspection and control services

1 Schedule of legislative alignment

Table 13.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1		Law on Restructuring the Ministry of Agriculture and Rural Affairs	Establishment of a central unit responsible for all issues of fisheries	Ministry of Agriculture and Rural Affairs	2009
2	Regulations No.2371/2002, 1447/1999, 2930/86, 2847/93, 2406/96, 26/2004, 2244/2003, 3561/85, 1381/87, 1382/87, 2065/2001 and 1967/2006	Law Amending the Fisheries Law ¹	Sustainable use of fisheries resources, regulation of fishing, registration of fisheries fleet and fisheries sector, ensuring monitoring, control and inspection, regulation of markets and marketing of fishery products	Ministry of Agriculture and Rural Affairs	2009
3	Regulations No. 2371/2002, 1447/1999, 2930/86, 2847/93, 2406/96, 6/2004, 2244/2003, 3561/85 1381/87, 1382/87 and 2065/2001	Amendment to the Implementing Regulation on Fisheries ²	Identification of the implementing procedures and principles in relation to the arrangements made under the amendment to Fisheries Law	Ministry of Agriculture and Rural Affairs	2009
4	Regulations No. 2406/96, 2065/2001 and 104/2000	Implementing Regulation on Marketing Standards and Consumer Information ³	Identification, setting and development of quality standards for fisheries market; consumer information; ensuring monitoring of control and inspection	Ministry of Agriculture and Rural Affairs	2009

¹ It is also mentioned under “Priority 13.2 Adopting the revised Fisheries Law in line with the EU requirements”, “Priority 13.3 Setting up a reliable stock assessment system to provide accurate information on marine resources” and Priority 13.4 Approximation of the existing fleet registry system with that of the EU”

² It will be enacted after the adoption of the Law on Amendment to the Fisheries

³ It will be enacted after the adoption of the Law on Amendment to the Fisheries

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 13.1.2

No	Requirements	Year
(Ministry of Agriculture and Rural Affairs)		
1	Construction of administrative buildings and installation of equipment in 9 landing-port offices at designated sites	2009-2011
2	Maintenance of Fisheries Information System (FIS), Vessel Monitoring System (VMS) and databases	2009-2011

3 Financial requirements and resources

Table 13.1.3

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs)	Year	National Budget	EU sources	Other	Total
I- Investment					
Construction of administrative buildings and installation of equipment in 3 new landing-port offices at designated sites (supply of furniture and fixtures, cost of infrastructure, plumbing, special installation, cost of contractor, etc.)	2009	118,558			118,558
Construction of administrative buildings and installation of equipment in 3 new landing-port offices at designated sites (supply of furniture and fixtures, cost of infrastructure, plumbing, special installation, cost of contractor, etc.)	2010	118,558			118,558
Construction of administrative buildings and installation of equipment in 3 new landing-port offices at designated sites (supply of furniture and fixtures, cost of infrastructure, plumbing, special installation, cost of contractor, etc.)	2011	118,558			118,558
Maintenance of FIS, VMS and databases	2009-2011	110,654			110,654

Table 13.1.3 (Continued)

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs)	Year	National Budget	EU sources	Other	Total
II- Legislative approximation and implementation					
- Personnel					
Recruitment of 90 new personnel for headquarter and 9 landing-port offices	2009-2011	3.140,478			3.140,478
- Training					
5-day training for 120 personnel in Turkey, on plans and programs for the development of the system of landing declaration, implementation of freshness and size criteria and inspection, and generalisation of the use of sales note declaration	2009	42,154			42,154
Work-related training of 90 newly recruited personnel (for 5 days, in Turkey)	2009-2011	144,904			144,904
3-day training for 30 personnel in Turkey in order to create a developed framework for marketing standards and associated application and inspection (providing necessary equipment to set out criteria for freshness and size grading of fishery products)	2009	26,346			26,346
- Consultancy					
- Translation					
- Other					
Total		3,820,210			3,820,210

Priority 13.2 Adopting the revised Fisheries Law in line with EU requirements

1 Schedule of legislative alignment

Table 13.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Regulations No.2371/2002, 1447/1999, 2930/86, 2847/93, 2406/96, 26/2004, 2244/2003, 3561/85, 1381/87, 1382/87, 2065/2001 and 1967/2006	Law Amending the Fisheries Law ⁴	Sustainable use of fisheries resources, regulation of fishing, registration of fisheries fleet and fisheries sector, ensuring monitoring, control and inspection, regulation of markets and marketing of fishery products	Ministry of Agriculture and Rural Affairs	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

⁴ It is also mentioned under “Priority 13.1, particularly strengthening institutional capacity by the establishment of a central unit responsible for all issues of fisheries. Besides, particular importance to the strengthening of inspection and control services in fisheries”, “Priority 13.3 Setting up a reliable stock assessment system to provide accurate information on marine resources” and “Priority 13.4 Approximation of the existing fleet registry system with that of the EU”

Priority 13.3 Setting up a reliable stock assessment system to provide accurate information on marine resources

1 Schedule of legislative alignment

Table 13.3.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Regulations No.2371/2002, 2001/1639, 1992/2104 and 1991/1382	Law Amending the Fisheries Law ⁵	Routine stock monitoring and assessment for sustainable use of fish stocks; ensuring the introduction of stock assessment to fisheries management with required mechanisms including allocation of quotas based on scientific data and advice.	Ministry of Agriculture and Rural Affairs	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 13.3.2

No	Requirements	Year
(Ministry of Agriculture and Rural Affairs)		
1	Carrying out fisheries stock assessment studies required for management of stocks through ecosystem approach and strengthening institutional research capacity within this context.	2009-2011

⁵ It is also mentioned under “Priority 13.1, particularly strengthening institutional capacity by the establishment of a central unit responsible for all issues of fisheries. Besides, particular importance to the strengthening of inspection and control services in fisheries”, “Priority 13.2 adopting the revised Fisheries Law in line with the EU requirements”, and “Priority 13.4 Approximation of the existing fleet registry system with that of the EU”

3 Financial requirements and resources

Table 13.3.3

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs)	Year	National Budget	EU sources	Other	Total
I- Investment					
Supply of laboratory equipment, instrument and materials required for stock assessment	2009	2,634,629			2,634,629
Stock assessment studies	2009-2011	10,538,518			10,538,518
II- Legislative approximation and implementation					
- Personnel					
Employment of 30 expert researchers (with MSc or PhD degree in the field of aquaculture engineering, fisheries technology engineering, agricultural engineering or biology)	2009-2011	1,106,544			1,106,544
- Training					
At home and abroad training on stock assessment ⁶	2009-2011	120,000	1,000,000		1,120,000
- Consultancy					
- Translation					
- Other					
Total		14,399,691	1,000,000		15,399,691

⁶ Financed by the twinning component of the project titled "Introduction of Stock Assessment to the Fisheries Management System of Turkey - TR 07.02.02" under Pre-Accession Financial Assistance 2007 Programme.

Priority 13.4 Adopting the existing fleet register to EU requirements

1 Schedule of legislative alignment

Table 13.4.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Regulation No. 26/2004	Law Amending the Fisheries Law ⁷	Alignment of national vessel registration system with that of the EU in order to prevent illegal, unreported and unregulated Fishing in support of ensuring sustainable use of fisheries resources	Ministry of Agriculture and Rural Affairs	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 13.4.2

No	Requirements	Year
(Undersecretariat for Maritime Affairs)		
1	Provision of service for preparation of projects regarding GT measurements of approximately 800 fishing vessels between 15-24 m in length	2009-2011

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

⁷ It is also mentioned under "Priority 13.1, particularly strengthening institutional capacity by the establishment of a central unit responsible for all issues of fisheries. Besides, particular importance to the strengthening of inspection and control services in fisheries", "Priority 13.2 adopting the revised Fisheries Law in line with the EU requirements", and "Priority 13.3 Setting up a reliable stock assessment system to provide accurate information on marine resources"

CHAPTER 14 TRANSPORT POLICY

Priority 14.1 Adoption of the Railways Framework Law in order gradually to open the Turkish rail transport market and providing for the separation of functions regarding infrastructure management and provision of services

1 Schedule of legislative alignment

Table 14.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Regulations No. 1017/68/EEC, 1370/2007/EC, 1192/69/EEC and 1108/70/EEC Directives No. 91/440/EEC, 95/18/EC, 96/48/EC, 2001/12/EC, 2001/13/EC, 2001/14/EC, 2001/16/EC, 2004/49/EC, 2004/50/EC, 2004/51/EC and 2007/58/EC	Railways Framework Law	Providing continuous and safe railways transport services of high quality with appropriate fees in the framework of competitive principles.	Ministry of Transport	2009
2	Regulations No. 1192/69/EEC Directives No .91/440/EEC, 2001/12/EC, 2004/51/EC and 2007/58/EC	Turkish State Railways Law	Regulation of the procedures and principles relating to the establishment of a Turkish Railways Agency in order to manage the railways infrastructure and provide freight and passenger transportation services. Regulation effect analysis is required.	Ministry of Transport	2009
3	Regulations No. 1017/68/EEC and 1/2003/EC	Legislation on the Competition Rules in Railway Transportation ¹	Identification of the competition rules in railway transportation	Competition Authority	2009
4	Directive No. 2001/14/EC and 2004/49/EC	Implementing Regulation on Railway Security ²	Improvement and enhancement of the railway security.	Ministry of Transport	2009

¹ It will be enacted after the adoption of the Railways Framework Law and the Law on Turkish State Railways.

² It will be enacted after the adoption of the Railways Framework Law.

Table 14.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
5	Directives No.95/18/EC 2001/13/EC and 2004/49/EC	Implementing Regulation on the Licensing of Railway Undertakings ³	Assurance of railway undertakings and infrastructure manager to fulfil the obligations in relation to the reliability, financial capacity and adequacy of railway transportation services.	Ministry of Transport	2009
6	Directives No.96/48/EC, 2001/14/EC, 2001/16/EC, 2004/49/EC, 2004/50/EC and 2007/32/EC	Implementing Regulation on Interoperability ⁴	Assurance of the interoperability components and subsystems, which meet the requirements of this regulation and the issues in the annexes, to be introduced to the market, commissioned to the service and operated.	Ministry of Transport	2009
7	Directives No. 91/440/EEC, 2001/12/EC and 2001/14/EC, 2004/49/EC, 2004/51/EC and 2007/58/EC	Implementing Regulation on Access to the Railway Infrastructure ⁵	Assurance of free, fair and non-discriminative access to the railway infrastructure of the national railway network.	Ministry of Transport	2009
8	Directive No.96/49/EC, 96/35/EC and 2000/18/EC	Implementing Regulation on Transportation of Dangerous Goods by Rail	Assurance of the transport of dangerous goods safely by rail by taking security of life, goods and environment, and workers' safety into consideration. Identification of the procedures and principles regarding the transport of goods by rail within the country and between COTIF member countries.	Ministry of Transport	2009
9	Directive No.2007/59/EC	Implementing Regulation on the Certification of Train Drivers	Identification the conditions and procedures for the certification of train drivers with a view to enhancing railway safety and specification of the tasks of competent authority, train drivers and other stakeholders in the sector, in particular railway undertakings, infrastructure manager and training centres.	Ministry of Transport	2009
10	Regulation No. 1371/2007/EC	Implementing Regulation on the Rail Passengers' Rights	Safeguarding users' rights for rail passenger and improving the quality and effectiveness of rail passenger services in order to help increase the share of rail transport in relation to other modes of transport	Ministry of Transport	2009

³ It will be enacted after the adoption of the Railways Framework Law.

⁴ It will be enacted after the adoption of the Railways Framework Law.

⁵ It will be enacted after the adoption of the Railways Framework Law.

Table 14.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
11	Regulation No. 1370/2007/EC	Implementing Regulation on Public Service Obligation	Identification of bases and procedures regarding public service obligations	Ministry of Transport	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation**Table 14.1.2**

No	Requirements	Year
(Ministry of Transport (DG Turkish State Railways))		
1	Establishing the framework for restructuring the rail sector for competition, including setting up systems for infrastructure allocation, charging, safety and interoperability at Turkish State Railways (TCDD)	2009 and Beyond

3 Financial requirements and resources**Table 14.1.3****(Euro)**

Requirements (Ministry of Transport (DG Turkish State Railways))	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training					
- Consultancy					
- Translation					
- Other					
Reform of Turkish Railways Sector ⁶	2007-2011		3,600,000		3,600,000
Total			3,600,000		3,600,000

⁶ Financed by the project titled "Reform of Turkish Railways - TR 07.02.27" under Pre-Accession Financial Assistance 2007 Programme

Priority 14.2 Continuing alignment with and implementation in the maritime sector paying special attention to the effective implementation of pollution prevention. Further strengthening maritime administration, including the improvement of the safety record of the Turkish fleet and the implementation of the maritime security Acquis

1 Schedule of legislative alignment

Table 14.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Annex III/IMO of the MARPOL (73/78) Convention of 27.09.2003	Law on the Approval to Become a Party of Annex III of International Convention for the Prevention of Pollution from Ships (MARPOL 73-78)	Prevention of pollution by harmful substances in packaged form transported by sea.	Ministry of Foreign Affairs Undersecretariat for Maritime Affairs	2009-2010
2	Annex IV/IMO of the MARPOL (73/78) Convention of 27.09.2003	Law on the Approval to Become a Party of Annex IV of International Convention for the Prevention of Pollution from Ships (MARPOL 73-78)	Prevention of pollution by sewage from ships flying the flag of a foreign state entering the seaports of our country.	Ministry of Foreign Affairs Undersecretariat for Maritime Affairs	2009-2010
3	1988 Protocol (SOLAS Protocol 1988) on the International Convention for the Safety of Life at Sea, 1974, dated 3 February 2000	Law on the Approval to Become a Party of 1988 Protocol (SOLAS Protocol 1988) on the International Convention for the Safety of Life at Sea, 1974	Transferring de facto implementations into Turkey's internal legislation	Ministry of Foreign Affairs Undersecretariat for Maritime Affairs	2009
4	Directives No.94/57/EC, 2002/59/EC, 95/21/EC, 2001/25/EC and 2005/65/EC Regulation No. 725/2004/EC	Safety at Sea Law	Concerning the ships flying the Turkish flag, ships flying the flag of a foreign state entering the Turkish seas, and seaports, coasts and marine premises, identification of necessary measures and authorities, duties, responsibilities and sanctions relating to the maintenance of safety at sea in Turkey and to reduce ship-source pollution.	Undersecretariat for Maritime Affairs	2009-2010

Table 14.2.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
5	Regulation No. 2930/86/EEC	Implementing Regulation on the Application of Tonnage Measurement and Documentation of Ships and Vessels	Identification of the procedures and principles of the application of tonnage measurement of ships and vessels flying the Turkish flag.	Undersecretariat for Maritime Affairs	2009
6	Directive No.2002/6/EC	Implementing Regulation on the Procedures of Reporting in Turkish Seaports	Facilitation of reporting and notification procedures for ships flying the Turkish flag or flying the flag of a foreign state arriving to and departing from Turkish seaports.	Undersecretariat for Maritime Affairs	2009
7	Directive No. 2005/35/EC Decision No. 2005/667/JHA	Amendment to the Environment Law No. 2872	Introduction of penalties for ship-source pollution concerning the ships flying the Turkish flag, ships flying the flag of a foreign state entering the Turkish seas.	Ministry of Environment and Forestry	2009
8	Directive no. 2005/35/EC Decision No. 2005/667/JHA	Amendment to the Turkish Penal Code No. 5237 ⁷	Introduction of penalties for ship-source pollution concerning the ships flying the Turkish flag, ships flying the flag of a foreign state entering the Turkish seas.	Ministry of Justice	2009
9	Regulation No. 782/2003/EC	Implementing Regulation on Controlling the Use of Antifouling Systems Containing Organo Tin in Ships	Lowering or prohibiting the use of antifouling systems containing organo tin compounds acting as biocides in the ships flying the Turkish flag, ships constructed in Turkey and ships flying the flag of a foreign state pulling alongside Turkish ports and coasts.	Undersecretariat for Maritime Affairs	2011 ⁸

⁷ To be dealt together with Amendment to the Environment Law No. 2872.

⁸ It will be enacted one year after being a party to AFS convention

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 14.2.2

No	Requirements	Year
(Ministry of Environment Forestry)		
1	<p>For the efficient implementation of the Reception of Wastes from Ships and Waste Control Regulation which was put into force in order to ensure harmonisation with Directive 2000/59/EC of the European Parliament and of the Council on port reception facilities for ship generated waste and cargo residues, in coordination with Undersecretariat of Marine Affairs;</p> <ul style="list-style-type: none"> - Analysing the appropriateness and adequacy of the relevant national legislation, - Determining the adequate capacity of waste reception in ports according to sea traffic analyses, - Determining the waste disposal and transfer methods, - Establishing a national information system on waste reception, transfer and disposal, - Carrying out technical studies to be the basis for port waste management plans, - Bringing the technical capacity concerning waste reception facilities and waste transfer in regions and ports to be determined as a result of the above mentioned studies to a sufficient level, - Training of relevant personnel - Establishing regional common separation systems for small ports - Completing the waste reception facilities in all main ports 	2009-2011
(General Directorate of Coastal Safety)		
2	Improving the technical and operational capacity of the Management of Radio Operation (Turkish Radio)	2009 and Beyond
3	Preparedness to pollution of our seas by oil and other hazardous materials and completion of the needed necessary vessel, vehicle and equipments. ⁹	After 2009
(Undersecretariat for Maritime Affairs)		
4	Analyzing the ships based air pollution on the basis of region, ship type, maritime traffic, types of emissions, environmental impact, and future trends; measuring regional emission levels, measuring ship-based pollution in ports, implementation of relevant international conventions, IMO rules and recommendations and EU acquis, carrying out a regulatory impact analysis regarding the sustainability of air quality on the basis of good environmental status in Turkish seas.	2009 and Beyond

⁹ To be fulfilled after receiving the authorization of Undersecretariat for Maritime Affairs.

Table 14.2.2 (Continued)

No	Requirements	Year
5	<p>Carrying out the following activities within the scope of preparing a maritime education master plan to meet the manning needs of Turkish and EU Merchant fleets and provide high-quality seamen:</p> <ul style="list-style-type: none"> - Building a seamen's database - Determining the present and future seamen needs based on trends of the Turkish Merchant fleet - Determining the present and future seamen needs of the EU merchant fleet based on the trend in EU to employ Turkish seamen - Determining education on maritime requirements other than that of the merchant fleet - Identification of the present capacities of existing maritime schools and their development needs in order to provide sustainable quality maritime training - Identifying the problems and alternative solutions to Turkish maritime training - Analysis the alignment of Turkish maritime training legislation and implementation with relevant international conventions, EU acquis, IMO and ILO rules and recommendations and preparing draft legislation for legal gaps and recommendation reports for implementation gaps 	2009
6	<p>Carrying out the following tasks aimed at providing relief to the maritime traffic in Turkish ports</p> <ul style="list-style-type: none"> - Becoming a party to the FAL convention and carrying out a regulatory impact analysis - Preparing draft legislation on the implementation of the FAL Convention and relevant EU acquis - Enhancing the administrative capacities of relevant public and private bodies - Training on Port Community System 	2009 and beyond
7	<p>Executing following activities in order to enhance administrative capacity for effectively fulfilling compensation obligations and other administrative and auxiliary obligations in incidents involving oil in Turkey:</p> <ul style="list-style-type: none"> - Conducting training programs and seminars to convey the lessons learned from Erika and Prestige incidents, - Analyzing the national legislation, comparing with examples of good legislation from EU countries, conducting a gap analysis and drafting legislation to fill the gaps, - Presenting implementation manuals in order to ensure the efficient practice of compensation obligations and other administrative and support activities in cases of marine incidents involving oil pollution, - Analyzing the roles and structures of relevant public bodies, comparing with good examples from EU countries and determining necessary precautions for attaining the ideal state, - Establishing national information systems and databases and their regional and international links in order to fulfill the regional and international cooperation requirements of the OPRC Convention and EU Decision no 2850/2000. 	2009

3 Financial requirements and resources

Table 14.2.3.1

(Euro)

Requirements (Ministry of Environment and Forestry)	Year	National Budget	EU sources	Other	Total
I- Investment					
Establishment of a national information system on waste reception facilities and waste transfer in ports	2009-2011	1,000,000	3,000,000		4,000,000
II- Legislative approximation and implementation					
- Personnel					
- Training					
Training of personnel on waste reception facilities and waste transfer in ports	2009-2011		300,000		300,000
- Consultancy					
Implementations of waste reception facilities and waste transfer in ports	2009-2011		200,000		200,000
Feasibility studies for determining the adequate capacity of waste reception facilities and the facilities for joint use	2009-2011		1,000,000		1,000,000
- Translation					
- Other					
Total		1,000,000	4,500,000		5,500,000

Table 14.2.3.2

(Euro)

Requirements (General Directorate of Coastal Safety)	Year	National Budget	EU sources	Other	Total
I- Investment					
Upgrading the technical and operational capacity of Turkish Coastal Radio (Supply) ¹⁰	2007-2011	700,000	2,100,000		2,800,000
II- Legislative approximation and implementation					
- Personnel					
- Training					
- Consultancy					
Upgrading the technical and operational capacity of Turkish Coastal Radio (Twinning) ¹¹	2007-2011		250,000		250,000
- Translation					
- Other					
Total		700,000	2,350,000		3,050,000

¹⁰ Financed by the project titled "Safer Seas: Upgrading the technical and operational capacity of Turkish Coastal Radio - TR 07.02.26" under the Pre-accession Financial Assistance Financial 2007 Programme

¹¹ Financed by the project titled "Safer Seas: Upgrading the technical and operational capacity of Turkish Coastal Radio - TR 07.02.26" under the Pre-accession Financial Assistance Financial 2007 Programme

Table 14.2.3.3

(Euro)

Requirements (Undersecretariat for Maritime Affairs)	Year	National Budget	EU sources	Other	Total
I- Investment					
Establishing a system for continuously measuring and monitoring ship-based air pollution in selected ports and sea areas	2011-2012	1,000,000	3,000,000		4,000,000
Setting up an information system and database for continuous monitoring of ship-based air pollution	2011-2012	250,000	750,000		1,000,000
Setting up a seamen information system and database.	2009-2010	250,000	750,000		1,000,000
Setting up national information systems and databases and their regional and international links in order to fulfill the regional and international cooperation requirements in accordance with the OPRC Convention and EU Decision no 2850/2000	2009-2010	500,000	1,500,000		2,000,000
II- Legislative approximation and implementation					
- Personnel					
- Training					
Training and seminars for all parties on ship-based maritime pollution, relevant national and international legislation and implementation	2011-2012		500,000		500,000
Training and seminars for all parties on national and international legislation and implementation on seamen	2009-2010		200,000		200,000
Training and seminars for all parties on using seamen's information system and database	2009-2010		100,000		100,000
Training and seminar for all parties for conveying lessons learned from Erika and Prestige incidents	2009-2010		1,000,000		1,000,000

Table 14.2.3.3 (Continued)

(Euro)

Requirements (Undersecretariat for Maritime Affairs)	Year	National Budget	EU sources	Other	Total
Training and seminars for all parties on the FAL convention and implementation of the national legislation	2011-2012		300,000		300,000
- Consultancy					
Consultancy on analyzing the ships based air pollution on the basis of region, ship type, maritime traffic, types of emissions, environmental impact, and future trends; measuring regional emission levels, measuring ship-based pollution in ports, implementation of relevant international conventions, IMO rules and recommendations and EU acquis, carrying out a regulatory impact analysis regarding the sustainability of air quality on the basis of good environmental status in Turkish seas	2011-2012		1.500.000		1.500.000
Consultancy on carrying out the following activities within the scope of preparing a maritime education master plan to meet the manning needs of Turkish and EU Merchant fleets and provide high-quality seamen	2009-2010		1,000,000		1,000,000

Table 14.2.3.3 (Continued)

(Euro)

Requirements (Undersecretariat for Maritime Affairs)	Year	National Budget	EU sources	Other	Total
Procurement of consultancy services on the following matters: - Analyzing the national legislation, comparing with examples of good legislation from EU countries, conducting a gap analysis and drafting legislation to fill the gaps regarding incidents involving oil pollution, - Presenting implementation manuals in order to ensure the efficient practice of compensation obligations and other administrative and support activities in cases of marine incidents involving oil pollution, - Analyzing the roles and structures of relevant public bodies, comparing with good examples from EU countries and determining necessary precautions for reaching the ideal state	2009-2010		1,500,000		1,500,000
Consultancy on carrying out activities regarding relieving traffic in Turkish ports	2011-2012		1,000,000		1,000,000
- Translation					
- Other					
Total		2,000,000	13,100,000		15,100,000

Priority 14.3 In the field of aviation, providing a clear strategy for the progressive alignment to the acquis on the Single European Sky, and alignment with, and implement, the relevant provisions and specificities of the European Civil Aviation Conference's policy statement in the field of civil aviation security

1 Schedule of legislative alignment

Table 14.3.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Regulation No. 2150/2005/EC	Legislation Aiming at Harmonization with the Commission Regulation Laying down Common Rules for the Flexible Use of the Airspace	Identification of common rules for the flexible use of the air space	Ministry of Transport, Directorate General of Civil Aviation, General Directorate of State Airport Authority	To be enacted within the framework of full membership perspective.
2	Regulation No. 730/2006/EC	Legislation Aiming at Harmonization with the Commission Regulation on Airspace Classification	Identification of the fundamental rules concerning air space classification and access of flights operated under visual flight rules above FL 195.	Ministry of Transport, Directorate General of Civil Aviation, General Directorate of State Airport Authority	To be enacted within the framework of full membership perspective.
3	Regulation No. 95/93/EEC	Implementing Regulation on Slot Implementing Principles	Transformation of the Instruction on Slot Implementing Principles into an implementing regulation.	Directorate General of Civil Aviation	2009
4	Regulation No. 2096/2005/EC	Legislation Aiming at Harmonization with the Commission Regulation Laying down Common Requirements for the Provision of Air Navigation Services	Identification of common rules for the provision of air navigation services.	Ministry of Transport, Directorate General of Civil Aviation, General Directorate of State Airport Authority	To be enacted within the framework of full membership perspective.

Table 14.3.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
5	Regulation No. 549/2004/EC	Legislation Aiming at Harmonization with the Framework Council Regulation on the Single European Sky	Establishment of the legal framework necessary for the creation of the Single European Sky.	Ministry of Transport, Directorate General of Civil Aviation, General Directorate of State Airport Authority	To be enacted within the framework of full membership perspective.
6	Regulation No. 550/2004/EC	Single European Sky - Legislation Aiming at Harmonization with the Council Regulation on Service Provision	Establishment of the legal framework necessary for the provision of air navigation services in the Single European Sky.	Ministry of Transport, Directorate General of Civil Aviation, General Directorate of State Airport Authority	To be enacted within the framework of full membership perspective.
7	Regulation No. 551/2004/EC	Single European Sky - Legislation Aiming at Harmonization with the Council Regulation on the Airspace	Establishment of the legal framework relating to the air space in the Single European Sky	Ministry of Transport, Directorate General of Civil Aviation, General Directorate of State Airport Authority	To be enacted within the framework of full membership perspective.
8	Regulation No. 552/2004/EC	Single European Sky - Legislation Aiming at Harmonization with the Council Regulation on the Interoperability of the European Air Traffic Management Network	Assurance of Interoperability of the European Air Traffic Management Network	Ministry of Transport, Directorate General of Civil Aviation, General Directorate of State Airport Authority	To be enacted within the framework of full membership perspective.

Table 14.3.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
9	PART M in the annex of the Council Regulation No. 2042/2003	Implementing Regulation on Commercial Air Operators Maintenance System SHY-M Rev.1)	Regulating the maintenance system of Commercial Air Transport Corporations according to EASA standards and in accordance with PART-M, introducing the technical control of civil aircrafts within Turkish registry in terms of airworthiness.	Directorate General of Civil Aviation	2009
10	Directive No.96/67/EC	Implementing Regulation on the Ground Services of Airports (SHY-22) ¹²	Regulation of the conditions of access to the ground handling market and service standards.	Directorate General of Civil Aviation	2009
11	Regulation No. 261/2004/EC	Instruction on the Rights of Passengers ¹³	To make arrangements concerning the passenger grievances.	Directorate General of Civil Aviation	2009
12	Regulation No. 2299/89/EEC	Instruction on the Computerized Reservation Systems	Regulation of rules concerning the operation of computerized reservation systems.	Directorate General of Civil Aviation	2010
13	Regulation No. 1107/2006	Implementing Regulation on the Rights of Disabled Persons and Persons with Reduced Mobility when Travelling by Air	Regulation of the rights of disabled persons and persons with reduced mobility when travelling by air	Directorate General of Civil Aviation	2009
14	Directive No. 2004/36/EC ¹⁴	Implementing Regulation on Safety Assessment of Domestic and Foreign Aerial Vehicles	Safety assessment of domestic and foreign aerial vehicles.	Directorate General of Civil Aviation	2009

¹² It is also mentioned under "Priority 4.1 Continuing to remove restrictions affecting foreign direct investments originating from the EU"

¹³ It is also mentioned under the "Priority 28.1 Further aligning with the consumer acquis and ensuring adequate administrative structures and enforcement capacity.

¹⁴ Directive No. 2004/36/EC was abolished with Regulation No. 216/2008/EC however is being arranged within the scope of Article 69 (5) of the Regulation.

Table 14.3.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
15	Regulation No. 1032/2006	Implementing Regulation on Automatic System Requirements for Exchange of Flight Information Among Air Traffic Control Units with the Aim of Announcement, Coordination and Transfer of Flights.	Making arrangements concerning automatic system requirements for exchange of flight information among air traffic control units with the aim of announcement, Coordination and Transfer of Flights.	Ministry of Transport, General Directorate of State Airport Authority	After 2011
16	Regulation No. 1033/2006	Implementing Regulation on Requirements concerning Procedures for Flight Plans before the flight for Single European Sky.	Making arrangements concerning requirements concerning procedures for flight plans before the flight for Single European Sky.	Ministry of Transport, General Directorate of State Airport Authority	After 2011
17	Regulation No. 1794/2006	Implementing Regulation on Tariffs for Air Navigation Services.	Developing joint tariff plans for air navigation services	Ministry of Transport, General Directorate of State Airport Authority	To be enacted within the framework of full membership perspective.
18	Regulation No. 633/2007	Implementing Regulation on Implementation Requirements of Flight Message Transfer Protocol used Among Air Traffic Control Units with the Aim of Announcement, Coordination and Transfer of Flights.	Making arrangements concerning implementation requirements of flight message transfer protocol used among air traffic control units with the aim of announcement, coordination and transfer of flights.	Ministry of Transport, General Directorate of State Airport Authority	After 2011
19	Regulation No. 1265/2007	Implementing Regulation the Requirements for Air-Ground Voice Channel Spacing for Single European Sky	Making arrangements concerning requirements for air-ground voice channel spacing for Single European Sky	Ministry of Transport, General Directorate of State Airport Authority	After 2011

Table 14.3.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
20	Regulation No. 1315/2007	Implementing Regulation on Safety Surveillance in Air Traffic Management	Making arrangements concerning safety surveillance in air traffic management	Ministry of Transport, Directorate General of Civil Aviation, General Directorate of State Airport Authority	To be enacted within the framework of full membership perspective.
21	Regulation No. 1321/2007	Implementing Regulation on Implementing Principles for Collecting Information on Civil Aviation Incidents in a Central Pool.	Identifying implementing principles in order to collect information on civil aviation incidents in a central pool.	Ministry of Transport, General Directorate of State Airport Authority	To be enacted within the framework of full membership perspective.
22	Regulation No. 1330/2007	Implementing Regulation on Implementing Principles for Conveying Information on Civil Aviation Incidents to the Relevant Parties	Identifying implementing principles in order to convey information on civil aviation incidents to the relevant parties	Ministry of Transport, General Directorate of State Airport Authority	After 2011

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

Priority 14.4 Continuing the legislative and administrative alignment to the transport acquis in particular as regards safety at road transport

1 Schedule of legislative alignment

Table 14.4.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directives No.91/439/EEC, 2006/126/EC and 92/6/EEC	Law Amending Certain Articles of the Highways Traffic Law No.2918	Harmonization of the driving licenses in our country with those in the EU. Equipment of certain vehicles with speedometer	Turkish National Police	2009
2	Regulation No. 561/2006/EC Directive No. 2006/22/EC	Implementing Regulation Amending the Implementing Regulation on Working Times, which cannot be Divided into Weekly Workdays	Arrangement of working and resting time for drivers.	Ministry of Labour and Social Security	After 2011
3	Decision No. 2000/275/EC Directive No. 2003/59/EC	Implementing Regulation on Motor Vehicle Drivers' Courses ¹⁵	Establishing the equivalence between the drivers' training in our country and that in the European Union.	Ministry of Education	2010
4	Council Decision No. 93/704/EC	Implementing Regulation Amending the Implementing Regulation on Highways Traffic	Establishment of a database on traffic accidents in conformity with the EU standards.	Turkish National Police	2009
5	Directives No. 96/35/EC and 2000/18/EC	Communiqué on the Safety Advisors in charge of the Transport of Dangerous Goods ¹⁶	Identifying the possible risks of transport of dangerous goods by road/rail and setting up the procedures and principles on the appointment, training and duties of the safety advisors, who shall be in charge of taking the necessary measures to prevent risks to cause damages on human health and environment	Ministry of Transport	2009

¹⁵ It will be enacted after the adoption of the Law Amending the Certain Articles of the Highways Traffic Law No.2918

¹⁶ It will be enacted in accordance with the Article 25 of the Implementing Regulation on Transportation of Dangerous Goods by Rail published in the Official Gazette dated 31.03.2007 and No. 26479

Table 14.4.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
6	Regulation No. 3821/85/EEC	Implementing Regulation on Recording Equipment in Road Transport	Establishing and operating digital tachograph system in Turkey	Ministry of Industry and Trade	2010
7	Directive No. 92/106/EEC	Implementing Regulation on the Combined Transport of Goods	Providing economical door-to-door transport services to offer a better service quality for customers. Save energy by reducing jams, accidents and environmental pollution on highways. Laying down the responsibilities, obligations and trainings of and operators and drivers of all kinds of carrier vehicles on road, sea and railway transportation.	Ministry of Transport	After 2011
8	Directive No.2000/30/EC	Implementing Regulation on the Technical Roadside Inspection of the Roadworthiness of Commercial Vehicles	Provision of technical roadside inspection of the roadworthiness of commercial vehicles travelling on highway and thus ensuring road and passenger safety; laying down the rights, obligations and responsibilities of carriers and drivers.	Turkish National Police Ministry of Transport	After 2011
9	Regulation No. 2411/98/EC	Implementing Regulation Amending the Implementing Regulation on Highways Traffic	Introducing the use of the sign of our country on the plates of the vehicles in parallel with the EU applications.	Turkish National Police	After 2011

Table 14.4.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
10	Directive No. 2004/54/EC	Amendment to the Circular No.B091TCK1303/720/0330 of 8.3.2005 of the General Directorate of Highways	Establishing the principles on minimum tunnel safety criteria.	General Directorate of Highways	After 2011
11	Directive No. 2004/54/EC	Amendment to the Tunnel Operations Instruction	Laying down the working principles within the scope of restructuring regarding the operation of tunnels.	General Directorate of Highways	After 2011
12	Directive No.99/36/EC	Implementing Regulation Amending the Implementing Regulation on Transportable Pressure Equipment ¹⁷	Aligning the requirements of the transportable pressure equipment with those of EU	Ministry of Industry and Trade	2010
13	Directive No.1999/62/EC	Amendment to Implementing Regulation on Road Operations	Re-regulation of operation principles and applications according to the new systems and structuring.	General Directorate of Highways	After 2011
14	Directive No.2004/52/EC	Legislation on the Interoperability of Electronic Fee Collection Systems	Establishing the principles on the interoperability of electronic fee collection systems.	General Directorate of Highways	After 2011
15	Directive No. 1999/62/EC	Amendment to Implementing Regulation on the Operation of Istanbul Strait Bridge	Laying down the working principles according to the new systems and applications.	General Directorate of Highways	After 2011

¹⁷ It will be enacted after the adoption of Implementing Regulation on Transportation of Dangerous Goods by Rail.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 14.4.2

No	Requirements	Year
(Ministry of Industry and Trade)		
1	Training of the Ministry personnel in charge of the Regulation No. 3821/85/EEC under TAIEX	2009
2	Training of the Ministry personnel in charge of the Directive No. 99/36/EC under TAIEX	2009
(General Directorate of Highways)		
3	Enhancement of Institutional Capacity of DG Highways on Tunnel Safety, road charging and electronic toll systems	2009-2011
(Ministry of Labour and Social Security)		
4	Strengthening the Institutional Capacity for Rearrangement of Implementing Regulation on Working Times which cannot be Divided into Weekly Workdays within the scope of the related EU legislation	2009-2013
(Ministry of National Education (Directorate General of Private Educational Institutions))		
5	In accordance with Directives No. 91/439/EEC and 2003/59/EC, establishment of the legal and institutional framework necessary for implementation of Law Amending the Certain Articles of the Highways Traffic Law upon its enactment and preparing the curriculum of driving schools.	2009
(Ministry of Transport)		
6	Enhancement of the administrative capacity of Ministry of Transport for providing weight and dimension measurement of commercial vehicles with a view to implementing Directives No. 96/53/EC and 2002/7/EC	2009

3 Financial requirements and resources

Table 14.4.3.1

(Euro)

Requirements (General Directorate of Highways)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training	2009-2011		1,200,000		1,200,000
- Consultancy	2009-2011		600,000		600,000
- Translation					
- Other	2009-2011		200,000		200,000
Total			2,000,000		2,000,000

Table 14.4.3.2

(Euro)

Requirements (Ministry of Labour and Social Security)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training					
Training of 150 personnel working in DG for Labour and Regional Directorates	2009-2013		40,000		40,000
Training of 150 labour inspectors in the Board of Labour Inspection	2009-2013		40,000		40,000
- Consultancy					
Consultancy during legislative alignment	2009-2013		100,000		100,000
- Translation					
- Other					
Total			180,000		180,000

Table 14.4.3.3

(Euro)

Requirements (Ministry of National Education (Directorate General of Private Educational Institutions))	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training					
Training for enhancing the institutional capacity concerning implementation procedures and principles of “Implementing Regulation on Motor Vehicle Drivers”, curriculum, theoretical and practical examinations, (Directors of driver training courses, relevant personnel of provincial/district Director of National Education, inspectors and examiners,)	2009-2012	150,000	300,000		450,000
Training on preparation of Implementing Regulation on Motor Vehicle Drivers and curriculum, on-site visit in member-states	2009		10,000		10,000
- Consultancy					
Curriculum, legal basis and rules of practical examinations on driver training	2009		1,000		1,000
- Translation					
Implementation documents preparation of Implementing Regulation on Motor Vehicle Drivers and curriculum	2009	1,000			1,000
- Other					
Total		151,000	311,000		462,000

CHAPTER 15 ENERGY

Priority 15.1 Continuing alignment with and implementation of, the acquis on the internal gas and electricity market and on cross border exchanges in electricity, also with a view to possible membership of the Energy Community Treaty. Ensuring the implementation of fair and non-discriminatory rules for the transmission of gas

Discussions in connection with Turkey's accession to the Energy Community Treaty are being continued with the European Commission.

1 Schedule of legislative alignment

Table 15.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directives No. 2003/55/EC and 2004/67/EC	Law Amending the Natural Gas Market Law	Regulation of the issues relating to the import by private sector and liberalization of the market. Identification of measures to be taken in case of emergency in the natural gas sector	Ministry of Energy and Natural Resources	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage

Priority 15.2 Strengthening administrative capacity and continuing alignment in the energy efficiency field, promotion of high-efficiency cogeneration, and development of renewable energy in transport, electricity and heating/cooling, including the setting of appropriate and ambitious targets and incentives

1 Schedule of legislative alignment

Table 15.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 94/2/EC	Amendment to the Communiqué on Energy Labelling of Household Electric Refrigerators, Deep-Freezers, Refrigerators and Deep-Freezers and their Combinations	Transposition of amendments, made by the EU as a result of technological developments, introducing A + and A ++ regulations to energy labelling of refrigerators.	Ministry of Industry and Trade	2009
2	Directive No. 2002/91/EC, 2006/32/EC	Implementing Regulation on Energy Management in the Schools of the Ministry of National Education	Establishment of energy management systems in schools and assignment of energy managers in buildings owned by the Ministry of National Education.	Ministry of National Education	2009
3	Directive No. 2005/32/EC	Legislation on the Ecodesign Requirements for Energy-Using Products	Integration of certain criteria which contribute to the protection of the environment at the design stage of products within the scope of the related EU Directive.	Ministry of Industry and Trade	2009
4	Directive No. 2003/30/EC	Law on the Extension of Use of Biofuels	Aims at promotion of the use of biofuels produced from domestic agricultural products within the perspective of full membership to the EU.	Ministry of Energy and Natural Resources	After 2011

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 15.2.2

No	Requirements	Year
(Ministry of Industry and Trade)		
1	Training of Ministry personnel on 2005/32/EC Directive and the related directives	2009
(Ministry of Public Works and Settlement)		
2	Establishing a unit in order to carry out activities such as preparing legislation, assessment, certification, software development, inspection and data-base and research-development for the purpose of preparing legislation in the field of energy performance in buildings and inspection of implementations	2009
3	Strengthening of the administrative capacity for implementation of the Implementing Regulation on Energy Performance of Buildings	2010
4	Establishment of a laboratory in order to carry out the activities such as research & development, inspection and training regarding the energy performance in the buildings	2010
(Ministry of Energy and Natural Resources (General Directorate of Electrical Power Resources Survey and Development Administration))		
5	Strengthening administrative and institutional structure	2010
(Ministry of Transport)		
6	Establishment of an administrative unit with in the Ministry for the purpose of strengthening the administrative capacity to collect and assess statistics concerning implementations of “Implementing Regulation on Principles and Procedures Regarding the Increase of Energy Efficiency in Transportation” which was published in the Official Gazette No. 26901 on 9 June 2008 based on the Energy Efficiency Law (No: 5627)	After 2011

3 Financial requirements and resources

Table 15.2.3.1

(Euro)

Requirements (Ministry of Industry and Trade)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training					
Three-day training on Directive No. 2005/32/EC and Directives 92/42/EEC, 96/57/EC and 2000/55/EC amended by Directive 2005/32/EC.	2009		20.000		20.000
- Consultancy					
- Translation					
- Other					
Total			20.000		20.000

Table 15.2.3.2

(Euro)

Requirements (Ministry of Public Works and Settlement)	Year	National Budget	EU sources	Other	Total
I- Investment					
Investment for hardware, database, account programs and research & development within the frame of establishing a unit responsible for preparing legislation in the field of energy performance in buildings and inspection of implementations	2010	50,000	150,000		200,000
Establishment of “Building Inventory” data base, based on GIS application for the effective implementation of the EPBD Directive	2010	1,500,000	4,500,000		6,000,000
Equipment and hardware necessary for the laboratory to be established	2010	1,875,000	5,625,000		7,500,000
II- Legislative approximation and implementation					
- Personnel					
Acquisition of qualified staff for the Unit responsible for preparing legislation in the field of energy performance in buildings and inspection of implementations (10 persons)	2009	25,000			25,000
- Training					
Following the establishment of a unit responsible for preparing legislation in the field of energy performance in buildings and inspection of implementations. (150 persons x 2 times)	2010		100,000		100,000
Design training course for the building constructors on the “ecologic construction”, “solar energy” and “zero CO2 emission buildings” for the effective implementation of legislation on energy performance in buildings, within the framework of the awareness program .(200 persons)	2010		250,000		250,000

Table 15.2.3.2 (Continued)

(Euro)

Requirements (Ministry of Public Works and Settlement)	Year	National Budget	EU sources	Other	Total
Design training course on “Construction techniques for the Energy Efficient Building” within the framework of the awareness program for the effective implementation of legislation on energy performance in buildings.(200 persons)	2010		250,000		250,000
Training of the personnel on laboratory activities within the context of establishment of laboratory (75 persons x 2 times)	2010		50,000		50,000
- Consultancy					
Consultancy within the framework of establishing a unit responsible for preparing legislation in the field of energy performance in buildings and inspection of implementations. (1 person x 1 year)	2010		150,000		150,000
Consultancy for the development of administrative capacity within the scope of Directive on Energy Performance of Buildings (2002/91/EC)	2010		500,000		500,000
Consultancy for the design of the data base for “the Building Inventory”, based on GIS application for the effective implementation of legislation on energy performance in buildings	2010		750,000		750,000
Consultancy for the development of a program on the “Implementation of legislation on energy performance in buildings in existing building stock”	2010		750,000		750,000
Consultancy for the development of a program on the “Implementation of legislation on energy performance in buildings in new buildings”	2010		750,000		750,000

Table 15.2.3.2 (Continued)

(Euro)

Requirements (Ministry of Public Works and Settlement)	Year	National Budget	EU sources	Other	Total
Consultancy for the development of public awareness program between the Ministry and the Municipalities to increase the effective implementation of the legislation on energy performance in buildings	2010		1,000,000		1,000,000
Consultancy for designing a training program on “Construction techniques for the Energy Efficient Building” within the framework of the awareness program for the effective implementation of legislation on energy performance in buildings	2010		500,000		500,000
Consultancy for designing a training program on “ecologic construction”, “solar energy” and “zero CO2 emission buildings and pilot applications within the framework of the awareness program initiated for the effective implementation of legislation on energy performance in buildings	2010		500,000		500,000
Consultancy for determining “architectural and site planning criteria” within the context of integrating “passive measures” into architecture and city planning, for the effective implementation of legislation on energy performance in buildings	2010		750,000		750,000
Consultancy within the scope of the establishment of laboratory (1 person x 1 year)	2010		150,000		150,000
- Translation					
Translation of documents related to the sample implementations (model applications?) within framework of the establishing a unit responsible for preparing legislation in the field of energy performance in buildings and inspection of implementations (2,000 pages)	2009	60,000			60,000

Table 15.2.3.2 (Continued)

(Euro)

Requirements (Ministry of Public Works and Settlement)	Year	National Budget	EU sources	Other	Total
Within the framework of the strengthening administrative capacity and within the scope of Directive on Energy Performance of Buildings, translation of the relevant legislation regarding the activities of implementing personnel within the EU and inspection systems of Member States	2009	100,000			100,000
Within the framework of establishment of laboratory, translation of the documents of other states related to laboratory activities (1,000 pages)	2009	40,000			40,000
- Other					
Inspection of the laboratory systems and updating within the framework of establishment of laboratory.	2009-2010	25,000	75,000		100,000
Total		3,675,000	16,800,000		20,475,000

Table 15.2.3.3

(Euro)

Requirements (Ministry of Energy and Natural Resources (General Directorate of Electrical Power Resources Survey and Development Administration))	Year	National Budget	EU sources	Other	Total
I- Investment					
Developing an energy efficiency training facility, training equipment and curriculum, improving and operating the energy efficiency portal (including e-learning), strengthening and renovating infrastructures like computers, training equipment etc.	2010	500,000		350,000 ¹	850,000
II- Legislative approximation and implementation					
- Personnel	2010	40,000			40,000
- Training	2010	30,000	120,000		150,000
- Consultancy	2010		600,000	400,000 ²	1,000,000
- Translation	2009	50,000			50,000
- Other	2010	20,000,000 ³			20,000,000
Total		20,620,000	720,000	750,000	22,090,000

¹ To be financed by the project concerning voluntary agreements within MATRA G2G in co-operation with Netherlands.

² Project proposal on increasing energy efficiency in industry within Global Environment Facility (GEF) for Co-operation with EU member states (France and Netherlands) has been submitted.

³ Refers to the financial requirements for the next two years in order to meet the needs for implementation requirements of the Energy Efficiency Law No 5627 published in the Official Gazette on 2 May 2007.

Table 15.2.3.4

(Euro)

Requirements (Ministry of Transport)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training					
Training on efficient execution of implementations of implementing regulation on energy efficiency in transport	2009-2011		60,000		60,000
- Consultancy					
Consultancy for the efficient execution of implementations of implementing regulation on energy efficiency in transport	2009-2011		60,000		60,000
- Translation					
Translation for the related legislative alignment	2009-2011	20,000			20,000
- Other					
Total		20,000	120,000		140,000

Priority 15.3 Acceding to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management. Adoption of a nuclear law which ensures a high level of nuclear safety in line with EU standards

Studies on Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management are being carried out by Ministry of Energy and Natural Resources, Turkish Atomic Energy Authority and Ministry of Foreign Affairs.

1 Schedule of legislative alignment

Table 15.3.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication Date
1	Convention on Nuclear Safety	Nuclear Law	Establishment of nuclear and radiation safety and security principles; definition of duties, authorities and responsibilities of Turkish Nuclear Regulatory Authority (TNRA) to regulate activities related to the peaceful use of nuclear energy and ionizing radiation in the country and of the Turkish Atomic Energy Authority (TAEA) to conduct research, technology development and implementation studies in relation to such activities.	Turkish Atomic Energy Authority	2009-2010

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 15.3.2

No	Requirements	Year
(Turkish Atomic Energy Authority)		
1	Strengthening regulatory capacity pertaining to nuclear power plant licensing of TAEK	2009-2011

3 Financial requirements and resources

Table 15.3.3

(Euro)

Requirements (Turkish Atomic Energy Authority)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
Recruitment of qualified personnel on nuclear power plant licensing	2009-2011	14,400,000			14,400,000
- Training					
Nuclear power plant licensing	2009-2011	1,800,000	900,000	300,000 ⁴	3,000,000
- Consultancy					
- Translation					
- Other					
Service procurement in the required fields during nuclear power plant licensing	2009-2014	10,000,000		500,000 ⁵	10,500,000
Total		26,200,000	900,000	800,000	27,900,000

⁴ To be financed as the financial assistance of International Atomic Energy Agency to projects

⁵ To be financed as the financial assistance of International Atomic Energy Agency to projects

Priority 15.4 Further strengthening administrative and regulatory structures needed for a functional and competitive energy market and ensure their independence

1 Schedule of legislative alignment

Table 15.4.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 94/22/EC	Turkish Petroleum Law	Identification of the procedures and principles of collection, evaluation and introduction for use of information and data required for exploration and production of oil and natural gas, and regulation, direction, promotion of oil and natural gas exploration and production activities in Turkey	Ministry of Energy and Natural Resources	2009
2	Decisions No.68/416/EEC, 77/706/EEC Directives No. 73/238/EEC, 2006/67/EC	Law on the Establishment of National Oil Stock Agency and its Organization	Rights and obligations of all real and legal persons in relation to the maintenance of national oil stocks, procedures and principles regarding the establishment of the authority of a National Oil Stock Agency.	Ministry of Energy and Natural Resources	2009-2010

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 15.4.2

No	Requirements	Year
(Energy Market Regulatory Authority (EMRA))		
1	Enhancement of the administrative capacity with a view to developing the contracts implemented in the energy market in terms of competition and market operations	2009
2	In order to ensure the effective functioning of EMRA, enhancement of the capacity for regulating and monitoring third party access to natural gas and oil storage facilities	2009
(Ministry of Energy and Natural Resources)		
3	Establishment of National Oil Stock Agency	2009-2010

3 Financial requirements and resources

Table 15.4.3.1

(Euro)

Requirements (Energy Market Regulatory Authority)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training					
Contracts that will be concluded between the consumers and legal persons operating in the market and member state implementations	2010		102,000		102,000
Training on legislation concerning transmission network operations and member state implementations	2010		75,000		75,000
Training on legislation concerning distribution network operations and member state implementations	2010		75,000		75,000
Training on third party access to the storage facilities and member state implementations	2010		150,000		150,000
- Consultancy					
- Translation					
- Other					
Total			402,000		402,000

Table 15.4.3.2

(Euro)

Requirements (Ministry of Energy and Natural Resources)	Year	National Budget	EU sources	Other	Total
I- Investment					
Facility and data processing system with regard to the establishment of National Oil Stock Agency	2009-2010	4,000,000			4,000,000
II- Legislative approximation and implementation					
- Personnel					
National Oil Stock Agency	2009-2010	1,800,000			1,800,000
- Training					
National Oil Stock Agency a. Training Service on Data Collection System b. Training Service on Agency Working System c. Emergency Training System d. Coordinated Action Training System e. Training on Stock Holding f. Training on Plan Preparation g. Applications	2009-2010	20,000 (a+c+e+g)	60,000 (a+b+c+d+e+f+g)		80,000
- Consultancy					
Inspection of the other countries' stock holding systems following the establishment of National Oil Stock Agency	2009-2010	30,000	90,000		120,000
- Translation					
National Oil Stock Agency (Translation of the reports and documents related to training)		10,000			10,000
- Other					
Total		5,860,000	150,000		6,010,000

CHAPTER 16 TAXATION

Priority 16.1 Taking practical steps leading to a substantial reduction in discriminatory taxation of alcoholic products, imported tobacco and imported cigarettes, and presenting a plan with clear milestones, and agreed with the Commission, for the rapid elimination of any residual discriminatory taxation

1 Schedule of legislative alignment

Table 16.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1		Action Plan Concerning Taxation of Alcoholic Beverages, Import Tobacco and Cigarettes	Preparing an action plan in order to fulfil the opening benchmark of the chapter.	Ministry of Finance	2009
2	Directive No. 92/84/EEC	Decision of Council of Ministers Amending Excise Duty Rates	Taking legislative measure on the taxation scales and rate for alcohol and alcoholic beverages. ¹	Ministry of Finance	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

¹ Gradual alignment will be ensured in accordance with the action plan.

Priority 16.2 Pursuing alignment of VAT and excise duties, in particular on structure and applied rates

1 Schedule of legislative alignment

Table 16.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directives No. 92/84/EEC, 95/59/EEC, 2002/10/EC and 92/79/EEC.	Decision of Council of Ministers Amending Excise Duty Rates	Taking legislative measure on the taxation scales and rate for alcohol and alcoholic beverages Taking legislative measure on the taxation criteria for cigarettes and descriptions for other tobacco products.	Ministry of Finance	2009
2	Directives No.2003/96/EC, 92/83/EEC and 92/12/EEC	Law Amending the Law on Excise Duties	Taking legislative measure on the taxation scales for petroleum and petroleum products, and other energy products and cope of the tax. Taking legislative measure on the implementation of the tax warehouse system and tax deferral arrangements for Excise Duties	Ministry of Finance	After 2011
3	Directives No. 2006/112/EC, 91/680/EEC, 92/111/EC, 95/7/EC and 98/80/EC	Law Amending the Law on Value Added Tax (VAT)	Taking legislative measure on the structure (such as economic activity, place of delivery, persons liable for payment of tax, tax base) of VAT. Taking legislative measure on the taxation of travel agencies. Taking legislative measure on the removal of fiscal borders by waiving from collecting of VAT at the time of importation. Taking legislative measure on the taxation of gold for investment purposes. Taking legislative measure in harmony with the acquis on betting, games of chance and gambling. Taking legislative measure in harmony with the acquis on the taxation of small enterprises.	Ministry of Finance	After 2011
4	Directive No. 94/5/EC	Law Amending the Law on Value Added Tax (VAT)	Taking legislative measure on the taxation of second-hand goods, artwork and collectors' items.	Ministry of Finance	After 2011

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

Priority 16.3 Continuing strengthening and modernising the tax administration, including the IT sector, in order to increase compliance and improve collection of tax revenues and to reduce the informal economy

1 Schedule of legislative alignment

Table 16.3.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directives No. 90/434/EEC and 2003/49/EC	Law Amending the Law on Corporate Tax	To expand the scope of the legislation on mergers and divisions applicable to domestic matters, so as to be applied to mergers and divisions with companies within EU countries. To make arrangements regarding the taxation of interest and royalty payments between companies.	Ministry of Finance	After 2011
2	Directive No. 2003/48/EC	Law Amending the Income Tax Law	Taking legislative measure on the savings income in the form of interest payments of persons residing in EU countries.	Ministry of Finance	After 2011
3	Regulations No.2073/2004 and 1798/2003 Directive No. 77/799/EEC	Law Amending the Tax Procedural Law	Enabling information exchange on the circulation of goods subject to excise duties within the EU. Enabling the mutual assistance of tax authorities between EU Member States concerning VAT and direct taxes.	Ministry of Finance	After 2011

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 16.3.2

No	Requirements	Year
(Ministry of Finance)		
1	Procurement of consultancy service on the amendments to be made within the framework of the EU legislation in force	2010-2011
2	Training of the personnel on the amendments to be made within the framework of the EU legislation in force	2010-2011
3	Analyzing in abroad the practices of EU member states on the amendments to be made within the framework of the EU legislation in force	2010-2011

3 Financial requirements and resources

Table 16.3.3

(Euro)

Requirements (Institution)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training	2010-2011		350,000		350,000
- Consultancy	2010-2011		100,000		100,000
- Translation	2010-2011		50,000		50,000
- Other			50,000		50,000
Total			550,000		550,000

Priority 16.4 Continuing alignment of excise duties and VAT, in particular as regards deductions, exemptions, special schemes, tax refunds and the application of reduced rates

1 Schedule of legislative alignment

Table 16.4.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 2006/112/EC	Decision of Council of Ministers Amending VAT Rates	Taking legislative measure on VAT rates	Ministry of Finance	After 2011
2	Decision No. 1152/2003/EC Regulations No. 1925/2004, 2073/2004 and 798/2003 Directive No. 77/799/EEC	Administrative Measures to be Taken Depending on the Amendment to the Tax Procedural Law	Building a computer system (EMCS), Common Communication Network (CCN) and Common System Interface (CSI) Network CCN/CSI in order to enable the circulation and surveillance of excisable products in the EU Member States and within the country in case of full membership. Establishing a Central Liaison Office (CLO) responsible for administrative cooperation as regards excise duties so as to ensure competent units to conduct information exchange. Establishing a Central Liaison Office (CLO) responsible for administrative cooperation with other EU Member States in the field of Value Added Tax. Building and operationalizing the necessary computer system for the establishment of the envisaged VAT Information Exchange System (VIIES) between EU Member States and the Common Communication Network and the Commons System Interface (CCN/CSI).	Ministry of Finance	To be enacted within the framework of full membership perspective.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

CHAPTER 18 STATISTICS

Priority 18.1 Producing timely key national accounts indicators in accordance with ESA 95

1 Schedule of legislative alignment

No legislative alignment is envisaged under this priority at this stage.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 18.1.2

No	Requirements	Year
(Turkish Statistical Institute)		
1	Strengthening the infrastructure to fully comply with ESA-95	2009-2011
2	Expert support, study visits and training activities on National Accounts	2009-2011
3	Updating required organization for the implementation of the acquis	2009-2011
(Ministry of Finance (General Directorate of Public Accounts))		
4	Compiling the accounting data of all the institutions included in General Administration and capacity building to develop statistical tables harmonised with ESA 95	2009-2011

3 Financial requirements and resources

Table 18.1.3

(Euro)

Requirements (Turkish Statistical Institute)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation ¹					
- Personnel					
- Training	2009-2010	16,000	160,000		176,000
- Consultancy	2009-2010	15,000	150,000		165,000
- Translation					
- Other					
Total		31,000	310,000		341,000

¹ Financed by the project titled "Upgrading the statistical system - phase II" (TR 05-03.16) under Pre-Accession Financial Assistance 2005 Programme.

Priority 18.2 Aligning the methodology and the organisational set-up for collecting information to provide agriculture statistics in line with EU requirements

1 Schedule of legislative alignment

Table 18.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Date of enforcement
1		Agricultural Statistics Strategy Paper (2008-2012)	Fulfilling the closing benchmark of the chapter.	Ministry of Agriculture and Rural Affairs Turkish Statistical Institution	2009
2	Regulation no 79/65/EEC	Implementing Regulation on Establishment of FADN	Determination of administrative and legal procedures to be undertaken for the establishment of FADN and procedures and principles concerning pilot works.	Ministry of Agriculture and Rural Affairs	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 18.2.2

No	Requirements	Year
(Ministry of Agricultural and Rural Affairs)		
1	Strengthening the statistical capacity of Ministry of Agriculture and Rural Affairs for the implementation of the strategy paper (2008-2012)	2009-2011
2	Establishment of farm accountancy data network (FADN) in 9 provinces	2008-2009
3	Enhancing the institutional capacity of Ministry of Agriculture and Rural Affairs for ensuring the implementation, sustainability and expansion of FADN	2010-2012

Table 18.2.2 (Continued)

No	Requirements	Year
(Turkish Statistical Institute)		
4	Aligning the methodology and the organisational set-up for collecting information to provide agriculture statistics in line with EU requirements	After 2011
	Establishment and completion of Statistical Farm Register ²	After 2011
	Harmonization of crop production statistics	After 2011
	Harmonization of livestock, meat, milk, milk product and egg statistics	After 2011
	Harmonization of agro-monetary statistics	After 2011
	Implementation of Farm Structure Survey under 2011 General Agricultural Census	2011
5	Conducting surveys	2008-2011
	Survey on animal production in agricultural holdings	2008-2009
	Vineyard Survey ³	2009
	Survey on economic structure of the agricultural holdings	2009
	Monthly data on the production of meat, milk and egg in the integrated establishments	2011 and Beyond
	Updating of Statistical Farm Register (constantly) ⁴	2011 and Beyond
	Farm Structure Survey	2011
6	Obtaining consultancy on improving agricultural statistics	2008-2009
7	Training of personnel and participating in study visits	2008-2009

² Statistical farm registers will be set up and updated by MARA and will be contributed by Turkish Statistical Institute.

³ As long as vineyard registers are set up by MARA in the first half of 2009, Vineyard Survey will be carried out in 2009; otherwise the schedule may be updated.

⁴ Statistical farm registers will be set up and updated by MARA and will be contributed by Turkish Statistical Institute.

3 Financial requirements and resources

Table 18.2.3.1

(Euro)

Requirements (Ministry of Agricultural and Rural Affairs)	Year	National Budget	EU sources	Other	Total
I- Investment					
Supply of equipment for establishment of farm accountancy data network (FADN) in 9 provinces ⁵	2008-2009	160,000	480,000		640,000
Supply of equipment ⁶	2009-2011	50,000	150,000		200,000
Supply of equipment for ensuring the implementation, sustainability and expansion of FADN	2010-2012	12,500	37,500		50,000
II- Legislative approximation and implementation					
- Personnel					
- Training					
- Consultancy					
Twinning for establishment of farm accountancy data network (FADN) in 9 provinces ⁷	2008-2009		600,000		600,000
Technical assistance ⁸	2009-2011		950,150		950,150
Technical assistance for ensuring the implementation, sustainability and expansion of FADN	2010-2012	195,000	1,755,000		1,950,000
- Translation					
- Other					
Total		257,500	2,892,650		3,150,150

⁵ Financed by the project titled "Establishment of a Pilot Turkish Farm Accountancy Data Network (FADN) - TR 06.03.01" under Pre-Accession Financial Assistance 2006 Programme

⁶ Financed by the project titled "Strengthening the statistical capacity of the MARA- TR 07.02.25" under Pre-Accession Financial Assistance 2007 Programme

⁷ Financed by the project titled "Establishment of a Pilot Turkish Farm Accountancy Data Network (FADN) - TR 06.03.01" under Pre-Accession Financial Assistance 2006 Programme

⁸ Financed by the project titled "Strengthening the statistical capacity of the MARA- TR 07.02.25" under Pre-Accession Financial Assistance 2007 Programme

Table 18.2.3.2

(Euro)

Requirements (Turkish Statistical Institute)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training	2008-2010		90,480 ^{9 10}		90,480
- Consultancy	2008-2009		405,200 ¹¹		405,200
- Translation					
- Other					
Data collection	2008-2009	2,160.000 ¹²	578,420 ^{13 14}		2,738,420
Total		2,160.000	1,074,100		3,234,100

⁹ Financed under PHARE 2006 Multi-beneficiary Statistical Co-operation Programme

¹⁰ Financed by the project titled "Upgrading the statistical system - Phase II - TR 05-03.16" under Pre-Accession Financial Assistance 2005 Programme

¹¹ Financed by the project titled "Upgrading the statistical system - Phase II - TR 05-03.16" under Pre-Accession Financial Assistance 2005 Programme

¹² Refers to the indicative budget for the surveys financed by national budget

¹³ Financed under PHARE 2006 Multi-beneficiary Statistical Co-operation Programme

¹⁴ Financed under PHARE 2005 Multi-beneficiary Statistical Co-operation Programme

Priority 18.3 Finalising establishment of the business register

1 Schedule of legislative alignment

No legislative alignment is envisaged under this priority at this stage.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 18.3.2

No	Requirements	Year
(Turkish Statistical Institution)		
1	Increasing the qualified personnel capacity in order to set up BR system in Turkey	2008-2009
2	Performing studies to enhance the standards and data quality of registers of other Institutions, foreseen to be used in Business Registers	2008-2009
3	Restructuring of Business Registers Group	2008-2009
4	Finalising the implementation of business register in an improving manner	2008-2009

3 Financial requirements and resources

Table 18.3.3

(Euro)

Requirements (Turkish Statistical Institution)	Year	National Budget	EU sources	Other	Total
I- Investment	2008-2009	500,000			500,000
II- Legislative approximation and implementation					
- Personnel					
Assistant Experts (10 persons)	2008-2009	145,000			145,000
Data controller (30 persons)	2008-2009	270,000			270,000
- Training ¹⁵	2008-2009		50,000		50,000
- Consultancy ¹⁶	2008-2009		110,000		110,000
- Translation					
- Other ¹⁷	2008-2009		36,000		36,000
Total		915.000	196,000		1,111,000

¹⁵ Financed by the project titled "Upgrading the statistical system - Phase II" (TR 05-03.16) under Pre-Accession Financial Assistance 2005 Programme

¹⁶ Financed by the project titled "Upgrading the statistical system - Phase II" (TR 05-03.16) under Pre-Accession Financial Assistance 2005 Programme

¹⁷ Financed by the project titled "Upgrading the statistical system - Phase II" (TR 05-03.16) under Pre-Accession Financial Assistance 2005 Programme

Priority 18.4 Reinforcing the coordinating role and improving the administrative capacity of Turkstat to ensure more timely collection, processing and dissemination of data

1 Schedule of legislative alignment

No legislative alignment is envisaged under this priority at this stage.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 18.4.2

No	Requirements	Year
(Turkish Statistical Institution)		
1	Strategy and Quality Management	2008-2010
	Consultancy services on performance evaluation and management	2008-2010
	Training and study visits on performance evaluation and management	2008-2010
	Consultancy services on Total Quality Management (TQM)	2008-2010
	Training and study visits on Total Quality Management	2008-2010
	Study visits on Strategic Management	2008-2010
2	Official Statistics Programme	2008-2010
	Receiving consultancy service to improve the multi-year official statistics programming and coordination with other actors of the system and to develop tools and mechanisms for monitoring the official statistics program.	2008-2010
	Training and study visits on official statistics programme	2008-2010
3	Upgrading the Statistical System of Turkey Programme (Training and Consultancy)	2008-2009
	Training, study visits and consultancy services to increase knowledge on “developing the statistical and institutional capacity through projects funded by EU and other international organizations”	2008-2009
	Training, study visits and consultancy services on “the rules, procedures and practices of negotiation process in the National Statistical Offices of EU Member States”	2008-2009

3 Financial requirements and resources

Table 18.4.3.1

(Euro)

Requirements (Turkish Statistical Institution)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation ¹⁸					
- Personnel					
Assistant Experts (4 persons)	2008-2010	89,568			89,568
- Training					
Training on Performance Evaluation and Management	2008-2010	3,000	12,000		15,000
Training on Total Quality Management	2008-2010	5,000	12,000		17,000
Training regarding official statistics programme	2008-2010		20,000		20,000
Training on “developing the statistical and institutional capacity through projects funded by EU and other international organizations”	2008-2009		30,000		30,000
Training on “the rules, procedures and practices of negotiation process in the National Statistical Offices of EU Member States”	2008-2009		70,000		70,000
- Consultancy					
Consultancy on Performance Evaluation and Management	2008-2010	4,000	18,000		22,000
Consultancy on Total Quality Management	2008-2010	8,000	12,000		20,000
Consultancy with respect to official statistics programme	2008-2010		15,000		15,000

¹⁸ Financed by the project titled “Upgrading the statistical system - phase II” (TR 05-03.16) under Pre-Accession Financial Assistance 2005 Programme

Table 18.4.3.1 (Continued)

(Euro)

Requirements (Turkish Statistical Institution)	Year	National Budget	EU sources	Other	Total
Consultancy on “developing the statistical and institutional capacity through projects funded by EU and other international organizations”	2008-2009		10,000		10,000
Consultancy on “the rules, procedures and practices of negotiation process in the National Statistical Offices of EU Member States”	2008-2009		15,000		15,000
- Translation					
Translation of documents on Total Quality Management	2008-2010	750	3,000		3,750
Translation of documents on Strategic Management	2008-2010	500	1,200		1,700
- Other					
Study visits, seminar etc. on Performance Evaluation and Management	2008-2010	10,000	15,000		25,000
Study visits, seminars etc. on Total Quality Management	2008-2010	15,000	22,500		37,500
Study visits, seminars etc. on Strategic Management	2008-2010	6,000	20,000		26,000
Study visits, seminars etc. regarding official statistics programme.	2008-2010		22,500		22,500
Total		141,818	298,200		440,018

Table 18.4.3.2

(Avro)

Requirements (Turkish Statistical Institute)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training ¹⁹	2008-2011		3,401,334		3,401,334
- Consultancy ²⁰	2008-2011		5,200,000		5,200,000
- Translation					
- Other (Data Collection)	2008-2010		925,000		925,000
Total			9,526,334		9,526,334

¹⁹ Figures indicated for 2008-2009 refer to the budget totals allocated for the ongoing activities under Upgrading the Statistical System of Turkey Programme and PHARE 2005-2006 Multibeneficiary Statistical Cooperation Programme whereas those presented for 2010 and 2011 are the estimated amounts for the same kind of activities in case that the project proposals are approved.

²⁰ Figures indicated for 2008-2009 refer to the budget totals allocated for the ongoing activities under Upgrading the Statistical System of Turkey Programme and PHARE 2005-2006 Multibeneficiary Statistical Cooperation Programme whereas those presented for 2010 and 2011 are the estimated amounts for the same kind of activities in case that the project proposals are approved.

CHAPTER 19 SOCIAL POLICY AND EMPLOYMENT

Priority 19.1 Establishment of conditions for an effective social dialogue at all levels, inter alia, by adopting new legislation eliminating restrictive provisions on trade union activities and ensuring full trade union rights

1 Schedule of legislative alignment

Table 19.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	ILO Convention No. 87 and No. 98, European Social Charter	Law Amending the Law No. 2821 on Trade Unions and Law No. 2822 on Collective Labour Agreement, Strike and Lock-out	Rearranging the Trade Unions Law No. 2821 and the Law No. 2822 on Collective Labour Agreements, Strikes and Lock-outs with a view to expand union rights.	Ministry of Labour and Social Security	2009
2	ILO Convention No. 87, No. 98 and No. 151 European Social Charter	Law Amending the Law No. 4688 on Civil Servants' Trade Unions	Rearranging the Law with a view to expand union rights of public officials.	Ministry of Labour and Social Security State Personnel Presidency	2009
3	ILO Convention No. 87 and No. 98, European Social Charter	Regulation on Branch of Activity ¹	Introducing necessary changes in line with amendments to be made in the Trade Unions Law No. 2821 and Law No. 2822 on Collective Labour Agreements, Strikes and Lock-outs.	Ministry of Labour and Social Security	2009
4	ILO Convention No. 87 and No. 98, European Social Charter	Regulation on the Supervision of Workers' and Employers' Trade Unions and Confederation of Unions ²	Introducing necessary changes in line with amendments to be made in the Trade Unions Law No. 2821 and Law No. 2822 on Collective Labour Agreement, Strike and Lock-out.	Ministry of Labour and Social Security	2009
5	ILO Convention No. 87 and No. 98, European Social Charter	Implementing Regulation on Procedures, Principles and Identification of Competent Unions to Carry Out Collective Labour Agreements ³	Introducing necessary changes in line with amendments to be made in the Trade Unions Law No. 2821 and Law No. 2822 on Collective Labour Agreement, Strike and Lock-out.	Ministry of Labour and Social Security	2009

¹ It will be enacted after the adoption of the Trade Unions Law and of the Law on Collective Labour Agreement, Strike and Lock-out.

² It will be enacted after the adoption of the Trade Unions Law and of the Law on Collective Labour Agreement, Strike and Lock-out.

³ It will be enacted after the adoption of the Trade Unions Law and of the Law on Collective Labour Agreement, Strike and Lock-out.

Table 19.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
6	ILO Convention No. 87 and No. 98, European Social Charter	Implementing Regulation on Application to a Referee or an Official Arbiter ⁴	Introducing necessary changes in line with amendments to be made in the Trade Unions Law No. 2821 and Law No. 2822 on Collective Labour Agreement, Strike and Lock-out.	Ministry of Labour and Social Security	2009
7	ILO Convention No. 87 and No. 98, European Social Charter	Implementing Regulation on the Measures to be Taken in cases of Strike and Lock-out ⁵	Introducing necessary changes in line with amendments to be made in the Trade Unions Law No. 2821 and Law No. 2822 on Collective Labour Agreement, Strike and Lock-out.	Ministry of Labour and Social Security	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 19.1.2

No	Requirements	Year
(Ministry of Labour and Social Security (DG Labour))		
1	Strengthening the institutional capacities of Departments operating in the field of improvement of union rights of DG Labour	2009

⁴ It will be enacted after the adoption of the Trade Unions Law and of the Law on Collective Labour Agreement, Strike and Lock-out.

⁵ It will be enacted after the adoption of the Trade Unions Law and of the Law on Collective Labour Agreement, Strike and Lock-out.

3 Financial requirements and resources

Table 19.1.3

(Euro)

Requirements (Ministry of Labour and Social Security (DG Labour))	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training					
Trainings for DG Labour staff and social partners about the legislative adjustments which will be done in order to ensure approximation of the Laws Numbered 2821, 2822 and 4688, and related regulations to ILO and EU norms	2009	10,000			10,000
- Consultancy					
- Translation					
- Other					
Total		10,000			10,000

Priority 19.2 Providing an analysis of undeclared work in Turkey and drawing up a plan to tackle this problem in the context of an overall action plan for the enforcement of the acquis for the benefit of the entire workforce

It will be covered in the scope of the action plan which is envisaged to be finalised in 2009 with a view to meeting the opening benchmark.

1 Schedule of legislative alignment

No legislative alignment is envisaged under this priority at this stage.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

Priority 19.3 Finalisation of the work on the Joint Inclusion Memorandum (JIM) and the Joint Assessment Paper on Employment Policy Priorities (JAP) and active implementation of both follow-up processes

1 Schedule of legislative alignment

No legislative alignment is envisaged under this priority at this stage. However, it is envisaged that studies on the Joint Inclusion Memorandum (JIM) and the Joint Assessment Paper on Employment Policy Priorities (JAP) in response to the European Social Inclusion Strategy and the European Employment Strategy are to be completed by the Ministry of Labour and Social Security in 2009.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage. However, it is planned that monitoring committees will be established in order to ensure effective follow-up of JIM and JAP processes.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

Priority 19.4 Continuing transposition of the acquis and strengthening the related administrative and enforcement structures including the labour inspectorates, in association with social partners

1 Schedule of legislative alignment

Table 19.4.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 2000/79/EC	Civil Aviation Labour Law	Regulating the working conditions of employees working in the civil aviation business by a special law.	Ministry of Labour and Social Security	2009-2010
2	Directive No. 2000/79/EC	Implementing Regulation Establishing the Procedures and Principles on the Daily Wages and Accommodation in Compliance with the Daily Needs and Recovery Requirements of the Aviation Personnel ⁶	Regulating the working conditions of the employees working in the civil air transport business.	Ministry of Labour and Social Security	2010
3	Directive No. 2000/79/EC	Implementing Regulation Establishing the Procedures and Principles on the Civil Aviation Time, Air Mission Time, Resting Time and Medical Control Time of the Aviation Personnel ⁷	Regulating the working conditions of the employees working in the civil air transport business.	Ministry of Labour and Social Security	2010

⁶ It will be enacted after the adoption of Civil Aviation Labour Law.

⁷ It will be enacted after the adoption of Civil Aviation Labour Law.

Table 19.4.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
4	Directive No. 94/33/EC	Law Amending the Labour Law No. 4857	According to the Article 71 of the Labour Law, employment of children below the age of 15 is forbidden. On the other hand, the Labour Law does not cover all the fields in which children are employed. Necessary amendments in terms of employment of children below the age of 18 in the field of fine arts such as cinema, theatre, music, ballet, and dance as well as for other artistic activities such as circus, television, movie making, advertising and modelling shall be introduced in Turkish legislation.	Ministry of Labour and Social Security	2009-2010
5	ILO Convention No. 182	The Prime Minister Circular regarding Time Bound Policy and Programme Framework in Prevention of Child Labour	Preventing child labour for the target groups defined in “Time Bound Policy and Programme Framework in Prevention of Child Labour” (working at streets, working at SMEs for heavy and hazardous jobs, working as seasonal workers in agricultural sector) through integrated, participatory and multilateral approaches within 10 years.	Ministry of Labour and Social Security	2009
6	Directives No. 89/391/EEC	Occupational Health and Safety Law ⁸	Harmonization with the EU legislation on occupational health and safety.	Ministry of Labour and Social Security State Personnel Presidency	2009

⁸ Implementing Regulations that were based on the Occupational Health and Safety Regulation will be linked to the new Occupational Health and Safety Law when it is adopted in 2009: The implementing regulations in question and relevant EU Directives are as follows: Implementing Regulation on Health and Safety Signs at Workplaces (92/58/EEC, 2007/30/EC), Implementing Regulation on Health and Safety Precautions for Work With Display Screen Equipment (90/270/EEC, 2007/30/EC), Implementing Regulation on Noise (2003/10/EC, 2007/30/EC), Implementing Regulation on Vibration (2002/44/EC, 2007/30/EC), Implementing Regulation on Safety and Health Requirements at Construction Sites (92/57/EEC, 2007/30/EC), Implementing Regulation on Health and Safety Precautions for Chemicals at Work (98/24/EC, 2000/39/EC, 2006/15/EC, 2007/30/EC), Implementing Regulation on Protection of Workers From Risks in Explosive Atmospheres (99/92/EC, 2007/30/EC), Implementing Regulation on Health and Safety Precautions Related to Carcinogens and Mutagen Substances at Work (2004/37/EC), Implementing Regulation on Health and Safety Precautions for Exposure to Asbestos at Work (83/477/EEC, 91/382/EC, 98/24/EC, 2003/18/EC, 2007/30/EC), Implementing Regulation on Minimum Health and Safety Requirements at Workplaces (89/654/EEC, 2007/30/EC), Implementing Regulation on the Minimum Safety and Health Requirements for the Use of Work Equipment by Workers at Work (89/655/EEC, 2001/45/EC, 2007/30/EC), Implementing Regulation on the Use of Personal Protective Equipment at Workplaces (89/656/EEC, 2007/30/EC), Implementing Regulation on Manual Handling (90/269/EEC, 2007/30/EC), Implementing Regulation on Health and Safety Requirements in Underground and in Surface Mines (92/104/EEC, 2007/30/EC), Implementing Regulation on Health and Safety Requirements in the Mineral- extracting Industries through Drilling (92/91/EEC, 2007/30/EC), Implementing Regulation on Occupational Health and Safety at Temporary or Fixed-Term Employment (91/383/EEC, 2007/30/EC), Implementing Regulation on the Prevention of the Risks Related to Exposure to Biological Agents, (2000/54/EC), Implementing Regulation on the Minimum Health and Safety Requirements for Work on Board Fishing Vessels (93/103/EC, 2007/30/EC) and Implementing Regulation on Conditions of Health and Safety at Work of Pregnant Workers and Workers Who Have Recently Given Birth or Are Breastfeeding (92/85/EEC, 2007/30/EC).

Table 19.4.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
7	Directive No. 2004/40/EC	Implementing Regulation on the Protection of Employees' Health and Safety from the Risks Arising from Exposure to Electromagnetic Field	Harmonization with the EU Directive on Protection of the Health and Safety of Employees from Risks Arising from Exposure to Physical Agents.	Ministry of Labour and Social Security	After 2011
8	Directive No. 2006/25/EC	Implementing Regulation on Optical Radiation	Determining minimum health and safety requirements regarding the protection of employees from artificial radiation they are exposed to at their workplaces.	Ministry of Labour and Social Security	2011
9	Directives No. 90/270/EEC, 89/656/EEC, 89/391/EEC, 89/655/EEC, 91/383/EEC and 92/85/EEC	Implementing Regulation on the Occupational Health and Safety of Public Officials ⁹	Enacting the necessary secondary legislation as soon as the law on the Occupational Health and Safety of public officials enters into force.	State Personnel Presidency	2009
10	Directives No.98/59/EC, 2001/23/EC, 91/533/EEC, 97/81/EC, 2003/88/EC, 99/70/EC, 99/63/EC, 96/71/EC, 2002/74/EC, 2001/86/EC, 2003/72/EC, 2002/14/EC, 94/45/EC, 2002/15/EC, 2005/47/EC, 91/383/EEC, 99/95/EC, 80/987/EEC,2006/54/EC, 2004/113/EC, 86/613/EEC 2000/78/EC and 2000/43/EC	Law Amending Certain Laws ¹⁰	<p>Although Labour Law No. 4857 of 22/5/2003 has been prepared pursuant to the EU legislation in the field of Social Policy and Employment, both in this Law, and in laws such as Civil Servants' Law, Maritime Labour Law, Turkish Criminal Law and Civil Law, there is a need for several amendments. Besides, there had been several amendments in the EU legislation after the adoption of Law No. 4857.</p> <p>Moreover, it is necessary to revise the laws making arrangements in the field of social policy and employment according to changing conditions.</p> <p>Action plan being prepared with regard to the opening criterion is a package including legislative measures to be made to ensure harmonization in the field of Social Policy and Employment.</p>	Ministry of Labour and Social Security	After 2011

⁹ It will be enacted after the adoption of Occupational Health and Safety Law.

¹⁰ It will be enacted in the form of a social harmonization package.

Table 19.4.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
11	Directives No.98/59/EC, 2001/23/EC, 91/533/EEC, 97/81/EC, 2003/88/EC, 99/70/EC, 99/63/EC, 96/71/EC, 2002/74/EC, 2001/86/EC, 2003/72/EC, 2002/14/EC, 94/45/EC, 2002/15/EC, 2005/47/EC, 91/383/EEC,-99/95/EC, 80/987/EEC,2006/54/EC, 2004/113/EC, 86/613/EEC 2000/78/EC and 2000/43/EC	Implementing Regulations on the Law Amending Certain Laws ¹¹	Although Labour Law No. 4857 of 22/5/2003 has been prepared pursuant to the EU legislation in the field of Social Policy and Employment, both in this law, and in laws such as State Officials Law, Maritime Labour Law, Turkish Criminal Law and Civil Law, the need for amendments have still been pursued. Besides, there had been several amendments in the EU legislation after the adoption of Law No. 4857. Moreover, it is necessary to revise the laws making arrangements in the field of social policy and employment according to changing conditions.	Ministry of Labour and Social Security	After 2011
12	Directives No. 96/34/EC and 92/85/EC	Law Amending the Civil Servants' Law and the Labour Law	Creating a parental leave which enables mother and father to share unpaid leave for the care of children.	Directorate General on the Status of Women	2009

¹¹ It will be enacted after the adoption of "Law Amending Certain Laws" in the form of a social harmonization package.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 19.4.2

No	Requirements	Year
(Ministry of Labour and Social Security (DG Labour))		
1	Institutional capacity building for DG Labour and its regional offices to monitor the implementation of labour law effectively and to carry on the work on the forthcoming harmonisation of legislation.	2009-2010
(Ministry of Labour and Social Security (Labour Inspection Board))		
2	Strengthening institutional capacity of the Head of Labour Inspection Board on its effective and continuous inspections, with the aim of contributing to the implementation of the EU acquis that are transposed to our domestic law.	2009-2011
3	Employment of 118 assistant labour inspectors.	2009
(Ministry of Labour and Social Security (DG Occupational Health and Safety))		
4	Strengthening institutional capacity of the DG Occupational Health and Safety for implementing the legislation in the field of occupational health and safety, ensuring implementation in the field of optic radiation ¹² , strengthening regional laboratories and encouraging implementation of occupational health and safety measures at workplaces.	2009-2011
(Ministry of Justice)		
5	Capacity building of the labour courts and establishing new labour courts.	2009-2010

¹² It is planned to carry out a project in this area after the adoption of Implementing Regulation on Optic Radiation. However, as the project budget will be set up later, there is no information regarding the project within the schedule of financial requirements and resources.

3 Financial requirements and resources

Table 19.4.3.1

(Euro)

Requirements (Ministry of Labour and Social Security- DG Labour)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
Employment of 3 interpreters at DG Labour	2009-2010	90,000			90,000
Employment of 10 Assistant Experts at DG Labour	2009-2010	360,000			360,000
- Training					
Trainings for 1100 personnel at DG Labour and its regional offices on EU Acquis	2009-2010	20,000	170,000		190,000
Trainings for Child Labour Unit of DG Labour about the protection of working young people at work (Directive No. 94/33/EC)	2009-2010		4,000		4,000
- Consultancy					
Consultancy during the harmonisation of legislation on EU labour law, gender equality and anti-discrimination	2009-2010		300,000		300,000
Consultancy for Child Labour Unit which is under DG Labour about the protection of working young people at work (Directive No. 94/33/EC)	2009-2010		6,000		6,000
- Translation					

Table 19.4.3.1 (Continued)

(Euro)

Requirements (Ministry of Labour and Social Security- DG Labour)	Year	National Budget	EU sources	Other	Total
- Other					
Expenditures of books, newsletters, brochures, etc. made for information in the field of social policy and employment	2009-2010		50,000		50,000
Expenditures of the seminar which is to be held by the Child Labour Unit of DG Labour	2009-2010		1,000		1,000
Promoting gender equality in working life ¹³	2009-2011	50,000	950,000		1,000,000
Total		520,000	1,481,000		2,001,000

¹³ To be financed by the Project titled "Promoting Gender Equality in Working Life-TR 080 218" under Pre-Accession Financial Assistance 2008 Programme

Table 19.4.3.2

(Euro)

Requirements (Ministry of Labour and Social Security (Board of Labour Inspection))	Year	National Budget	EU sources	Other	Total
I- Legislative approximation and implementation					
- Personnel					
- Training					
- Consultancy					
- Translation					
- Other					
Improving the labour inspection system ¹⁴	2008-2009	74,880	1,300,000		1,374,880
Total		74,880	1,300,000		1,374,880

¹⁴ Financed by the project titled "Improving the Labour Inspection System-TR 0603.10" under Pre-Accession Financial Assistance 2006 Programme

Table 19.4.3.3

(Euro)

Requirements (Ministry of Labour and Social Security (DG Occupational Health and Safety))	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training					
- Consultancy					
- Translation					
- Other					
Improving occupational health and safety at workplaces ¹⁵	2009-2011	143,000	3,932,000		4,075,000
Development of regional laboratories of occupational health safety centre ¹⁶	2009-2011		1,800,000		1,800,000
Total		143,000	5,732,000		5,875,000

¹⁵ Financed by the project titled "Improving Occupational Health and Safety at Workplaces-TR 0702.20" under Pre-Accession Financial Assistance 2007 Programme

¹⁶) Financed by the project titled "Development of Regional Laboratories of Occupational Health Safety Centre -TR 0702.21" under Pre-Accession Financial Assistance 2007 Programme

Table 19.4.3.4

(Euro)

Requirements (Ministry of Justice)	Year	National Budget	EU sources	Other	Total
I- Investment					
Furnishing expenses of judge room, hearing hall and court's office for in total 76 new labour court planning to establish	2009-2010	1,500,000			1,500,000
II- Legislative approximation and implementation					
- Personnel					
Nomination of one judge, 3 court clerks, one court director and one bailiff for in total 76 new labour court planning to establish	2009-2010	30,000,000			30,000,000
- Training					
Training of judges	2009-2010	150,000	150,000		300,000
- Consultancy					
- Translation					
- Other					
Total		31,650,000	150,000		31,800,000

Priority 19.5 Enhancing capacity to assess and monitor labour market and social developments

1 Schedule of legislative alignment

No legislative alignment is envisaged under this priority at this stage.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 19.5.2

No	Requirements	Year
(Ministry of Labour and Social Security)		
1	Establishing Vocational Guidance Centres in 81 Provincial Directorates of ISKUR, enhancing capacities of the existing ones and ensuring that all those centres function at EU standards.	2010-2012
2	With the aim of identifying, analysing and planning activities in the field of human resources development at national, regional and local levels, increasing institutional capacities of 81 Provincial Directorates.	2010-2012
3	Setting occupational barometers and labour force profiles at local and regional levels, monitoring the developments and changes in labour market, and thus enhancing policy-making and cooperation capacities of Provincial Employment Boards.	2010-2012

3 Financial requirements and resources

Table 19.5.3

(Euro)

Requirements (Ministry of Labour and Social Security) ¹⁷	Year	National Budget	EU sources	Other	Total
I- Investment	2010-2012	600,000	2,400,000		3,000,000
II- Legislative approximation and implementation					
- Personnel					
- Training	2010-2012	1,250,000	3,750,000		5,000,000
- Consultancy	2010-2012		2,000,000		2,000,000
- Translation					
- Other					
Active employment measures and support to Turkish Employment Organization at local level ¹⁸	2008-2009	4,000,000	16,000,000		20,000,000
Total		5,850,000	24,150,000		30,000,000

¹⁷ Ministry of Labour and Social Security Turkish Employment Organisation will propose a project under Pre-Accession Financial Assistance (IPA I: Component) 2009 Programme in order to meet 1st, 2nd and 3rd requirements under the Table 19.5.2.

¹⁸ Financed by the Project titled "Active Employment Measures and Support to Turkish Employment Organization at Local Level–TR 06.02.03" under Pre-Accession Financial Assistance 2006 Programme.

CHAPTER 20 ENTERPRISE AND INDUSTRIAL POLICY

Priority 20.1 Adoption of a revised comprehensive industrial policy strategy

1 Schedule of legislative alignment

Table 20.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1		Strategy on Industrial Policy	Fulfilling the closing benchmark of the chapter.	Ministry of Industry and Trade	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 20.1.2

No	Requirements	Year
(Ministry of Industry and Trade)		
1	Strengthening administrative capacity in order to implement, improve, monitor and evaluate industrial policy and strategy. - Strengthening administrative capacity of department of industrial strategy, sectoral departments and internal stakeholders - Establishing units in charge of industrial policy and strategy and management of industrial information system.	2009-2011
2	Implementation, improvement, monitoring and evaluation of industrial policy and strategy; - Capacity building of the units in charge of industrial policy and strategy and management of industrial information system.	2009-2011
3	Development and monitoring of an “Industrial Platform” with a view to enhancing the dialogue between public institutions and the relevant stakeholders (private sector and NGOs) on industrial policy and strategy.	2009-2011

3 Financial requirements and resources

Table 20.1.3

(Euro)

Requirements (Ministry of Industry and Trade)	Year	National Budget	EU sources	Other	Total
I- Investment					
Office infrastructure requirements to meet the needs of the units to be established.	2009	300,000			300,000
II- Legislative approximation and implementation					
- Personnel					
Recruitment of 20 industrial experts for sectoral departments; 5 industrial experts for the coordination of industrial policy and strategy; 5 experts for statistics and data analysis.	2009	540,000			540,000
- Training					
Training aiming at strengthening administrative capacity of department of industrial strategy, sectoral departments and internal stakeholders	2009-2011	80,000	720,000		800,000
Training on strategy development, implementation, monitoring and evaluation; process management and data analysis	2009-2010	50,000	450,000		500,000
- Consultancy					
Consultancy on design, implementation and assessment of surveys conducted to evaluate the state of play of the industry	2009	4,370	39,330		43,700
Consultancy on analyzing good practices in other countries	2009	18,000	162,000		180,000
Consultancy on conducting impact analysis of current practices	2009	24,000	216,000		240,000
Consultancy on conducting regulatory impact analysis	2009	8,000	72,000		80,000

Table 20.1.3 (Continued)

(Euro)

Requirements (Ministry of Industry and Trade)	Year	National Budget	EU sources	Other	Total
Consultancy on conducting competitiveness analysis of sectors	2009	10,000	90,000		100,000
Consultancy on developing monitoring and evaluation mechanisms and tools to improve strategy development, implementation, monitoring and evaluation process	2009	6,000	54,000		60,000
Service procurement on establishment of the industrial inventory and setting up a numeric industrial map, in order to generate and handle data to be used during monitoring and evaluation of industrial strategy	2009-2011	40,000	360,000		400,000
Consultancy on monitoring of the industrial platform and evaluation of its outcomes	2009-2011	4,000	36,000		40,000
- Translation					
Translation of policy and strategy documents to be put into practice	2009	4,000	36,000		40,000
- Other					
Meetings of sectoral working groups (2 times, 150-200 persons)	2009	2,020	199,980		202,000
Meetings of future teams (Group of Visionaries) (2 times, 60-70 persons)	2009	4,900	44,100		49,000
Meetings with the stakeholders (2 times, 150-200 persons)	2009	2,020	199,980		202,000
Meetings for evaluating the outcomes of the study (2 times)		8,000	72,000		80,000
Publication and presentation of documents prepared	2009	20,000	180,000		200,000
Total		1,125,310	2,931,390		4,056,700

CHAPTER 21 TRANS-EUROPEAN NETWORKS

Priority 21.1 Giving priority to projects identified under the Transport Infrastructure Needs Assessment (TINA)

1 Schedule of legislative alignment

No legislative alignment is envisaged under this priority at this stage.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 21.1.2

No	Requirements	Year
(Ministry of Transport)		
1	Establishing “Transport Coordination Unit” within the Ministry of Transport as an advisory body, which is responsible for statistics, modelling, evaluation and data exchange and for the coordination among institutions in policy-making process in transport sector. As stated within the TINA Study, the afore mentioned Unit will also carry out the functions of project planning, decision making and monitoring of investments on the core network	2009

3 Financial requirements and resources

Table 21.1.3

(Euro)

Requirements (Ministry of Transport)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training	2009		90,000		90,000
- Consultancy	2009		60,000		60,000
- Translation					
- Other					
Total			150,000		150,000

Priority 21.2 Giving priority to projects of common interest listed in the European Community TEN-Energy Guidelines

1 Schedule of legislative alignment

No legislative alignment is envisaged under this priority at this stage.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 21.2.2

No	Requirements	Year
(Turkish Electricity Transmission Company (TEİAŞ))		
1	Improvement of the conditions for cross border electricity trade in Turkey in compliance with the best practice in EU	2009
2	Rehabilitation of the frequency control performance of Turkish electric system for synchronous parallel operation with UCTE	2009
(Energy Market Regulatory Authority)		
3	Improvement of the administrative capacity for the natural gas transmission network technical basis and common operation of networks	2009

3 Financial requirements and resources

Table 21.2.3.1

(Euro)

Requirements (Turkish Electricity Transmission Company)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training					
- Consultancy					
- Translation					
- Other					
Improvement of the conditions for cross border electricity trade ¹	2009		1,380,000		1,380,000
Rehabilitation of the frequency control performance of power system ²	2009		2,500,000		2,500,000
Total			3,880,000		3,880,000

¹ Financed by the twinning component of the project titled "Improvement of the Conditions for Cross Border Electricity Trade in Turkey in Compliance with the Best Practice in EU - TR.06 IB EY 01" under Pre-Accession Financial Assistance 2006 Programme.

² Financed by the project titled "Rehabilitation of the Frequency Control Performance of Turkish Power System for Synchronous Operation with UCTE - TR0702.05" under Pre-Accession Financial Assistance 2007 Programme

Table 21.2.3.2

(Euro)

Requirements (Energy Market Regulatory Authority)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training					
Training on tariff methodologies of the natural gas transmission network and investment program	2009-2010		20,000		20,000
Training on common operation of networks	2009-2010		20,000		20,000
- Consultancy					
- Translation					
- Other					
Total			40,000		40,000

CHAPTER 22 REGIONAL POLICY AND COORDINATION OF STRUCTURAL INSTRUMENTS

Priority 22.1 Reinforcement of the establishment of institutional structures and strengthening administrative capacity in the areas of programming, project preparation, monitoring, evaluation and financial management and control, particularly at the level of line ministries, to implement EU pre-accession programmes as a preparation for the implementation of the Community's cohesion policy

1 Schedule of legislative alignment

Table 22.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Regulations No. 1085/2006 and 718/2007	Law Amending the Law No. 4587 on the Secretariat of the General for European Union Affairs	Meeting requirements concerning institutional capacity of the Secretariat General for EU Affairs by means of employment of personnel in sufficient amount and quality in order to harmonize the duties and organization structure of the Secretariat so as to allow it to enable coordination between institutions and to carry out its activities depending on the workload originating from the accession process more efficiently and effectively within the framework of the full membership perspective.	Secretariat General for EU Affairs	2009
2	Regulations No. 1085/2006 and 718/2007	Prime Ministry Circular on IPA Structure	Arranging the rules on programming, implementing, monitoring and supervision of the use of the EU funds within the scope of IPA.	Ministry of Foreign Affairs, Ministry of Finance, Undersecretariat of State Planning Organization, Undersecretariat of Treasury, Secretariat General for EU Affairs, Operating Structure Ministries	2009

Table 22.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
3	Regulations No. 1085/2006 and 718/2007	Amendment to the Implementing Regulation on the Board of Treasury Controllers	Inclusion of the Audit Authority functions specified in the IPA regulation to the Implementing Regulation.	Undersecretariat of Treasury	2009
4	Regulations No. 1085/2006 and 718/2007	Law Amending the Law No. 4059 concerning the Organization and Functions of Undersecretariat of the Treasury and Undersecretariat of Foreign Trade	Amending the Article 5/b of the Law No.4059 in terms of the “Audit Authority” functions specified in IPA regulation	Undersecretariat of Treasury	2009-2010
5	Regulations No. 1085/2006 and 718/2007	Legal and Institutional Arrangements for Co-financing	Establishing a mechanism and a legal basis for the co-financing of environment infrastructure projects funded within EU pre-accession assistance.	Ministry of Finance, Ministry of Environment and Forestry , Undersecretariat of State Planning Organization, Undersecretariat of Treasury, Secretariat General for EU Affairs , The Bank of Provinces	2009

Table 22.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
6	Regulations No. 1085/2006 and 718/2007	Law Amending the Law No. 4856 on the Organization and Duties of the Ministry of Environment and Forestry	Strengthening the legal basis for the units established to administer and apply the Environment Operational Program, preparations of which are completed under the coordination of the Ministry of Environment and Forestry, effectively in order to benefit from the EU financial aids within the scope of IPA.	Ministry of Environment and Forestry	2009-2010
7	Regulations No. 1085/2006 and 718/2007	Law Amending the Law No. 3146 on the Establishment of the Ministry of Labour and Social Security	Strengthening the legal basis for the units established to administer and apply the Human Resources Development Operational Program, preparations of which are completed under the coordination of the Ministry of Labour and Social Security, effectively in order to benefit from the EU financial aids within the scope of IPA.	Ministry of Labour and Social Security	2009-2010
8	Regulations No. 1085/2006 and 718/2007	Law Amending the Law No. 3143 on the Establishment of the Ministry of Industry and Trade	Strengthening the legal basis for the units established to administer and apply the Operational Program for Regional Competitiveness, preparations of which are completed under the coordination of the Ministry of Industry and Trade, effectively in order to benefit from the EU financial aids within the scope of IPA.	Ministry of Industry and Trade	2009-2010
9	Regulations No. 1085/2006 and 718/2007	Law Amending the Law No. 3348 on the Organization and Duties of the Ministry of Transport	Strengthening the legal basis for the units established to administer and apply the Transport Operational Program, preparations of which are completed under the coordination of the Ministry of Transport, effectively in order to benefit from the EU financial aids within the scope of IPA.	Ministry of Transport	2009-2010

Table 22.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
10	Regulations No. 1085/2006 and 718/2007	Arrangements Regarding the Use of the EU Financial Aids	Regulating the implementing procedures and principles in relation to the amendments to be made in the establishment laws of Ministries for the use of the EU financial aids.	Ministry of Environment and Forestry ¹ Ministry of Labour and Social Security ² Ministry of Industry and Trade ³ Ministry of Transport ⁴	2010

¹ It will be enacted after the adoption of Law Amending the Law No. 4856 on the Organization and Duties of the Ministry of Environment and Forestry.

² It will be enacted after the adoption of Law Amending the Law No. 3146 on the Establishment of the Ministry of Labour and Social Security.

³ It will be enacted after the adoption of Law Amending the Law No. 3143 on the Establishment of the Ministry of Industry and Trade.

⁴ It will be enacted after the adoption of Law Amending the Law No. 3348 on the Organization and Duties of the Ministry of Transport.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 22.1.2

No	Requirements	Year
(Ministry of Labour and Social Security)		
1	Strengthening the administrative and technical structure within Ministry of Labour and Social Security which is in charge of implementing the IPA Component IV on Human Resources Development, recruitment and training of additional staff for this department	2009-2010
2	Determination and nomination of implementation unit inside Ministry of Labour and Social Security responsible for the tendering, contracting, payments, accounting and financial reporting functions in the context of the HRDOP and recruiting staff of adequate quantity and quality	2009-2011
(Ministry of Industry and Trade)		
3	Strengthening the administrative capacity of the Regional Competitiveness Programme Coordination and Implementation Centre of the Ministry of Industry and Trade, responsible for the programming, implementation, monitoring, evaluation, financial management and control of the Regional Competitiveness Operational Programme	2009-2011
4	Determination and nomination of implementation unit within the Regional Competitiveness Programme Coordination and Implementation Centre of the Ministry of Industry and Trade responsible for the tendering, contracting, payments, accounting and financial reporting functions in the context of the RCOP and recruiting staff of adequate quantity and quality	2009-2011
(Ministry of Transport)		
5	Strengthening the administrative and technical structure within Ministry of Transport which is in charge of managing IPA funds to be provided for transport sector under the III. Component of IPA, recruitment and training of additional staff for this department	2009-2010
6	Determination and nomination of implementation unit inside Ministry of Transport responsible for the tendering, contracting, payments, accounting and financial reporting functions in the context of the Transport Operational Program under the III. Component of IPA and recruiting staff of adequate quantity and quality	2009-2011
(Ministry of Environment and Forestry)		
7	Strengthening the administrative and technical structure within Ministry of Environment and Forestry which is in charge of managing IPA funds to be provided for environment sector under the III. Component of IPA, recruitment and training of additional staff for this department	2009-2010
8	Determination and nomination of implementation unit inside Ministry of Environment and Forestry responsible for the tendering, contracting, payments, accounting and financial reporting functions in the context of the Environment Operational Program under the III. Component of IPA and recruiting staff of adequate quantity and quality	2009-2011
(The Bank of Provinces)		
9	Establishing a mechanism for the co-financing of environmental infrastructure projects funded within EU pre-accession	2009-2010
10	Strengthening the Institutional Capacity of The Bank of Provinces	2009-2011

3 Financial requirements and resources

The financial requirements for the capacity building measures of Ministry of Environment and Forestry, Ministry of Labour and Social Security, Ministry of Industry and Trade, Ministry of Transport, which were designated as operating structures in the process of IPA, are envisaged to be covered by the technical assistance component of relevant Operational Programmes. Besides, for requirements that cannot be financed in this context, it may be proposed to use the funds under the first component of the IPA.

Table 22.1.3 (Euro)

Requirements (The Bank of Provinces) ⁵	Year	National Budget	EU sources	Other	Total
I- Investment					
- Providing software for monitoring, accounting and reporting of financed projects - Providing software for setting of aquifer parameter, modelling and static calculations for water and waste water works	2009-2011	45,000	135,000	-	180,000
II- Legislative approximation and implementation					
- Personnel					
- Training					
- IPA training - Training on project selection and evaluation - Training on financial management and control - Training on credit of investment projects and economical and financial analysis - Training on implementation of new technologies for water and waste water sectors and related directives of the EU - Training on PRAG and FIDIC	2009-2011		94,000		94,000
- Consultancy	2009-2011		915,000		915,000
- Translation	2009-2011		120,000		120,000
- Other					
Total		45,000	1,264,000		1,309,000

⁵ Financed by the project titled "Technical Assistance for Strengthening Institutional Capacity of Bank of Provinces" under SEI 2006.

Priority 22.2 Developing at central, regional and local level the administrative capacity for the implementation of possible future Community cohesion policy

1 Schedule of legislative alignment

Table 22.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Regulation No (EC) 1083/2006	Decisions of Council of Ministers on the Establishment of Development Agencies in NUTS – II Regions	Completing the establishment of agencies and launching the services in all NUTS II Regions	Undersecretariat of State Planning Organization	2009
2	Regulation No (EC) 1083/2006	Law No. 3152 on the Organization and Duties of the Ministry of Interior, Regulation on Planning Expert of Ministry of Interior, Regulation on Organization and Duties of Provincial Directorate of Planning and Coordination Related secondary and tertiary regulations	Strengthen the capacity of planning, programming, coordination and monitoring at provincial level and ensure effective working of Provincial Coordination Committee through increasing the capacity and authority of Provincial Directorate of Planning and Coordination	Ministry of Interior	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage

CHAPTER 23 JUDICIARY AND FUNDAMENTAL RIGHTS

Priority 23.1 Increasing the efficiency, efficacy and functionality of the judiciary

1 Schedule of legislative alignment

Table 23.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Recommendation No. R(94)12 of Committee of Ministers of the Council of Europe	Law on the Union of Judges and Prosecutors of Turkey ¹	Satisfying the common needs of members of the professions of judicature and prosecution, to facilitate their professional activities, and enabling the development of this profession in compliance with general interest.	Ministry of Justice	2009
2		Law Amending the Administrative Jurisdiction Law ²	Introducing new arrangements on matters regarding duty and authority, resolving certain technical problems in the application and shortening the trial process.	Ministry of Justice	2009
3		General Administrative Procedure Law ³	Introducing the obligation for the administration to specify the authority which the person subject to administrative action has the right apply to or file a court case, and the deadline for such application or filing.	Ministry of Justice	2009
4	Recommendation No. R(86)12 of the Council of Europe Recommendation No. R(81)7 of the Council of Europe Recommendation No. R(84)5 of the Council of Europe	Civil Procedure Law	Making the judicial system simpler, achieving the unity of terms; developing a logical, unsophisticated and simple system that is easy to follow and in compliance with the course of trials.	Ministry of Justice	2009

¹ Considered within the scope of political criteria.

² Considered within the scope of political criteria.

³ Considered within the scope of political criteria.

Table 23.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
5	Recommendation No. R(86)12 of the Council of Europe Recommendation No. R(98) of the Council of Europe Recommendation No. R(99)19 of the Council of Europe Reconciliation on Legal Issues No. R (2002) 10 of the Council of Europe	Law on Conciliation in Penal Procedures ⁴	Reducing of the workload in judiciary, resolution of disputes with minimum costs and satisfaction of the parties in a more peaceful and conciliatory manner outside the judicial system in accordance with the “restorative justice principle”. Within the framework of the judiciary reform, enabling possibility for the trials in a faster, simpler, effective way and with a minimum cost, and resolution of certain disputes through non-contentious jurisdiction, compromise, and conciliation instead of contentious jurisdiction	Ministry of Justice	2009
6	Recommendation No. R(86)12 of the Council of Europe Recommendation No. R(98) of the Council of Europe Recommendation No. R(99)19 of the Council of Europe, Reconciliation on Legal Issues No. R (2002) 10 of the Council of Europe	Law on Non-Contentious Jurisdiction and Alternative Ways of Dispute Resolution ⁵	Within the framework of judicial reform; enabling possibility for the trials in a faster, simpler, effective way and with a minimum cost, and resolution of certain disputes through non-contentious jurisdiction, compromise, and conciliation instead of contentious jurisdiction	Ministry of Justice	2009-2010
7		Law Amending the Law on Supreme Court ⁶	Reducing the workload of the Supreme Court by establishing courts of appeals.	Ministry of Justice	2009-2010
8	Regulations No. 4253/88, 2988/95, 2064/97 and 1267/1999	Law on Court of Audits ⁷	Ensuring contribution of external audit to the establishment of an accountable and transparent public financial management system in accordance with the Constitution and Code No. 5018	Court of Audits	2009

⁴ Considered within the scope of political criteria.

⁵ Considered within the scope of political criteria.

⁶ Considered within the scope of political criteria.

⁷It is also mentioned under “Priority 32.2. Adoption of the pending legislation for ensuring the operation of Court of Auditors to be in line with the standards and principles of the International Organisation of Supreme Audit Institutions (INTOSAI)”.

Table 23.1.1 (Continued)

No	Yürürlükteki AB mevzuatı	Taslak Türk mevzuatı	Kapsam	Sorumlu kurum	Yayın tarihi
9		Law on Enforcement and Execution of Punishment Judges	Conducting studies on the execution of convictions and enforcement judges	Ministry of Justice	2009-2010
10		Law on Establishment of Regional Appeal System in Administrative Judiciary	Taking parallelism in judicial procedures into account, restructuring the organization of courts and trial procedures in the administrative judiciary, which currently has enough judges, auxiliary staff, organization, premises and other equipment in order to implement regional appeal system in administrative judiciary.	Ministry of Justice	2010
11		Law on Judicial Data Processing Institution	Ensuring the credibility and accuracy of judiciary to the highest degree, and accelerating functioning of it by means of cooperation with the Constitutional Court, Court of Cassation, Council of State, Court of Jurisdictional Disputes, High Council for Judges and Prosecutors, Supreme Election Board, civil/criminal and administrative judiciary organs, central and administrative units of the Ministry of Justice, offices affiliated or attached to Ministry of Justice.	Ministry of Justice	2010

2 Schedule of required institutional building for legislative alignment and implementation

Table 23.1.2

No	Requirements	Year
(Ministry of Justice)		
1	Establishment of a Judicial Trainer Pool	2009
2	Establishment of Ombudsman	2009
3	Establishment of Department of Mediation under the Directorate General of Legal Affairs of the Ministry of Justice	2009
4	Establishment of Foreign Mission Offices of Liaison Judges in order to ensure trials having international course and effective cooperation with EU and other international organisations in the area of judiciary.	2009
5	Establishment of Judiciary Media Spokemanship	2009
6	Introduction of the cadre of “Judicial Service Expert” between judges, public prosecutors and auxiliary personnel in order to accelerate the functioning and efficiency of the judiciary by reducing the administrative burden of the judges and prosecutors.	2010
7	Establishment of Regional Courts of Appeal	2010
8	Enabling the Regional Administrative Courts to function in the position of courts of appeal by legal amendments giving the Regional Administrative Courts the authority of regional appeal in parallel with legislation with regard to Regional Courts of Appeal	2011
9	Establishment of Judicial Data Processing Institution	2010

3 Financial requirements and sources

Table 23.1.3.1

(Euro)

Requirements (Ministry of Justice) Ombudsman	Year	National budget	EU sources	Other	Total
I-Investment	2009	5,000			5,000
II- Legislative alignment and implementation					1,170,000
- Personnel					
- Education	2009		1,170,000		
- Consultancy					
- Translation					
- Other					
Total		5,000	1,170,000		1,175,000

Table 23.1.3.2

(Euro)

Requirements (Ministry of Justice) Department of Mediation	Year	National budget	EU sources	Other	Total
I-Investment	2009	75,000	225,000		300,000
II- Legislative alignment and implementation					
- Personnel					
- Education	2009	200,000	3,800,000		4,000,000
- Consultancy					
- Translation					
- Other					
Total		275,000	4,025,000		4,300,000

Table 23.1.3.3

(Euro)

Requirements (Ministry of Justice) Foreign Mission Offices of Liaison Judges	Year	National budget	EU sources	Other	Total
I-Investment					
II- Legislative alignment and implementation					
- Personnel	2009		250,000		250,000
- Education	2009	100,000	900,000		1,000,000
- Consultancy	2009		250,000		250,000
- Translation	2009		250,000		250,000
- Other	2009		250,000		250,000
Total		100,000	1,900,000		2,000,000

Table 23.1.3.4

(Euro)

Requirements (Ministry of Justice) Establishment of Judiciary Media Spokemanship and establishment of Judicial Trainer Pool	Year	National budget	EU sources	Other ⁸	Total
I-Investment					
II- Legislative alignment and implementation					
- Personnel	2009			200,000	200,000
- Education	2009			200,000	200,000
- Consultancy					
- Translation	2009			50,000	50,000
- Other	2009			50,000	50,000
Total				500,000	500,000

⁸ Financed under the scope of memorandum of understanding which was concluded on 22.10.2007 envisaging cooperation with Sweden in certain fields.

Table 23.1.3.5

(Euro)

Requirements (Ministry of Justice) Judicial Service Expert	Year	National budget	EU sources	Other ⁹	Total
I-Investment					
II- Legislative alignment and implementation					
- Personnel					
- Education	2009	250,000	4,750,000	250,000	5,000,000
- Consultancy					
- Translation	2009		250,000		250,000
- Other					
Total		250,000	5,000,000	250,000	5,500,000

Table 23.1.3.6

(Euro)

Requirements (Ministry of Justice) Regional Courts of Appeal	Year	National budget	EU sources	Other	Total
I-Investment					
II- Legislative alignment and implementation					
- Personnel					
- Education	2010	40,000	360,000		400,000
- Consultancy					
- Translation					
- Other					
Total		40,000	360,000		400,000

⁹ To be financed by Council of Europe.

Table 23.1.3.7

(Euro)

Requirements (Ministry of Justice) Transformation of Regional Administrative Courts as Courts of Appeal	Year	National budget	EU sources	Other	Total
I-Investment					
II- Legislative alignment and implementation					
- Personnel	2011		100,000		100,000
- Education	2011		300,000		300,000
- Consultancy					
- Translation	2011		100,000		100,000
- Other	2011		100,000		100,000
Total			600,000		600,000

Priority 23.2 Fight against Corruption

1 Schedule of legislative alignment

Table 23.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1		Amendment to the Law No. 5176 on Establishment of the Board of Ethics of the Public Officials and Amendment to Certain Laws	Removal of the defects stemming from the Law that came up in the implementation period of first four years (As brought up in GRECO and EU progress reports, non-ensuring of sufficient independence primarily in the issues of personnel and budget, non-examination of issues which were submitted to the judiciary etc.) Evaluation along with the Law on Ombudsman due to a parallelism in the task areas,	The Board of Ethics of the Public Officials	2009-2010

2 Schedule of required institutional building for legislative alignment and implementation

Table 23.2.2

No	Requirements	Year
(Ministry of Finance (Presidency of Inspection Board))		
1	Reconstructing and training studies in order to improve the capacity of the Inspection Board on the fight against corruption	2009-2010
(The Board of Ethics for Public Officials)		
2	Ensuring The Board of Ethics for Public Officials to have a budget and secretariat with a quality in consistent with its tasks	2009-2010
(Ministry of Interior (General Command of Gendarmerie))		
3	Within the scope of the implementation of Turkey's National Strategy on Combating Organised Crime and strengthening the fight against organised crime, drugs, trafficking in human beings, fraud, corruption and money-laundering, training of trainers in the area of fight against corruption	2009-2010

3 Financial requirements and sources

Table 23.2.3.1

(Euro)

Requirements (Ministry of Finance (Inspection Board))	Year	National budget	EU sources	Other	Total
I-Investment	2009-2010	150,000	450,000		600,000
II- Legislative alignment and implementation					
- Personnel					
- Education	2009-2010		400,000		400,000
- Consultancy	2009-2010		150,000		150,000
- Translation	2009-2010		50,000		50,000
- Other	2009-2010		400,000		400,000
Total		150,000	1,450,000		1,600,000

Table 23.2.3.2

(Euro)

Requirements (Ethics Board for Public Officials)	Year	National budget	EU sources	Other	Total
I-Investment					
II- Legislative alignment and implementation					
- Personnel					
- Education	2009-2010		500,000		500,000
- Consultancy					
- Translation					
- Other					
In order to improve ethics culture, supporting the works to be done by public institutions, universities and civil society	2009-2010	200,000	500,000		700,000
Total		200,000	1,000,000		1,200,000

Table 23.2.3.3

(Euro)

Requirements (Ministry of Interior (General Command of Gendarmerie))	Year	National budget	EU sources	Other	Total
I-Investment					
II- Legislative alignment and implementation					
- Personnel					
- Education	2009-2010		2,500,000		2,500,000
- Consultancy					
- Translation	2009-2010		500,000		500,000
- Other					
Total			3,000,000		3,000,000

Priority 23.3 Fundamental Rights

1 Schedule of legislative alignment

Table 23.3.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directives No. 89/552/EEC and 2007/65/EC	Implementing Regulation on Radio and Television Broadcasts in Different Languages and Dialects Used Traditionally by Turkish Citizens in Their Daily Lives	In accordance with the Article 21 of the Law No. 2954 on Turkish Radio and Television amended with the Law No. 5767, rearrangement of the implementing regulation, regulating broadcasts in different languages and dialects used traditionally by Turkish citizens in their daily lives, in order for it to include both public and private broadcasters	Radio and Television Supreme Council	2010
2	European Convention on Human Rights Decisions of European Court of Human Rights United Nations Convention on the Elimination of All Forms of Discrimination against Women	Law Amending the Turkish Civil Law	Modernizing the procedures of identifying the blood tie between fathers and child born out of wedlock through recognition or judge decision	Ministry of Justice	2009
3	UN Convention on the Rights of the Child dated 20 November 1989	Implementing Regulation on Child and Youth Centres for Children Living and/or Working on the Streets	Regulating of the rules and procedures of Child and Youth Centres serving for children living and/or working on the streets and their families	Directorate General for Social Services and Child Protection	2009

Table 23.3.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
4	UN Convention on the Rights of the Child dated 20 November 1989	Implementing Regulation on Protection, Care and Rehabilitation Centre	Making regulations regarding the establishment, organisation and operation of Protection, Care and Social Rehabilitation Centres run with cooperation protocols and/or established with the aim of realisation of the necessary professional interventions to the children who benefit of care measures/protection decisions, who are pushed towards crime, who are under the risk of being pushed towards crime, who are released from penitentiary and being in need of protection and support, by meeting their basic needs, determining their physical, emotional and social needs; by ensuring their return to their families and close neighbourhoods, and to be ready for their next social service model.	Directorate General for Social Services and Child Protection	2009
5	UN Convention on the Rights of the Child dated 20 November 1989	Implementing Regulation on Care and Social Rehabilitation Centre	Making regulations regarding the establishment, organisation and operation of Care and Social Rehabilitation Centres, established for children victim of crime with the aim of meeting their basic needs, run according to cooperation protocols, realisation of the necessary professional interventions by determining their physical, emotional and social needs, ensuring their return to their families and close neighbourhoods and be ready for their next social service model.	Directorate General for Social Services and Child Protection	2009
6	UN Convention on the Rights of the Child dated 20 November 1989	Prime Ministry Circular on Working Rules and Procedures of Provincial Child Rights Children and Adult Committees	Regulation of issues required to be complied in order to solve the problems faced in implementation, removal of the different implementations and ensure unity in implementation through working rules and procedures of Provincial Child Rights Children and Adult Committees	Directorate General for Social Services and Child Protection	2009
7	Additional Protocol No.12 to the Convention for the Protection of Human Rights and Fundamental Freedoms regarding Prohibition of Discrimination on Any Grounds	Law Approving the Ratification of the Additional Protocol No.12 to the Convention for the Protection of Human Rights and Fundamental Freedoms regarding Prohibition of Discrimination on Any Grounds	Basing any kind of measures to be taken on objective and reasonable justification in order to ensure full and effective equality following the non-discrimination principle,	Ministry of Foreign Affairs Ministry of Justice	2011

2 Schedule of required institutional building for legislative alignment and implementation

Table 23.3.2

No	Requirements	Year
(Radio and Television Supreme Council)		
1	Training of the monitoring experts to be assigned for tracking the broadcast services in different languages and dialects used traditionally by Turkish citizens in daily lives in accordance with the Law No. 3984 and related implementing regulations	2009-2011

3 Financial requirements and sources

Table 23.3.3

(Euro)

Requirements (Radio and Television Supreme Council)	Year	National Budget	EU sources	Other	Total
I-Investment					
II- Legislative alignment and implementation					
- Personnel					
- Education	2009-2011	30,000			30,000
- Consultancy					
- Translation					
- Other					
Total		30,000			30,000

Priority 23.4 Legislation work on protection of personal data and the establishment of an independent data protection audit authority

1 Schedule of legislative alignment

Table 23.4.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, Directive No. 95/46/EC	Law on the Protection of Personal Data	To protect the immunity, material and moral existence as well as fundamental rights and freedoms of individuals, with the condition of determining basic principals on matters concerning the collecting, the processing and the safeguarding of personal data	Ministry of Justice	2009
2	Directives No. 95/46/EC, 91/308/EEC	Law on Commercial Secrets, Bank Secrets and Customer Confidentiality	Regulating the principles and procedures on requesting, furnishing, using and protecting Commercial secrets, bank secrets and customer confidentiality of commercial enterprises and corporations, banks, insurance companies and intermediary institutions active in financial markets	Ministry of Justice	2009

2 Schedule of required institutional building for legislative alignment and implementation

Table 23.4.2

No	Requirements	Year
(Ministry of Justice)		
1	Establishment of Council of Protection of Personal Data	2009

3 Financial requirements and sources

Table 23.4.3

(Euro)

Requirements (Ministry of Justice)	Year	National Budget	EU sources	Other	Total
I-Investment					
II- Legislative alignment and implementation					
- Personnel	2009		250,000		250,000
- Education	2009	100,000	900,000		1,000,000
- Consultancy	2009		250,000		250,000
- Translation	2009		250,000		250,000
- Other	2009		250,000		250,000
Total		100,000	1,900,000		2,000,000

CHAPTER 24 JUSTICE, FREEDOM AND SECURITY

Priority 24.1 Continuing to strengthen and enhance the judicial and administrative capacity of all law enforcement institutions and align their status and functioning with European standards, including through developing inter-agency cooperation

1 Schedule of legislative alignment

Table 24.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Council Resolution of 9 June 1997 concerning a handbook for joint customs surveillance operations	Law Amending the Decree Law No. 485	Setting out the legal basis for Joint Customs Monitoring Operations Enabling information and document exchange for operations to be carried out pursuant to obligations arising from international or bilateral agreements	Undersecretariat of Customs	After 2011
2	Convention drawn up on the basis of Article K.3 of the Treaty on European Union, on mutual assistance and cooperation between customs administrations	Law Approving the Convention on Cooperation and Assistance between Customs Administrations	Improving cooperation and assistance between Customs Administrations	Undersecretariat of Customs	After 2011
3	The EU Convention on the Use of Information Technologies for Customs Purposes	Law on the Approval of the Convention on the Use of Information Technologies for Customs Purposes	Establishing the legal basis for the Convention on the Use of Information Technologies for Customs Purposes	Undersecretariat of Customs	After 2011
4	The EU Convention on the Use of Information Technologies for Customs Purposes	Decision of Council of Ministers on the Approval of the Convention on the Use of Information Technologies for Customs Purposes	Establishing the legal basis for the Convention on the Use of Information Technologies for Customs Purposes	Undersecretariat of Customs	After 2011

Table 24.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
5	Council Act of 03 November 1998 laying down rules governing Europol's external relations with Third States and non-European Union bodies (1999/C 26/04) Council Act of 12 March 1999 adopting rules governing transmission of personal data by Europol to Third States and third bodies	Operational Level Co-operation Agreement with Europol	Following the enactment of Data Protection Law, enabling cooperation on operational level with Europol, thus taking further steps in the fight against international crime	Ministry of Interior	2010-2011
6	Council Act of 5 June 2003 amending the Council Act of 3 November 1998 adopting rules on confidentiality of Europol Information	Harmonisation of current Document Security with the Privacy of Information Rules of Europol and establishing the legal infrastructure	Identification of use, evaluation and privacy equivalents of information and documents shared by Europol and Turkey; and using common codes for privacy, use and evaluation in the information exchange	Ministry of Justice Ministry of Interior	2010-2011
7	Convention based on Article K.3 of the Treaty on European Union, on the establishment of a European Police Office (Europol Convention)	Legislation on Duties and Responsibilities of Europol National Unit	Introduction of common workflow and work arrangements including the representatives of other institutions in line with recommendations of HENU (Heads of Europol National Units) through the clarification of job description, legal identity and legal structure of Europol National Unit	Ministry of Justice Ministry of Interior	2010-2011 ¹
8	Article 8 of Council Regulation No. 1338/2001	Arrangement of Workflow between NCO and ENU with regard to Fight against Forgery of Money and Euro Counterfeiting	With the arrangement, making concrete progress under the title of Fight against Forgery of Money and Euro Counterfeiting under Chapter 32. Nonetheless regulating information exchange between Europol which acts as National Central Office for Europe particularly for Euro counterfeiting and NCO in Turkey	Ministry of Justice Ministry of Interior Ministry of Finance	2010-2011

¹ It will be enacted after adoption of Cooperation Agreement on Operational Level with Europol

Table 24.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
9	Regulation No. 1987/2006 , Council Decision No. 2007/533/JHA	Establishment of Legal and Technical Base of SIS II and Sirene Office.	Formation of technical and legal basis of SIS II which will be established in our country together with EU membership	Ministry of Justice Ministry of Interior	To be enacted within the framework of full membership perspective
10	Schengen Acquis-Convention Implementing the Schengen Agreement of June 1985 between The Governments of the States of Benelux Economic Union, The Federal Republic of Germany and The French Republic on the Gradual Abolition of Checks at their Common Borders	Arrangement of Sirene Office Work and Workflow	Determining workflow and work procedures of representatives of various law enforcement units in line with particularly Articles 39-40-41 and 101 under the title of Police Cooperation of Schengen Convention and within the scope of Schengen Catalogues	Ministry of Interior	To be enacted within the framework of full membership perspective
11	Schengen Acquis-Convention Implementing the Schengen Agreement of June 1985 between The Governments of the States of Benelux Economic Union, The Federal Republic of Germany and The French Republic on the Gradual Abolition of Checks at their Common Borders	Establishing National Schengen Information System (N-SIS) and Determining Level of User Access	Establishing National Schengen Information System covering particularly Articles 96-97-98-99 and 100 under the title of Police Cooperation of Schengen Convention and transferring data from this information system to Central Schengen System. Ensuring access to N-SIS in accordance with Article 101	Ministry of Interior	To be enacted within the framework of full membership perspective
12	Communication From The Commission To The Council And The European Parliament: Evaluation of EU Policies on Freedom, Security and Justice (COM (2006) 332 final)	Revision of the Implementing Regulation on Establishment, Tasks and Operations of Bomb Disposal and Investigation Units and the revision of the Implementing Regulation of the Counter-terrorism and Operations Department	Establishment of a training centre in order to increase international and regional cooperation within the scope of efficient fight against terrorism and establishment of Europe-Middle East Explosives and Bomb Investigation, Examination and Training Centre	Ministry of Interior	2011-2013

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 24.1.2

No	Requirements	Year
(Ministry of Interior)		
1	Extending the scope of implementation and enabling effective usage of Legislative Implementation Training Project (MUYEP) for the purpose of training of law enforcement personnel on the EU Acquis, the legislation on duties and responsibilities of law enforcement organisations of EU Member States and their operational relations with judicial units	2009-2011
(Ministry of Interior (Gendarmerie General Command))		
2	Establishment of Gendarmerie Regional Criminal Laboratory in Istanbul	2009-2012
3	Establishment of Vehicle Accidents Investigation Laboratory under Gendarmerie Criminal Department	2009-2011
4	Developing cooperation with Association of the European and Mediterranean Police Forces and Gendarmeries with Military Status (FIEP) and countries of European Gendarmerie Force	2009-2010
(Ministry of Interior (Turkish National Police))		
5	Establishment of Police Regional Criminal Laboratory in Adana, Diyarbakır and Izmir	2009-2012
6	Strengthening the capacity of counter-terrorism units of Turkish National Police, preventing radicalism and cracking down on terrorists' human, financial and technological resources in order to improve regional and international cooperation within the context of fight against terrorism.	2011-2013
7	Establishment of a new in-service training unit in line with EU standards and of international quality	2009-2011
8	Harmonisation of current Document Security with the Privacy of Information Rules of Europol and establishing the institutional infrastructure	2009-2011
9	Arrangement regarding duties and responsibilities of Europol National Unit	2009-2011
10	Arranging workflows of National Bureau for the fight against Forgery of Money and Euro-counterfeiting (NCO) and Europol National Unit (ENU)	2009-2011
11	Establishment of Legal and Technical Base of SIS II and Sirene Office	2
12	Arrangement of Sirene Office Work and Workflow	3
13	Establishing National Schengen Information System (N-SIS) and Determining Level of User Access	4
14	Increasing the capacity for investigating, preventing and inquiring cyber crimes	2010-2012

² To be considered within the framework of full membership perspective.

³ To be considered within the framework of full membership perspective.

⁴ To be considered within the framework of full membership perspective

3 Financial requirements and resources

Table 24.1.3.1

(Euro)

Requirements (Ministry of Interior (Gendarmerie General Command))	Year	National Budget	EU sources	Other	Total
I- Investment					
Constructing a Gendarmerie regional criminal laboratory in Istanbul and supplying advance level laboratory equipments ⁵	2009-2012	1,853,250	5,559,750		7,413,000
Establishment and equipment of vehicle accidents investigation laboratory in Ankara	2010-2011	750,000	2,250,000		3,000,000
II- Legislative approximation and implementation					
- Personnel					
- Training	2010-2011	75,000	1,425,000		1,500,000
- Consultancy	2009-2011		300,000		300,000
- Translation	2009-2011		140,000		140,000
- Other					
Relevant teaching materials to be used during the trainings (sheet of papers, photocopy, pressing of brochures, badge-name cards etc)	2010-2011		150,000		150,000
Total		2,678,250	9,824,750		12,503,000

⁵ To be financed by the project titled "Strengthening Forensic Capacity in Turkey - TR 08.02.14" under Pre-Accession Financial Assistance 2008 Programme

Table 24.1.3.2

(Euro)

Requirements (Ministry of Interior (Turkish National Police))	Year	National Budget	EU sources	Other	Total
I- Investment					
Establishment and equipment of Police Regional Criminal Laboratory in Adana, Diyarbakır and İzmir ⁶	2009-2012	4,796,750	14,390,250		19,187,000
Strengthening the regional and international cooperation in an effective fight against terrorism	2011-2013	5,250,000	17,250,000		22,500,000
Strengthening the capacity for investigating, preventing and inquiring cyber crimes	2011-2013	5,250,000	17,250,000		22,500,000
II- Legislative approximation and implementation	2010-2012	5,000,000	15,000,000		20,000,000
- Personnel					
- Training	2009-2012	60,000	1,140,000		1,200,000
- Consultancy	2009-2012	25,000	225,000		250,000
- Translation					
- Other					
Total		20,381,750	65,255,250		85,637,000

⁶ To be financed by the project titled "Strengthening Forensic Capacity in Turkey - TR 08.02.14" under Pre-Accession Financial Assistance 2008 Programme

Priority 24.2 Continuing efforts of Turkey to implement the National Action Plan on Asylum and Migration including through the adoption of a roadmap, making preparations for the adoption of a comprehensive asylum law in line with the EU Acquis including the establishment of an asylum authority and increasing the capacity for combating illegal migration in line with international standards⁷

1 Schedule of legislative alignment

Table 24.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Amsterdam Treaty: Protocol on the right of asylum for citizens of the EU member states	Law on Establishment of an Asylum and Immigration Unit under the Ministry of Interior	Establishment of a new Asylum and Immigration Unit under the Ministry of Interior	Ministry of Interior	2009-2010

⁷ The priority has been prepared on the basis of Turkey's National Action Plan for Migration and Asylum which was approved and brought into force by the Turkish Prime Ministry, on 25.03.2005, and which is including legal arrangements which should be put into force during the harmonization of Turkey's legislation and system regarding migration, asylum and foreigners with the EU Acquis and system, investment projects necessary for completing the administrative structuring and physical infrastructure and measures that should be taken during Turkey's accession negotiations.

Table 24.2.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
2	<ul style="list-style-type: none"> - Directives No. 2001/55/EC 2003/09/EC, 2004/83/EC and 2005/85/EC - Resolutions of 30 November and 1 December 1992 on a harmonized approach to matters with regard to host third-countries - Council Declaration No. 15067/02 regarding Safe Third-Countries - Conclusions of 30 November and 1 December 1992 on Countries in Which There is Generally no Serious Risk of Persecution - Resolutions of 30 November and 1 December 1992 on Manifestly Unfounded Applications for Asylum - Council Resolution on minimum guarantees for asylum procedures - Amsterdam Treaty: Protocol on the right of asylum for citizens of the EU member states - Resolutions No. 2000/596/EC, 2001/275/EC 2002/307/EC and 2002/46/EC - Regulation No.491/2004 	Asylum Law	Harmonization of the Turkish legislation on Asylum, Immigration and Foreigners with the EU legislation while maintaining the existing geographical restrictions.	Ministry of Interior	2009-2010

Table 24.2.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
3	<p>- Schengen Acquis SCH/Com-Ex (99) 13 - Decision of the Executive Committee of 28 April 1999 on the Definitive Versions of the Common Manual and Common Consular Instruction - Regulation No. 1091/2001/EC - Council Recommendation for harmonizing the means of struggle against illegal immigration and illegal employment, and developing the control procedures in relation to these. - Resolutions of 20 June 1994 and 30 November 1994 on limitation of admission of third-country nationals to the territory of the Member States for employment - Articles 11, (1), (a) and 21 of the Schengen Convention - Part I, 2.1.3 of the Common Consular Instructions (CCI)</p>	Foreigners Law	<p>Harmonization of visa descriptions and types (single and multiple entrance visas) with the EU visa types. Identification of the procedural and legislative framework of the struggle against illegal immigration and employment.</p>	<p>Ministry of Interior Ministry of Foreign Affairs</p>	2009-2010

Table 24.2.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
4	<ul style="list-style-type: none"> - Directives No. 2001/55/EC, 2003/09/EC, 2004/83/EC and 2005/85/EC - Resolution of 30 November and 1 December 1992 on a harmonized approach to matters with regard to host third-countries - Council Declaration No. 15067/02 regarding Safe Third-Countries - Conclusions of 30 November and 1 December 1992 on Countries in Which There is Generally no Serious Risk of Persecution - Resolution of 30 November and 1 December 1992 on Manifestly Unfounded Applications for Asylum - Council Resolution on minimum guarantees for asylum procedures - Amsterdam Treaty Protocol on the right of asylum for citizens of the EU member states - Resolutions No. 2000/596/EC, 2001/275/EC, 2002/307/EC and 2002/46/EC - Regulation No.491/2004 	<p>Implementing Regulation on the Implementation of the Asylum Law</p>	<p>Issuing Secondary Legislation for the implementation of the Asylum Law envisaged to be enacted.</p>	<p>Ministry of Interior</p>	<p>2010-2011</p>

Sub Priority 24.2.1 Establishment of an Asylum and Immigration Unit under the Ministry of Interior and employment of personnel to work in this field with an expertise status

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 24.2.1.2

No	Requirements	Year
(Ministry of Interior (Turkish National Police))		
1	Universalization of the expert status by means of increasing the personnel capacity	2009-2011
2	Increasing foreign language capacity of the personnel	2009-2011
(Ministry of Interior (Gendarmerie General Command))		
3	Training of Law enforcement personnel on EU legislation with a view to increasing efficiency in the struggle against illegal immigration within the scope EU Acquis	2009-2011
4	Organising seminars on Asylum Law together with the Office of the United Nations High Commissioner for Refugees (UHHCR)	2009-2011

3 Financial requirements and resources

Table 24.2.1.3.1

(Euro)

Requirements (Ministry of Interior (Turkish National Police))	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training	2010	500,000	2,000,000		2,500,000
- Consultancy	2010		400,000		400,000
- Translation	2010		100,000		100,000
- Other					
Total		500,000	2,500,000		3,000,000

Table 24.2.1.3.2

(Euro)

Requirements (Ministry of Interior (Gendarmerie General Command))	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training	2010-2011		900,000	600,000	1,500,000
- Consultancy					
- Translation					
- Other					
Total			900,000	600,000	1,500,000

Sub Priority 24.2.2 Establishment of Asylum Training Curriculum

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 24.2.2.2

No	Requirements	Year
(Ministry of Interior (Turkish National Police))		
1	Establishment of Training Academy (Institute) in the framework of the Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status (EU Council Procedure Directive)	2010-2011
2	Universalization of expert status by means of increasing the personnel capacity	2010-2011

3 Financial requirements and resources

Table 24.2.2.3

(Euro)

Requirements (Ministry of Interior (Turkish National Police))	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training	2010-2011	128,000	192,000		320,000
- Consultancy	2010-2011		50,000		50,000
- Translation	2010-2011		400,000		400,000
- Other					
Relevant teaching materials to be used during the trainings (sheet of papers, photocopy, pressing of brochures, badge-name cards etc)	2010-2011		50,000		50,000
Total		128,000	692,000		820,000

Sub Priority 24.2.3 Establishment of Translators Staff Group for Asylum System and Training Translators on the Asylum Law

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 24.2.3.2

No	Requirements	Year
(Ministry of Interior (Turkish National Police))		
1	Forming Asylum Training Curriculum in the framework of the Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status (EU Council Procedure Directive)	2010-2011

3 Financial requirements and resources

Table 24.2.3.3

(Euro)

Requirements (Ministry of Interior (Turkish National Police))	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel	2010-2011	120,000			120,000
- Training	2010-2011		10,000		10,000
- Consultancy					
- Translation	2010-2011	20,000			20,000
- Other					
Total		140,000	10,000		150,000

Sub Priority 24.2.4 Establishment of Translators Staff Group for Asylum System and Training Translators on the Asylum Law

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 24.2.4.2

No	Requirements	Year
(Ministry of Interior (Turkish National Police))		
1	Setting up Country of Origin and Asylum Information Systems in the framework of the Council Directive 2005/85/EC dated 1 December 2005 on minimum standards on procedures for granting and withdrawing refugee status in Member States (EU Council Procedure Directive)	2009-2011
2	Establishing a reception system for asylum seekers/refugees in the framework of the EU Council Reception Conditions Directive	2009-2011
3	Establishment of Reception and Accommodation Centres for Asylum Seekers and Refugee Guest Houses as laid down in the Hague Programme and in the EU Council Reception Conditions Directive	2009-2011

3 Financial requirements and resources

Table 24.2.4.3.1

(Euro)

Requirements (Ministry of Interior (Turkish National Police)) ⁸	Year	National Budget	EU sources	Other	Total
I- Investment	2009	2,500,000	7,500,000		10,000,000
II- Legislative approximation and implementation					
- Personnel	2009	400,000			400,000
- Training	2009		1,500,000		1,500,000
- Consultancy					
- Translation	2009		100,000		100,000
- Other					
Total		2,900,000	9,100,000		12,000,000

⁸ Financed by the project titled "Support to the set up of Asylum and Country of Origin Information (COI) Systems -TR 06.01.01" under Pre-Accession Financial Assistance 2005 Programme

Table 24.2.4.3.2

(Euro)

Requirements (Ministry of Interior (Turkish National Police)) ⁹	Year	National Budget	EU sources	Other	Total
I- Investment	2009-2011	15,300,000	45,900,000		61,200,000
II- Legislative approximation and implementation					
- Personnel	2009-2011	500,000			500,000
- Training	2009-2011		1,200,000		1,200,000
- Consultancy	2009-2011		400,000		400,000
- Translation	2009-2011		100,000		100,000
- Other					
Total		15,800,000	47,600,000		63,400,000

⁹ Financed by the project titled "Establishment of Reception, Screening and Accommodation Centres for asylum seekers and refugees - TR 07.02.17" under Pre-Accession Financial Assistance 2007 Programme

Sub Priority 24.2.5 Establishment of an “Appeal Evaluation Board” within the Asylum System for First Instance Decisions

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 24.2.5.2

No	Requirements	Year
(Ministry of Interior (Turkish National Police))		
1	Establishment of an “Appeal Evaluation Board” in asylum system for the first instance decisions in the framework of the Council Resolution of 20 June 1995 on minimum guarantees for asylum procedures	¹⁰

3 Financial requirements and resources

Table 24.2.5.3

(Euro)

Requirements (Ministry of Interior (Turkish National Police))	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training	2011		1,000,000		1,000,000
- Consultancy	2011		50,000		50,000
- Translation	2011		50,000		50,000
- Other					
Total			1,100,000		1,100,000

¹⁰ To be considered within the framework of full membership perspective

Sub Priority 24.2.6 Establishment of a “Unit” To Make Policies in Order to follow and Evaluate the Mass Population Movements (Mass Influx)

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 24.2.6.2

No	Requirements	Year
(Ministry of Interior (Turkish National Police))		
1	Strengthening the capacity of “Asylum and Immigration Unit” with a view to following and evaluating the mass population movements (mass influx) in the framework of the Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof	2009-2011

3 Financial requirements and resources

Table 24.2.6.3

(Euro)

Requirements (Ministry of Interior (Turkish National Police))	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel	2011	60,000			60,000
- Training	2011		1,200,000		1,200,000
- Consultancy	2011		10,000		10,000
- Translation	2011		10,000		10,000
- Other					
Total		60,000	1,220,000		1,280,000

Sub Priority 24.2.7 Establishment of Fingerprint Database for Effective Application of the Dublin Convention

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 24.2.7.2

No	Requirements	Year
(Ministry of Interior (Turkish National Police))		
1	Establishment of a fingerprint database for effective application of the Dublin Convention in the framework of the Council Regulation (EC) No 343/2003 of 18 February 2003 (Dublin II Regulation) establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national	¹¹

3 Financial requirements and resources

Table 24.2.7.3

(Euro)

Requirements (Ministry of Interior (Turkish National Police))	Year	National Budget	EU sources	Other	Total
I- Investment	2011	1,250,000	3,750,000		5,000,000
II- Legislative approximation and implementation					
- Personnel					
- Training					
- Consultancy					
- Translation					
- Other					
Total		1,250,000	3,750,000		5,000,000

¹¹ To be considered within the framework of full membership perspective

Sub Priority 24.2.8 Establishment of the Building for the Asylum and Immigration Unit

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 24.2.8.2

No	Requirements	Year
(Ministry of Interior)		
1	Establishment of the Building for the Asylum Unit ¹²	2009-2011

3 Financial requirements and resources

Table 24.2.8.3

(Euro)

Requirements (Ministry of Interior)	Year	National Budget	EU sources	Other	Total
I- Investment	2009-2011	2,500,000	7,500,000		10,000,000
II- Legislative approximation and implementation					
- Personnel	2009-2011	1,200,000			1,200,000
- Training	2009-2011		300,000		300,000
- Consultancy	2009-2011		400,000		400,000
- Translation	2009-2011		360,000		360,000
- Other					
Total		3,700,000	8,560,000		12,260,000

¹² Since the commitment of “Establishing a single and centralized institution under the Ministry of Interior specialized in the determination of refugee status and fulfilment of the legislative, administrative and infrastructure needs for developing its operational capacity.” has been taken place in the Turkey’s 2003 National Plan For the Adoption of the Acquis, the expression of “In order to increase the capacity, Institutional set-up will be realized to establish a specialization unit in the field of migration and asylum.” Has been taken place in Article 4.1. of the Turkish National Action Plan for the Adoption of the EU Acquis in the Field of Asylum and Migration (Turkish National Action Plan on Asylum and Migration) which was approved and brought into force by the Turkish Prime Minister on 25.03.2005. Within this framework, the expression of “A project fiche for the asylum unit should be prepared and a building should be constructed or a suitable building should be renovated and made available in Ankara with the equipment required.” has been taken place in Article 4.4.2 of the Turkish National Action Plan on Asylum and Migration, under title “Establishing Premises for the Asylum Unit.” and, in implementation table (analysis grid table), annex of the Turkish National Action Plan on Asylum and Migration, year 2012 has been laid down as dead line for realizing the mentioned Asylum Unit.

Sub Priority 24.2.9 Migration and Illegal Migration

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 24.2.9.2

No	Requirements	Year
(Ministry of Interior (Turkish National Police))		
1	Training of the staff working in the field of migration and illegal migration	2009-2010
2	Establishment of aliens removal centres	2009-2011

3 Financial requirements and resources

Table 24.2.9.3

(Euro)

Requirements (Ministry of Interior (Turkish National Police)) ¹³	Year	National Budget	EU sources	Other	Total
I- Investment	2009-2011	4,450,000	13,350,000		17,800,000
II- Legislative approximation and implementation					
- Personnel					
- Training	2009-2011		1,700,000		1,700,000
- Consultancy					
- Translation					
- Other					
Total		4,450,000	15,050,000		19,500,000

¹³ Financed by the project titled "Support to Turkey's Capacity in Combating Illegal Migration and Refurbishment of Removal Centres for Illegal Migrants - TR 07.02.16" under Pre-Accession Financial Assistance 2007 Programme

Priority 24.3 Continuing efforts to implement the “National Action Plan towards the Implementation of Turkey’s Integrated Border Management Strategy” including through the definition of a precise roadmap. Taking steps to establish a new border law enforcement authority

1 Schedule of legislative alignment

Table 24.3.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	- Regulation No. 1683/95/EC and 334/2002/EC - The recommendations and best applications chapter of the Schengen Catalogue - Part VI of the Common Consular Instructions - Annex No: 8, 9, 10, 13 of the Common Consular Instructions	Legislation for Harmonizing the Turkish Visa Sticker with the EU Schengen Visa Sticker	Harmonisation of visa stickers with the EU Acquis	Ministry of Foreign Affairs Ministry of Interior Ministry of Finance	2009
2	Directives No. 2005/60/EC and 2006/70/EC	Communiqué/Implementing Regulation on the Procedures and Principles regarding the Declarations Made in Customs Administrations	Identification of the principles and procedures regarding the declaration to be made in customs administration on free assets brought by the passengers and related cases punishable with administrative fine	Undersecretariat of Customs Ministry of Finance	2009
3	Joint Action No. 96/197/JHA Schengen Acquis SCH/Comex (99) 13 - Decision of the Executive Committee - Annex No.3 of the Common Consular Instructions	Law Amending Some Articles of Passport Law No. 5682.	Ensuring border security and contributing to the activities to struggle against illegal transit through an airport transit visa	Ministry of Interior Ministry of Foreign Affairs	2009-2010

Table 24.3.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
4	-Treaty of Amsterdam and Article 8 of the Protocol annexed to that Agreement and which integrates Schengen Acquis with European Union framework -Schengen Catalogue, prepared on 8 February 2002 - Article 6 of Schengen Implementation Agreement	Legislation on Establishment of Border Security Unit under the Ministry of Interior ¹⁴	Carrying out studies to establish of a professional border security organization to work in all border gates of Turkey and in blue and green borders	Ministry of Interior	2010-2011
5	Regulations No. 539/2001, 2414/2001, 453/2003 and 851/2005	Circulars on Harmonization with the EU Implementations Regarding the Visas Issued at the Border Checkpoints, and in this framework, Terminating the Sticker and Stamp Visa Issuance that has been Applied to 51 Countries	Terminating the sticker and stamp visa issuance at border checkpoints in the long term	Ministry of Foreign Affairs Ministry of Interior	Harmonization will be ensured within the framework of full membership perspective
6	- Common Consular Instructions of the EU (Annex No. 1) - Regulations No. 539/2001, 2414/2001, 453/2003 and 851/2005	Decision of Council of Ministers and/or Circulars regarding the Rearrangement of the Countries Subject to Visa or Exempt from Visa in our Visa Regime Table, in order to Harmonize with the Negative and Positive Visa Lists of the EU	Harmonization with the Negative and Positive Visa Lists of the EU	Ministry of Interior Ministry of Foreign Affairs	Harmonization will be ensured within the framework of full membership perspective

¹⁴ To be covered on the basis of priorities envisaged in the “National Action Plan towards the Implementation of Turkey’s Integrated Border Strategy” which was prepared in line with the EU Acquis and approved by the Prime Ministry on March 27th 2006

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 24.3.2

No	Requirements	Year
(Ministry of Interior)		
1	Detailing Integrated Border Management Action Plan, determining the technical requirements of border units and identification of legal changes	2009-2010
2	Strengthening the administrative and technical structures of land border units and personnel training until professional integrated border management organisation is established	2009-2013
3	Meeting legislative, organisational, administrative and infrastructural requirements for the establishment of a professional integrated border management organisation	2009-2013
4	Achieving EU's general strategy for open and secure borders by means of developing and strengthening the legal, institutional and technical capacity of Turkey in order to align with Integrated border management policies of the European Union	2009-2012

3 Financial requirements and resources

Table 24.3.3.1

(Euro)

Requirements (Ministry of Interior) ¹⁵	Year	National Budget	EU sources	Other	Total
I- Investment	2009-2010	1,128,250	3,384,750		4,513,000
II- Legislative approximation and implementation					
- Personnel					
- Training	2009-2010		1,200,000		1,200,000
- Consultancy	2009-2010		4,900,000		4,900,000
- Translation	2009-2010		350,000		350,000
- Other					
Total		1,128,250	9,834,750		10,963,000

Table 24.3.3.2

(Euro)

Requirements (Ministry of Interior) ¹⁶	Year	National Budget	EU sources	Other	Total
I- Investment	2010-2011	6,717,220	19,951,660		26,668,880
II- Legislative approximation and implementation					
- Personnel					
- Training	2010-2011		262,000		262,000
- Consultancy	2010-2011		738,000		738,000
- Translation					
- Other					
Total		6,717,220	20,951,660		27,668,880

¹⁵ Financed by the project titled "the Action Plan on Integrated Border Management-Phase 1 - TR 07.02.15" under Pre-Accession Financial Assistance 2007 Programme. Gendarmerie General Command, Turkish National Police and Turkish Coast Guard Command which are affiliated to Ministry of Interior are under the scope of the project

¹⁶ To be financed by the project titled "the Action Plan on Integrated Border Management-Phase 2 - TR 08.02.10" under Pre-Accession Financial Assistance 2008 Programme. Gendarmerie General Command, Turkish National Police and Turkish Coast Guard Command which are affiliated to Ministry of Interior are under the scope of the project

Priority 24.4 Implementation of the Turkey’s National Strategy on Combating Organised Crime. Strengthening the fight against organised crime, drugs, trafficking in human beings, fraud, corruption and money-laundering

1 Schedule of legislative alignment

Table 24.4.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Council Resolution of 29.11.1996 on the cooperation of police-customs cooperation in the fight against drugs	Memorandum of Understanding in the Fight against Smuggling between the Ministry of Interior and the Ministry of State in charge of the Customs	Improving the level of cooperation between the Ministry of Interior and Undersecretariat of Customs	Ministry of Interior, Undersecretariat of Customs	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 24.4.2

No	Requirements	Year
(Ministry of Interior)		
1	Preparing an action plan within the scope of the strategy document on the fight against organised crime	2009-2010
2	Implementing the strategy on combating against human trafficking	2009-2010
3	Preparing an action plan for struggle against drugs in rural areas of Turkey	2009-2010
4	Supporting both Turkey's efforts to fight against human trafficking and access of all victims of human trafficking to justice	2009-2010
5	Carrying out activities in order to prevent human trafficking in Turkey and in origin countries and to raise awareness on these issues through 157 emergency aid line.	2009-2010
6	Establishment of a unit to support National Task Force on Human Trafficking	2009-2010
7	Increasing the judicial and administrative capacity of law enforcement personnel in the area of fight against human trafficking	2009-2010
8	Training in EU countries of law enforcement personnel on the fight against smuggling and organised crime	2009-2010
9	Assigning personnel to Anti-Fraud Coordination Service (AFCOS) which is planned to be established within the framework of Financial Control Chapter	2009-2010
10	Improving cooperation among law enforcement units in the field of fight against organised crime	2009-2011
11	Increasing the capacity of law enforcement units in the field of fight against organised crime	2009-2011
12	Strengthening the units fighting against drugs in provinces and training of law enforcement units by mobile training team on fight against drugs	2009-2011
13	Providing training support from EU Member Countries in the areas of criminal expertise	2009-2011
14	Developing cooperation with EU Member Countries with the purpose of acquiring package analysis programs for crime analysis and spreading its use	2009-2011
15	Establishing a data collection system with a view to supporting coordinated reaction to human trafficking between Turkey and main origin countries.	2009-2010
16	Strengthening the capacity of law enforcement forces to fight against informatics crime	2009-2011

Table 24.4.2 (Continued)

No	Requirements	Year
(Ministry of Finance (Inspection Board))		
17	Training and restructuring activities to improve the capacity of the Inspection Board of Ministry of Finance in the fight against money-laundering, and financing of terrorism and strengthening its coordination with the other law enforcement bodies (Financial Crimes Investigation Board MASAK, Turkish National Police/Department of Anti Smuggling and Organised Crime, Gendarmerie General Command , Undersecretariat of Customs and Ministry of Justice)	2009-2010
(Ministry of Finance (Financial Crimes Investigation Board))		
18	Supplying software and hardware with a view to strengthening the capacity of analysis and information security of Financial Crimes Investigation Board (MASAK)	2009-2010
(Undersecretariat of Customs)¹⁷		
19	Establishment of a central risk analysis unit	2009
20	Establishment of the regional risk analysis departments ¹⁸	2010-2013

¹⁷ These capacity building requirements are also mentioned under the Priority 24.1 Continuing to strengthen and enhance the judicial and administrative capacity of all law enforcement institutions and align their status and functioning with European standards, including through developing inter-agency cooperation” and “Priority 24.3 Continuing efforts to implement the National Action Plan towards the Implementation of Turkey’s Integrated Border Management Strategy including through the definition of a precise roadmap. Taking steps to establish the new border law enforcement authority” and related financial requirements are mentioned under Chapter 29 of the Customs Union with Table 29.2.3.

¹⁸ To be financed by the project titled “Modernisation of the Turkish Customs Administration VI” under Pre-Accession Financial Assistance 2009 Programme

3 Financial requirements and resources

Table 24.4.3.1

(Euro)

Requirements (Ministry of Interior (Gendarmerie General Command)) ¹⁹	Year	National Budget	EU sources	Other	Total
I- Investment					
Supply of equipment	2009-2010	217,500	652,500		870,000
II- Legislative approximation and implementation					
- Personnel	2010-2011	50,000			50,000
- Training	2009-2011		1,800,000		1,800,000
- Consultancy			500,000		500,000
- Translation	2009		200,000		200,000
- Other					
Total		267,500	3,152,500		3,420,000

Table 24.4.3.2

(Euro)

Requirements (Ministry of Interior) ²⁰	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training	2009		1.600.000		1.600.000
- Consultancy	2009		1.400.000		1.400.000
- Translation					
- Other					
Total			3.000.000		3.000.000

¹⁹ Financed by the project titled "Strengthening of capacity for the interdiction of drugs in rural areas- TR 06.01.06" under Pre-Accession Financial Assistance 2006 Programme

²⁰ Financed by the project titled "Supporting Turkey's efforts to combat human trafficking and promote access to justice for all trafficked persons - TR 06.01.07" under Pre-Accession Financial Assistance 2006 Programme

Table 24.4.3.3

(Euro)

Requirements (Ministry of Finance (Inspection Board))	Year	National Budget	EU sources	Other	Total
I- Investment	2009	125,000	375,000		500,000
II- Legislative approximation and implementation					
- Personnel					
- Training	2009		950,000		950,000
- Consultancy	2009		150,000		150,000
- Translation	2009		50,000		50,000
- Other					
Total		125,000	1,525,000		1,650,000

Table 24.4.3.4

(Euro)

Requirements (Ministry of Finance (Financial Crimes Investigation Board))	Year	National Budget	EU sources	Other	Total
I- Investment	2009	135,000			135,000
II- Legislative approximation and implementation					
- Personnel					
- Training					
- Consultancy					
- Translation					
- Other					
Total		135,000			135,000

Priority 24.5 Ensuring alignment of the acquis in civil matters with the Turkish legislation and strengthening the judicial capacity to apply the acquis in the field

1 Schedule of legislative alignment

Table 24.5.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 95/46/EC Decisions No. 97/C 193/02 and 2001/C 187/01.	Law on DNA Data and National DNA Data Bank of Turkey	Setting up an equilibrium between obtaining and storing personal data - e.g. blood and tissue samples - for cases such as criminal proceedings in which such data is necessary, and the protection of the privacy of such data, which lies in the scope of the fundamental rights and freedoms of persons.	Ministry of Justice	2009-2010
2	Regulation No. 1348/2000	Law on Service	To bring legal regulations in parallel with social, economic and technological changes and developments realised in the world and Turkey.	Ministry of Justice	2009-2010

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 24.5.2

No	Requirements	Year
(Ministry of Interior (Gendarmerie General Command) - Ministry of Justice)		
1	Handing over security control for prisons to Ministry of Justice	2009-2011
2	National and international training for the Law enforcement personnel on judicial cooperation	2009-2011

3 Financial requirements and resources

Table 24.5.3

(Euro)

Requirements (Ministry of Interior (Gendarmerie General Command) -Ministry of Justice)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training	2010-2011	75,000	1,425,000		1,500,000
- Consultancy					
- Translation					
- Other					
Total		75,000	1,425,000		1,500,000

CHAPTER 26 EDUCATION AND CULTURE

Priority 26.1 Enhancing the administrative capacity of the Lifelong Learning and Youth in Action National Agency (Centre for Education and Youth Programs of the EU) in order to be able to deal with the increased workload

1 Schedule of legislative alignment

Table 26.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Decisions No. 1719/2006/EC and 1720/2006/EC	Law on the Establishment and Duties of the Education and Youth Agency of Turkey.	Harmonizing with the relevant legislation for the periods between 2007-2013 of education and youth programmes of the EU This arrangement covers how education and youth programmes of the EU shall be implemented	Centre for Education and Youth Programmes of the EU	2009
2	Decisions No. 1719/2006/EC and 1720/2006/EC	Implementing Regulation on the Human Resources of Education and Youth Agency of Turkey	Instituting a personnel regime in accordance with 2007 – 2013 period of education and youth programmes of the EU and enlarged scope of the Agency. This arrangement covers the all matters in relation to the personnel regime	Centre for Education and Youth Programmes of the EU	2009
3	Decisions No. 1719/2006/EC and 1720/2006/EC	Implementing Regulation on the Working Procedures and Principles of Education and Youth Agency of Turkey	Aligning the working procedures and principles of the Agency with the criteria envisaged for 2007 – 2013 period and with its enlarged scope. This arrangement covers the all matters related to the operation of the Agency.	Centre for Education and Youth Programmes of the EU	2009
4	Decisions No. 1719/2006/EC and 1720/2006/EC	Implementing Regulation on the Procedures and Principles regarding Budget and Accounting Applications of Education and Youth Agency of Turkey.	Harmonizing with amendments on budget and accounting envisaged for 2007 – 2013 period and making new arrangements in parallel with enlarged scope. This arrangement covers the all matters in relation to the principles and procedures of the budget and accounting practices of the Agency.	Centre for Education and Youth Programmes of the EU	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 26.1.2

No	Requirements	Year
(Centre for Education and Youth Programmes of the EU)		
1	Recruitment of additional staff and increasing the number of trainings	2009-2011

3 Financial requirements and resources

Table 26.1.3

(Euro)

Requirements (Centre for Education and Youth Programmes of the EU)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel	2009-2011	935,805 ¹	1,246,795 ²		2,182,600
- Training					
- Consultancy					
- Translation					
- Other					
Rent and information technologies	2009-2011	534,035 ³	711,965 ⁴		1,246,000
Total		1,469,840	1,958,760		3,428,600

¹ Programmes will be concluded in 2013, nevertheless these figures refer to the activities to be carried out until 2011 as the Medium-term will end in 2011.

² Operational budgets of the National Agencies which shall implement the relevant programmes are contributed by the Commission in accordance with Commission Decision 2006/1719/EC "Annex- Activities- 4.7 Support for Programming Structures" and Decision 2006/1720/EC "Annex- Administrative and Financial Provisions- B Financial Provisions- 12 National Agencies"

³ Programmes will be concluded in 2013, nevertheless these figures refer to the activities to be carried out until 2011 as the Medium-term will end in 2011.

⁴ Operational budgets of the National Agencies which shall implement the relevant programmes are contributed by the Commission in accordance with Commission Decision 2006/1719/EC "Annex- Activities- 4.7 Support for Programming Structures" and Decision 2006/1720/EC "Annex- Administrative and Financial Provisions- B Financial Provisions- 12 National Agencies"

CHAPTER 27 ENVIRONMENT

Owing to the fact that studies on the strategy drafted to meet the opening benchmark of the Chapter 27 are ongoing during the preparation phase of Turkish National Programme for the Adoption of the *acquis* and although studies have been carried out in parallel between the two documents, especially figures concerning financial requirements will become definite after the finalisation of the strategy paper.

Priority 27.1 Adoption of a strategy including gradual well coordinated transposition, implementation and enforcement of the acquis in this chapter, including plans for building up the necessary administrative capacity at national, regional and local level and required financial resources, with an indication of milestones and timetables

The first benchmark of the “Environment” Chapter requires preparation of a comprehensive strategy. This strategy would cover the harmonization and implementation of horizontal and framework legislation as well as the international conventions to which EU is a party.

The main pillars of the strategy are; “Institutions”, “Legislative Approximation and Implementation”, “Strengthening the Institutional Capacity” and “Financial Resources”:

- Under “Institutions” part, the institutions at national, regional and local level responsible for the environment sector, their responsibilities and inspection units are presented.
- Under “Legislative Approximation and Implementation” part, orders of the topics/subjects as in the screening report are taken into account and timetables are presented.
- “Strengthening the Institutional Capacity” pillar covers the future plans for national, regional and local levels.
- Under “Financial Resources” part, the estimated financial burden to adopt and implement the whole EU environmental *acquis* is introduced.

1 Schedule of legislative alignment

Table 27.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1		Strategy Document	Meeting the opening benchmarks for the chapter	Ministry of Environment and Forestry	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

Priority 27.2 Adoption of the National Waste Management Plan

1 Schedule of legislative alignment

Table 27.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 2006/12/EC	The National Waste Management Plan ¹	Preparation of “National/ Regional Waste Management Plan”, which is presented in the format given in “Preparing a Waste Management Plan- A Methodological Guidance Note” published in May 2003 by EC DG-Environment in accordance with EU <i>acquis</i> is carried out by the expert(s) experienced on the waste management plans after examining waste management plans of several member states and the outputs of previous studies.	Ministry of Environment and Forestry	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No additional institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

¹ A Project has been launched and studies are underway.

Priority 27.3 Whilst strengthening the administrative capacity, continuing transposition of particularly horizontal legislation involving transboundary issues, such as Environmental Impact Assessment, framework legislation, international framework conventions, as well as legislation of Nature Protection, Water Quality, Chemicals, Industrial Pollution, Risk Management and Waste Management, to domestic law and their implementation

Sub-priority 27.3.1 Horizontal Legislation

1 Schedule of legislative alignment

Table 27.3.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 2001/42/EC	Implementing Regulation on Strategic Environmental Assessment (SEA) ²	In order to provide protection and sustainable use of environment, sustainable development principles have to be integrated at the preparation phase of plans and programmes which may have possible important effects on environment	Ministry of Environment and Forestry	2010
2	Directive No. 2004/35/EC	Law on Environmental Liability	According to polluter pays principle, the facilities whose activities cause environmental damage, to be liable for preventing and remedying this damage financially, related with this subject, bringing together various articles already existing in our legislation and setting new articles	Ministry of Environment and Forestry Ministry of Justice	After 2011
3	Directive No. 2003/4/EC	Implementing Regulation on Determining Rules and Procedures on Sharing Environmental Data and Information ³	Determining rules and procedures on sharing environmental data Partial compliance with Directive No. 2003/4/EC on access to environmental information	Ministry of Environment and Forestry Prime Ministry	After 2011
4	Directive No. 91/692/EC	Implementing Regulation on the Implementation of Reporting Legislation	Regulating various Directives on reporting to European Commission	Ministry of Environment and Forestry	After 2011

² Espoo Convention will be considered within the framework of full membership perspective.

³ Aarhus Convention will be considered within the framework of full membership perspective.

Table 27.3.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
5	Directive No. 2003/87/EC	Implementing Regulation on Emission Trading ⁴	Establishing a scheme for greenhouse gas emission allowance trading	Ministry of Environment and Forestry Ministry of Energy and Natural Resources Ministry of Industry and Trade Ministry of Finance Ministry of Public Works and Settlement Undersecretariat of Foreign Trade Capital Markets Board Undersecretariat of State Planning Organization	After 2011
6	Decision No. 280/2004/EC	Implementing Regulation on Monitoring Greenhouse Gas Emissions	Establishing a mechanism for monitoring all GHG emissions	Ministry of Environment and Forestry Ministry of Energy and Natural Resources Ministry of Transport Ministry of Agriculture and Rural affairs TURKSTAT	After 2011
7	Directive No. 2007/2/EC	Implementing Regulation which is going to Harmonize Directive on Infrastructure for Spatial Information	Establishment of the national regulatory authority in this field and of the infrastructure for the national spatial planning information/data in the country.	Ministry of Environment and Forestry	After 2011

⁴ Necessary arrangements are going to be made depending on being a party to Kyoto Protocol.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 27.3.1.2

No	Requirements	Year
(Ministry of Environment and Forestry)		
1	With regard to EIA Directive (85/337/EEC amended with 97/11/EC and 2003/35/EC); <ul style="list-style-type: none"> - Strengthening the current institutional capacity for more effective implementation of Implementing Regulation on EIA - Building capacity of whole stakeholders of EIA process. - Organizing training activities on impact assessment techniques for related governmental institutions - Updating sectoral guidelines, organization of trainings on these guidelines - Strengthening the institutional capacity of EIA Training and Information Centre - Strengthening the Institutional Capacity on EIA Monitoring and Reporting - Investments on infrastructural needs (equipments, software and hardware) 	2009
2	Within the framework of Directive No. 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (Strategical Environmental Assessment (SEA) Directive); <ul style="list-style-type: none"> - Enhancement of the current institutional structure - Enhancement of the capacities of interest groups included in the SEA process - Provision of training programmes on SEA - Preparation of sectoral guides, implementation training programmes concerning those guidelines - Raising the awareness of people and ensuring their efficient participation to the SEA - Realization of infrastructure investments (equipments, software and hardware) 	2009-2010
(General Directorate of State Hydraulic Works)		
3	For the efficient implementation of Strategical Environmental Assessment (SEA) Directive No. 2001/42/EC on institutional basis; <ul style="list-style-type: none"> - Training of personnel - Carrying out pilot studies 	2009-2010

Table 27.3.1.2 (Continued)

No	Requirements	Year
(State Planning Organization)		
4	For the efficient implementation of Strategic Environmental Assessment (SEA) Directive No. 2001/42/EC on institutional basis; - Training of personnel	2009-2010
(Ministry of Transport)		
5	For the efficient implementation of Strategic Environmental Assessment (SEA) Directive No. 2001/42/EC on institutional basis; - Training of personnel - Carrying out pilot projects	2009-2010
(Ministry of Culture and Tourism (General Directorate of Investments and Enterprises))		
6	For the efficient implementation of Strategic Environmental Assessment (SEA) Directive No. 2001/42/EC on institutional basis; - Training of personnel	2009-2010
(Ministry of Agriculture and Rural Affairs (General Directorate of Agricultural Production and Development))		
7	For the efficient implementation of Strategic Environmental Assessment (SEA) Directive No. 2001/42/EC on institutional basis; - Training of personnel - Carrying out pilot projects	2009-2010

3 Financial requirements and resources

Table 27.3.1.3.1

(Euro)

Requirements (Ministry of Environment and Forestry)	Year	National Budget	EU sources	Other	Total
I-Investment					
Infrastructural needs for the implementation of EIA Directive (equipments, hardware and software)	2009-2011	350,000	300,000		650,000
Infrastructural requirements for the implementation of SEA directive (equipments, hardware and software)	2009-2010	291,000			291,000
Providing equipments, hardware and software for the Ministry's spatial information system (Directive No. 2007/2/EC)	2010	150,000	600,000		750,000
Implementation of the metadata service and the other INSPIRE components, integration of the data into the INSPIRE database (Directive No. 2007/2/EC)	2010	200,000	650,000		850,000
Purchase of hardware within the scope of the Project on Establishment of Environmental Information Exchange Network	2009-2010	1,625,000	4,875,000		6,500,000
II- Legislative approximation and implementation					
- Personnel					
Recruitment of personnel for EIA Studies	2009-2011	4,750,000			4,750,000
Recruitment of personnel to be employed in SEA studies	2009-2010	3,938,160			3,938,160
- Training					
Training on EIA Implementation	2009-2011		300,000		300,000
Training of all stakeholders on SEA	2009-2010		242,000		242,000

Table 27.3.1.3.1 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry)	Year	National Budget	EU sources	Other	Total
Training for the users of Environmental Information System both at central and local level in the related institutions	2009-2010		150,000		150,000
Training abroad on the components of National Information and Observation Network	2009	30,000	570,000		600,000
Training on the dissemination of the use of Geographical Information System (Directive No. 2007/2/EC)	2009		200,000		200,000
Training on the implementation of European Infrastructure for Spatial Information (INSPIRE) (Directive No. 2007/2/EC)	2009		200,000		200,000
Training on remote sensing studies and projects (Directive No. 2007/2/EC)	2009		200,000		200,000
- Consultancy					
Consultancy for enhancing the institutional capacity for the purpose of implementing the SEA Directive ⁵	2009-2010		400,000		400,000
Consultancy for maintenance and development of environmental information system	2009-2010		500,000		500,000
Consultancy for preparation of legislation on access to environmental information and establishment of environmental information exchange network	2009-2010		5,000,000		5,000,000
Development of the INSPIRE based models to monitor the environmental data and variables (Directive No. 2007/2/EC)	2009		400,000		400,000

⁵ To be financed by a project titled "Assisting Turkey for the Implementation of Strategic Environmental Assessment" to be proposed under Pre-Accession Financial Assistance 2009 Programme.

Table 27.3.1.3.1 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry)	Year	National Budget	EU sources	Other	Total
Consultancy for adaptation of the implementation of European infrastructure on spatial information (Directive No. 2007/2/EC)	2009		400,000		400,000
- Translation					
Translation of the related technical documents (1.000 pages) and simultaneous translation (10 times x 10 days)	2009-2010	200,000			200,000
Simultaneous translation for the effective implementation of EIA Directive (6 meetings x 5 days)	2009-2011		50,000		50,000
- Other					
Total		11,534,160	15,037,000		26,571,160

Table 27.3.1.3.2

(Euro)

Requirements (General Directorate of State Hydraulic Works)	Year	National Budget	EU sources	Other	Total
I-Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training					
Training for the effective implementation of the SEA Directive	2009-2010		80,000		80,000
Study visit for observing the SEA implementation in other member states for the effective implementation of the SEA Directive	2009-2010		100,000		100,000
- Consultancy					
Pilot Project the effective implementation of the SEA Directive	2009-2010		300,000		300,000
- Translation					
Simultaneous translation for the effective implementation of the SEA Directive	2009-2010		24,000		24,000
Simultaneous translation for the effective implementation of the SEA Directive	2009-2010		48,000		48,000
- Other					
Total			552,000		552,000

Table 27.3.1.3.3

(Euro)

Requirements (Undersecretariat of State Planning Organization)	Year	National Budget	EU sources	Other	Total
I-Investment					
Infrastructural requirements for the implementation of SEA Directive (equipments, hardware and software)	2009-2010	8,000			8,000
II- Legislative approximation and implementation					
- Personnel					
Recruitments of personnel to be employed in SEA studies	2009-2010	120,000			120,000
- Training					
Training the related personnel on SEA	2009-2010		6,500		6,500
- Consultancy					
- Translation					
- Other					
Total		128,000	6,500		134,500

Table 27.3.1.3.4

(Euro)

Requirements (Ministry of Transport)	Year	National Budget	EU sources	Other	Total
I-Investment					
Infrastructural requirements for the implementation of SEA Directive (equipments, hardware and software)	2009-2010	8,000			8,000
II- Legislative approximation and implementation					
- Personnel					
Recruitments of personnel to be employed in SEA studies	2009-2010	80,000			80,000
- Training					
Training the related personnel on SEA	2009-2010		6,500		6,500
- Consultancy					
- Translation					
- Other					
Total		88,000	6,500		94,500

Table 27.3.1.3.5

(Euro)

Requirements (Ministry of Culture and Tourism (General Directorate of Investment and Enterprises))	Year	National Budget	EU sources	Other	Total
I-Investment					
Infrastructural requirements for the implementation of SEA Directive (equipments, hardware and software)	2009-2010	8,000			8,000
II- Legislative approximation and implementation					
- Personnel					
Recruitments of personnel to be employed in SEA studies	2009-2010	80,000			80,000
- Training					
Training the related personnel on SEA	2009-2010		6,500		6,500
- Consultancy					
- Translation					
- Other					
Total		88,000	6,500		94,500

Table 27.3.1.3.6

(Euro)

Requirements (Ministry of Agriculture and rural Affairs (General Directorate of Agricultural Production and Development))	Year	National Budget	EU sources	Other	Total
I-Investment					
Infrastructural requirements for the implementation of SEA Directive (equipments, hardware and software)	2009-2010	8,000			8,000
II- Legislative approximation and implementation					
- Personnel					
Recruitment of personnel to be employed in SEA studies	2009-2010	80,000			80,000
- Training					
Training the related personnel on SEA	2009-2010		6,500		6,500
- Consultancy					
- Translation					
- Other					
Total		88,000	6,500		94,500

Sub-priority 27.3.2 Waste Management

1 Schedule of legislative alignment

Table 27.3.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 1999/31/EC	Implementing Regulation on Landfill of Waste	Prevention or reduction of the adverse effects of waste disposal areas (landfills) on human health, greenhouse effect formation, ground water, surface water and air pollution.	Ministry of Environment and Forestry	2009
2	Directive No. 1999/31/EC	Implementing Regulation Amending the Implementing Regulation on Hazardous Waste Control	Prevention or reduction of the adverse effects of waste disposal areas (landfills) on human health, greenhouse effect formation, ground water, surface water and air pollution.	Ministry of Environment and Forestry	2009
3	Directive No. 1999/31/ EC	Implementing Regulation Amending the Implementing Regulation on Solid Waste Control	Prevention or reduction of the adverse effects of waste disposal areas (landfills) on human health, greenhouse effect formation, ground water, surface water and air pollution.	Ministry of Environment and Forestry	2009
4	Directive No. 1999/31/ EC	Implementing Regulation Amending the Implementing Regulation on Medical Waste Control	Prevention or reduction of the adverse effects of waste disposal areas (landfills) on human health, greenhouse effect formation, ground water, surface water and air pollution.	Ministry of Environment and Forestry	2009
5	Directive No. 2002/96/ EC	Implementing Regulation on Control of The Waste Electric and Electronic Equipment	Ensuring recycling, recovery and disposal of the waste electric and electronic equipment	Ministry of Environment and Forestry	2009
6	Directive No. 2006/21/ EC	Implementing Regulation on Control of Waste from Extractive Industries	Setting out the general rules, technical and administrative procedures related to prevention, minimization, collection, temporary storage, transport and disposal of the excavated soil, topsoil, waste rock, and tailings arising from extraction of the mineral resources in order to prevent or reduce any adverse effects on the environment and on human health	Ministry of Environment and Forestry	2009

Table 27.3.2.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
7	Directive No. 2000/53/ EC	Implementing Regulation on Control of End of Life Vehicles	Regulating detailed rules and principles on recycling and disposal of the end of life vehicles in an environment-friendly way.	Ministry of Environment and Forestry	2009
8	Regulation No. 1013/2006	Implementing Regulation on Waste Shipments	Establishing control regime and procedures for waste shipment; according to the waste destination and dispatch; the process to be applied in its destination, waste type and place of origin.	Ministry of Environment and Forestry	2009
9	Regulations No. 1013/2006 and 1420/1999	Implementing Regulation Amending the Implementing Regulation on Hazardous Waste Control	Establishing control regime and procedures for waste shipment; according to the waste destination and dispatch; the process to be applied in its destination, waste type and place of origin.	Ministry of Environment and Forestry	2009
10	Directive No. 78/176/ EEC	Implementing Regulation on Control of Waste from the titanium dioxide industry	Controlling the use of titanium dioxide	Ministry of Environment and Forestry	After 2011
11	Directive No. 2006/66/ EC	Implementing Regulation Amending the Implementing Regulation on Control of Used Batteries and Accumulators	Establishing the principles, policies and programmes; to ensure the production of batteries and accumulators having properties which do not harm the environment and human health, to prevent the discharge of these products directly or indirectly to any receiving media, to establish collection systems for the disposal or recovery of waste batteries and accumulators and to prepare the respective management plans. Introducing provisions on the marking and labeling of batteries and accumulators, restriction and prohibition on their production and export, separate collection, transport, recycling and disposal of waste batteries and accumulators from household wastes.	Ministry of Environment and Forestry	After 2011

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 27.3.2.2

No	Requirements	Year
(Ministry of Environment and Forestry)		
1	For the implementation of Waste Framework Directive (75/442/EEC), <ul style="list-style-type: none"> - Strengthening the institutional capacity of the Ministry via recruitment and training of personnel - Improvement of the infrastructure for the recycling and disposal plants' licensing procedure and training of the personnel by using training of trainers method - Establishment of a system for recording the waste collection and transport institutions which are not subject to licensing procedure - Establishment of a unit in charge of integrated waste management in local authorities and training of the personnel - Establishment of a data network for ensuring the access to information on the issues such as the amount of waste, its intermediate storage, recycling and current disposal and recycling plants - Establishment of a system for data collection and reporting - Establishment of separate collection systems for waste minimization and enhancement of recycling systems by using the most appropriate technologies - Establishment of the financing mechanism and waste management plans 	2009-2015
2	For the implementation of Directive on Incineration of Waste (2000/76/EC); <ul style="list-style-type: none"> - Strengthening the institutional capacity of the Ministry via recruitment and training of personnel - Improvement of the infrastructure for the procedures of licensing the recycling and disposal plants and training of the personnel by training of trainers method, certificating the personnel charged with the management of these plants - Establishment of a unit in charge of waste management in local authorities and training of the personnel - Establishment of a system for data collection and reporting - Establishment of the financing mechanism and waste management plans - Development of waste acceptance procedures 	2009-2015
3	For the implementation of Landfill Directive (99/31/EC); <ul style="list-style-type: none"> - Strengthening the institutional capacity of the Ministry via recruitment and training of personnel - Improvement of the infrastructure for the procedures of licensing the recycling and disposal plants and training of the personnel by training of trainers method, certificating the personnel charged with the management of these plants - Establishment of a unit in charge of integrated waste management in local authorities and training of the personnel - Establishment of a system for data collection on solid waste characterization and reporting - Establishment of the financing mechanism and waste management plans - Development of waste acceptance procedures 	2009-2015

Table 27.3.2.2 (Continued)

No	Requirements	Year
4	<p>For the implementation of the Council Regulation(1013/2006) on Shipment of Waste;</p> <ul style="list-style-type: none"> - Strengthening the institutional capacity of the Ministry via recruitment and training of personnel - Improvement of the infrastructure for the procedures of transport licensing and training of the personnel working on this matter by using training of trainers method - Establishment of a system for data collection and reporting 	2009-2015
5	<p>For the implementation of Hazardous Waste Directive (91/689/EEC);</p> <ul style="list-style-type: none"> - Enhancement of the institutional capacity of the Ministry via recruitment and training of personnel - Improvement of hazardous waste inventory and monitoring system and transfer of the most appropriate technology. - Improvement of the infrastructure for the licensing procedures of the recycling, intermediate and temporary storage plants and training of the personnel - Training of the central and provincial directorates' and the local authority's personnel - Training of industrialists and informing the public - Establishment of the financing mechanism and preparation of the waste management plans 	2009-2015
6	<p>For the implementation of the directives on special waste management (Council Directive No. 75/439/EEC on the disposal of waste oils, Council Directive No. 96/59/EC on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (PCB/PCT), Council Directive No. 2006/66/EC on batteries and accumulators containing certain dangerous substances, Directive No. 2000/53/EC of the European Parliament and of the Council on end-of life vehicles, Directive No. 2006/21/EC of the European Parliament and of the Council on the management of waste from extractive industries, Directive No. 2002/96/EC of the European Parliament and of the Council on waste electrical and electronic equipment and Directive No. 2002/95/EC of the European Parliament and of the Council on the restriction of the use of certain hazardous substances in electrical and electronic equipment);</p> <ul style="list-style-type: none"> - Strengthening the institutional capacity of the Ministry via recruitment and training of personnel - Establishment of a separate collection system for special wastes - Strengthening technical capacity of the local authorities - Enhancement of special waste inventory and monitoring system and transfer of the most appropriate technology - Improvement of the infrastructure for recycling plants' licensing procedures and training of the personnel by using training of trainers method - Establishment of the financing mechanism and preparation of the waste management plans - Establishment of separate collection systems for waste minimization and enhancement of recycling systems by using the most appropriate technologies 	2009-2015

3 Financial requirements and resources

Table 27.3.2.3

(Euro)

Requirements (Ministry of Environment and Forestry)	Year	National Budget	EU sources	Other	Total
I-Investment					
Establishment of separate collection systems for waste minimization, shipment of hazardous waste and enhancement of recycling systems, setting up a regional hazardous waste inventory and according to the inventory results establishing and managing hazardous waste disposal systems and waste incineration plants in compliance with the related directives.	2009-2015			129,000,000 ⁶	129,000,000
Management of special waste in compliance with EU Directives.	2009-2015	3,600,000	13,800,000	118,000,000 ⁷	135,400,000
Transport of municipal waste, establishment of separate collection systems for waste minimization and enhancement of recycling systems, establishment of sanitary landfills, closure of wild waste disposal areas (dump-sites), establishment of composting and incineration plants, recovery and management of construction and demolition waste in compliance with the related directives. ⁸	2009-2015	967,000,000	360,000,000		1,327,000,000
II- Legislative approximation and implementation					
- Personnel					
Personnel Necessary for Special Waste Management	2009-2015	29,385,000			29,385,000
Personnel Necessary for Hazardous Waste Management	2009-2015	27,376,000			27,376,000
Personnel Necessary for Municipal Waste Management (including centre and provincial directorates)	2009-2015	50,558,000			50,558,000

⁶ To be financed by the grants and credits to be provided by private sector.

⁷ To be financed by the grants and credits to be provided by private sector.

⁸ Dates and financial requirements were previously determined in the EU Integrated Environmental Approximation Strategy Document. The Financial requirement extends beyond the scope of the National Programme. It will be revised upon developments in time.

Table 27.3.2.3 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry)	Year	National Budget	EU sources	Other	Total
- Training					
Training on Special Waste Management	2009-2015	557,000	759,000	304,000 ⁹	1,620,000
Training on Hazardous Waste Management - Training of trainers on determination of waste amount and chemical criteria to decide whether waste is hazardous or not and determination of waste disposal methods according to waste characteristics. - Training on full implementation - Training on licensing and inspection (implementation orientated)	2009-2015	320,000	250,000	100,000 ¹⁰	670,000
Training on Municipal Waste Management	2009-2015	4,150,000			4,150,000
- Consultancy					
- Translation					
- Other					
Equipment for Special Waste Management	2009-2015	909,500	1,140,500	220,000 ¹¹	2,270,000
Equipment for Hazardous Waste Management	2009-2015	80,000	1,005,000		1,085,000
Equipment for Municipal Waste Management	2009-2015	1,629,000			1,629,000
Transposition of Directive (2006/21/EC) on Management of Waste from the Extractive Industries ¹²	2009-2013	515,000	4,085,000		4,600,000
Total		1,086,079,500	381,039,500	247,624,000¹³	1,714,743,000

⁹ To be financed by the grants and credits to be provided by private sector.

¹⁰ To be financed by the grants and credits to be provided by private sector.

¹¹ To be financed by the grants and credits to be provided by private sector.

¹² To be financed by the project titled "Management of Waste from Extractive Industries-TR 08.02.05" under Pre-Accession Financial Assistance 2008 Programme.

¹³ To be financed by the grants and credits to be provided by private sector.

Sub-priority 27.3.3 Air Quality

1 Schedule of legislative alignment

Table 27.3.3.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directives No. 99/13/EC and 2004/42/EC	Implementing Regulation on the Control of Pollution from the Volatile Organic Compounds ¹⁴	Determination of principles and procedures for the control of pollution from the Volatile Organic Compounds	Ministry of Environment and Forestry	2011 ¹⁵
2	Directive No. 94/63/EC	Legislation on the Control of Volatile Organic Compounds from the Petroleum Storage Facilities	Control of the Volatile Organic Compounds emissions from the petroleum and petroleum products storage, filling and discharging and transport	Ministry of Environment and Forestry Ministry of Transport Ministry of Energy and Natural Resources Energy Market Regulatory Authority	2012
3	Directive No. 2001/81/EC	Implementing Regulation on National Emission Ceilings	Determination of National Emission Ceilings	Ministry of Environment and Forestry	After 2011 ¹⁶

¹⁴ It is also mentioned under “Sub-priority 27.3.4 Industrial Pollution and Risk Management”

¹⁵ Gradual transitional period is envisaged in the Implementing Regulation.

¹⁶ Preparation and implementation schedule of the legal arrangement will be determined within the scope of the project titled “Capacity Development on National Emission Ceilings Directive” under Pre-Accession Financial Assistance 2008 Programme. Harmonization with Gothenburg Protocol will be ensured within the framework of full membership perspective.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 27.3.3.2

No	Requirements	Year
(Ministry of Environment and Forestry)		
1	For the implementation of Air Quality Framework Directive (96/62/EC) and its Daughter Directives; <ul style="list-style-type: none"> - Determination of competent authorities at national, regional and local scale, - Strengthening the technical and administrative capacity of the Ministry, - Performing of preliminary assessment studies, - Designation of zones and agglomerations, - Establishment of air quality monitoring stations, - Setting-up of regional network centres, - Setting-up of laboratory infrastructure, - Assurance of continuity of reliable and high quality measurement data for reporting, - Provision of emission inventories relating to the emissions, - Air quality assessment, - Preparation and implementation of plans improving the air quality where air quality limit values can not be attained, - Training of staff working on air quality on legislation and technical issues, - Setting up and/or strengthening of the system for the public information on air quality 	2008-2014
2	In the framework of the project titled “Institution Building on Air Quality in the Marmara Region”; <ul style="list-style-type: none"> - Regional Clean Air Centre, - Regional network structure, - 39 air quality monitoring stations, - Regional Calibration Laboratory, - Regional Data Centre, - Setting-up of and operation of Analytical Laboratory, - Air quality assessment, - Modelling, emission data, - Preparation of clean air plan 	2008-2011
3	In the framework of Improving Emissions Control Project; <ul style="list-style-type: none"> - Harmonization of the Directive on National Emission Ceilings with the Air Quality legislation, - Improvement of the national emission inventory and SO₂, NO_x, VOC, NH₃ emission projections, - Preparation of the Regulatory Impact Assessment on the implementation of the Directive on National Emission Ceilings - Building up institutional and technical capacity for transposition of the Directive on National Emission Ceilings. 	2009-2011

Table 27.3.3.2 (Continued)

No	Requirements	Year
4	In the scope the Directive on the control of volatile organic compound emissions resulting from the storage of petrol and its distribution from terminals to service stations (1994/63/EC) <ul style="list-style-type: none">- Determination of the Competent Authority- Determination of the standards for storage and transportation units and approval procedures- Ensuring the coordination and cooperation between the corporations- Determination of the present situation of the facilities, deciding on the investments needed to be done and implementation- Reduction of volatile organic compounds emissions from the storage units in service stations, active containers, filling and discharging equipments in terminals, petroleum storage units and determination of operating precautions and supervision of the implementation	2010-2015
(Ministry of Industry and Trade)		
5	Strengthening the institutional capacity through trainings on fuel economy and CO ₂ emissions	2009

3 Financial requirements and resources

Table 27.3.3.3.1

(Euro)

Requirements (Ministry of Environment and Forestry)	Year	National Budget	EU sources	Other	Total
I-Investment					
The investment need in the scope of institution building on air quality in the Marmara region ¹⁷	2008-2010	1,295,000	3,885,000		5,180,000
Infrastructure investment for the implementation of Air Quality Framework Directive (96/62/EC) and related Directives	2008-2014	26,500,000			26,500,000
II- Legislative approximation and implementation					
- Personnel					
The personnel need for the implementation of Air Quality Framework Directive (96/62/EC) and related Directives ¹⁸	2008-2014	14,415,000			14,415,000
The personnel need associated with the Directive on the control of volatile organic compound emissions resulting from the storage of petrol and its distribution from terminals to service stations (1994/63/EC)	2009-2015	1,085,037			1,085,037
- Training					
The training need for the implementation of Air Quality Framework Directive (96/62/EC) and related Directives	2008-2014	8,500,000			8,500,000
The training of operators in the scope of the Directive on the control of volatile organic compound emissions resulting from the storage of petrol and its distribution from terminals to service stations (1994/63/EC)	2008-2014	30,000	8,000		38,000

¹⁷ Also includes the amount financed by the project titled "Institution Building on Air Quality in the Marmara Region Project- TR 0702.07" under Pre-accession Financial Assistance 2007 Programme.

¹⁸ Also includes the amount financed by the project titled "Institution Building on Air Quality in the Marmara Region Project- TR 0702.07" under Pre-accession Financial Assistance 2007 Programme.

Table 27.3.3.3.1 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry)	Year	National Budget	EU sources	Other	Total
- Consultancy					
Determination of standards for petrol storage and transportation units and approval procedures	2008-2014		170,000		170,000
Considering the present situation of the petrol storage facilities, determining the necessary investments and bringing in the implementation	2008-2014		700,000		700,000
Planning emission reduction of volatile organic compounds, determination of operating precautions, and supervision of the implementation for the petroleum storage units, filling and discharging equipments in terminals, active containers, storage units in service stations	2008-2014		170,000		170,000
- Translation					
- Other					
Institution building on air quality in the Marmara region ¹⁹	2008-2011		1,900,000		1,900,000
Improving Emissions Control ²⁰	2009-2011	140,000	1,910,000		2,050,000
Providing the inter institutional coordination and cooperation, conducting the meetings to determine the competent authority within the context of the Directive on the control of volatile organic compound emissions resulting from the storage of petrol and its distribution from terminals to service stations (1994/63/EC)	2008-2014	18,000			18,000
Total		51,983,037	8,743,000		60,726,037

¹⁹ Financed by the twinning component of the project titled "Institution Building on Air Quality in the Marmara Region Project- TR 0702.07" under Pre-accession Financial Assistance 2007 Programme.

²⁰ To be financed by the project titled "Improving Emissions Control - TR08 02 03" under Pre-accession Financial Assistance 2008 Programme.

Table 27.3.3.3.2

(Euro)

Requirements (Ministry of Industry and Trade)	Year	National Budget	EU sources	Other	Total
I-Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training					
Study visit for trainers on fuel economy and CO ₂ emissions	2009		75,000		75,000
- Consultancy					
- Translation					
Simultaneous translation during trainings	2009		12,000		12,000
- Other					
CO ₂ data collection	2009		10,000		10,000
Total			97,000		97,000

Sub-priority 27.3.4 Industrial Pollution and Risk Management

1 Schedule of legislative alignment

Table 27.3.4.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 2008/1/EC (IPPC Directive)	Implementing Regulation on Integrated Pollution Prevention and Control (Integrated Environmental Permit)	Control of the pollution from major industrial plants with an integrated approach at the source.	Ministry of Environment and Forestry	²¹
2	Directive No. 2000/76/EC	Implementing Regulation on Waste Incineration	Prevention or reduction of the negative environmental impacts of waste incineration, especially the human-health risks posed by pollution of air, soil, surface and groundwater resources	Ministry of Environment and Forestry	2009
3	Directive No. 2000/76/EC	Implementing Regulation Amending the Implementing Regulation on Control of Hazardous Wastes	Prevention or reduction of the negative environmental impacts of waste incineration, especially the human-health risks posed by pollution of air, soil, surface and groundwater resources	Ministry of Environment and Forestry	2009
4	Directive No. 2001/80/EC	Implementing Regulation on Large Combustion Plants	Control of the fume, dust, gas, steam and aerosol emissions, diffused to atmosphere from the energy production facilities; protection of human and environment from the risks posed by pollution of the ambient air.	Ministry of Environment and Forestry	2009 ²²

²¹ Schedule of legislative alignment and implementation is going to be determined within the context of the project titled "Industrial Pollution Prevention and Control – TR 08 02 04" proposed under Pre-Accession Financial Assistance 2008 Programme.

²² Gradual transitional period is envisaged in the Implementing Regulation.

Table 27.3.4.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
5	Directives No. 99/13/EC and 2004/42/EC	Implementing Regulation on Control of the Pollution Caused from Volatile Organic Compounds ²³	Determining the principles and procedures for control of the pollution caused from Volatile Organic Compounds	Ministry of Environment and Forestry	2011 ²⁴
6	Directive No. 96/82/EC	Implementing Regulation on Control of Industrial Major-Accidents	Prevention of industrial major-accidents in the facilities having dangerous substances and, in order to minimize hazards of the probable accidents to human and environment, determination of the measures which are necessary to ensure efficient and continuous high level of protection	Ministry of Environment and Forestry Ministry of Labour and Social Security	2009
7	Directive No. 87/217/EEC	Legislation Regarding Reduction and Prevention of Pollution Resulting from Asbestos	Reduction of hazardous wastes via limitation or prohibition of the production and utilization of hazardous chemicals. Protection of the environment and human health from hazardous effects of chemicals	Ministry of Environment and Forestry	2009
8	Regulation No. 1980/2000	Implementing Regulation on Eco-label	To promote environmentally friendly products to contribute to the efficient use of resources, and by giving guidance to provide accurate, non-deceptive and scientific information to consumers on such products.	Ministry of Environment and Forestry	After 2011
9	Regulation No. 761/2001	Legislations regarding Voluntary Participation of Organizations in Community Eco-Management and Audit Scheme (EMAS) ²⁵	Establishment and implementation of Environmental Management Systems by organizations. Evaluation and improvement of the environmental performances of the organizations	Ministry of Environment and Forestry	After 2011
10	Regulation No. 166/2006 Commission Decision No. 2000/479/EC	Relevant legal arrangements	Registration and reporting of pollutant emissions.	Ministry of Environment and Forestry	Will be considered within the context of full membership perspective

²³ It is also mentioned under "Sub-Priority 27.3.3 Air Quality"

²⁴ Gradual transitional period is envisaged in the Implementing Regulation.

²⁵ Necessary arrangements will be made depending on the outcomes of the project titled "Internalization of EMAS Regulation and Establishment of EMAS System in Turkey" under SEI program.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 27.3.4.2

No	Requirements	Year
(Ministry of Environment and Forestry (MoEF), Provincial Directorates of MoEF, Directorates of Special Provincial Administrations and Municipalities)		
1	In the scope of Council Directive No. 2008/1/EC on Integrated Pollution Prevention and Control, <ul style="list-style-type: none"> - Determining the Best Available Techniques for Turkey and starting the studies on harmonization requirements and cost analysis - Establishing the technical and administrative infrastructure - Preparation of implementation guidebooks for the implementation staff - Preparation of implementation guidebooks for industrial sectors - Implementation of economically and technically appropriate emission limits - Initiating the integrated permit implementation. - Supplying equipment for the continuous measurement of pollutants, establishing the infrastructure and setting the measurement quality system 	2010-2012
2	In the scope of the Integrated Pollution Prevention and Control Project (Submitted to IPA-1 2008 Programme) <ul style="list-style-type: none"> - Preparing the inventory of installations - Determining the necessary institutional framework for implementation - Legislative transposition and detailed implementation plan - Determining the technical, administrative and financial capacity of the competent authority and related parties. - Capacity-building programs to achieve necessary technical capacity - Preparation of implementation guidebooks for operators, personnel responsible from enforcement, etc. 	2009-2011
3	In the scope of Commission Decision No. 2000/479/EC of 17 July 2000 on the implementation of a European pollutant emission register (EPER) according to Council Directive No. 2008/1/EC concerning integrated pollution prevention and control (IPPC) and Regulation No. 166/2006 concerning the establishment of a European Pollutant Release and Transfer Register; <ul style="list-style-type: none"> - Preparation of pollutant emission inventory - Compatible register of the inventory for reporting - Establishing and operating the reporting system 	2009 and Beyond ²⁶

²⁶ Implementation will be started upon membership.

Table 27.3.4.2 (Continued)

No	Requirements	Year
4	<p>In the scope of Directive No. 2001/80/EC of the European Parliament and of the Council of 23 October 2001 on the limitation of emissions of certain pollutants into the air from large combustion plants;</p> <ul style="list-style-type: none"> - Preparation of the inventory of Large Combustion Plants - Preparation of cost analysis of the technological changes required to achieve the determined emission limits - Inventory studies on issues such as the technology and treatment methods - Preparation of emission inventory - Performing the regulatory impact assessment - Setting the quality system for the continuous measurement of pollutants 	2009 and Beyond
5	<p>In the scope of the Council Directive 1999/13/EC of 11 March 1999 on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations;</p> <ul style="list-style-type: none"> - Preparation of scope inventory - Setting the provisions and limit values in National legislation - Establishing solvent reduction and substitution programs - Training of the relevant personnel on VOC emissions measurement and calculation methods and solvent reduction and substitution programs - Determining the criteria for VOC emissions measurement and calculations - Establishing and operating permit and inspection mechanisms 	2010-2015
6	<p>In the scope of Directive No. 2004/42/EC of the European Parliament and of the Council of 21 April 2004 on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain paints and varnishes and vehicle refinishing products;</p> <ul style="list-style-type: none"> - Preparation of standards and setting the suitable criteria for paints - Determination of compliance of the paints produced or utilized to the Directive 	2010-2015
7	<p>Implementation of Council Directive No. 96/82/EC dated 9 December 1996 on the Control of Major Accident Hazards Involving Dangerous Substances (it will be implemented stage by stage)</p> <ul style="list-style-type: none"> - Recruitment and training of personnel - Improving the institutional and administrative capacity in terms of the training and equipment requirements for the implementation of the legislation. - Training on investigation of major accidents and forming inspection procedures. - Training on inspection. - Training on Safety Management System and Emergency Plans - Training on risk assessment of the installations and accident scenarios. - Training on determining the domino effect and installation groups under risk. - Training on reporting. - Training on the public awareness. - Preparation and implementation of a training program for local authorities and operators - Establishment and maintenance of a registration system. 	2009-2015

Table 27.3.4.2 (Continued)

No	Requirements	Year
8	<p>Regarding Regulation No. 1980/2000 on a revised Community eco-label award scheme;</p> <ul style="list-style-type: none"> - Drafting necessary law which will be legal basis for the Implementing Regulation (Neither Law 2872 on Environment nor the section of Law 4856 on Establishment and Duties of the Ministry of Environment and Forestry concerning Duties of Environmental Management General Directorate contains any article which can be a legal basis to the harmonization of this Regulation) - Identifying Competent Body (MoEF is required to be recognized as competent body by the Commission for full implementation, therefore, in a way, full harmonization depends on full membership of Turkey) - Establishing the application mechanism for eco-label - Establishing terms of use of an eco-label - Establishing an appropriate compliance monitoring and auditing regime for eco-label - Information dissemination and awareness raising studies for producers, retailers, consumers and the general public. - Harmonization of product group criteria descriptions and preparation of other necessary documents (brochure, application guides, etc.). 	2008-2015
9	<p>For the implementation of eco-management and audit scheme (EMAS) Regulation No. 761/2001 of the European Parliament and of the Council of 19 March 2001;</p> <ul style="list-style-type: none"> - Training of the personnel - Administrative capacity building for the preparation of the legislation - Preparation of the necessary legal background - Preparation and implementation of a training programme for the institutions and enterprises - Establishing and maintaining the Accreditation System - Establishing and maintaining the Certification System - Establishing and maintaining the Registration System - Establishing and maintaining the notification system 	2008-2014
(Ministry of Labour and Social Security)		
10	<p>For the implementation of Council Directive No. 96/82/EC of 9 December 1996 on the control of major-accident hazards involving dangerous substances;</p> <ul style="list-style-type: none"> - Training on major-accidents legislation - Training on Safety report investigation - Training on Safety Management systems - Reporting system, software demonstration - On-site inspection (2 facilities representing high-ranked institutions) - On-site inspection (2 facilities representing low-ranked institutions) - Investigation and reporting major-accidents - Training on risk assessment, simulations and softwares within the scope of safety report and major-accidents prevention policy document - Strengthening the infrastructure of the Major Industrial Accident Office, 	2009-2015

3 Financial requirements and resources

Table 27.3.4.3.1

(Euro)

Requirements (Ministry of Environment and Forestry)	Year	National Budget	EU sources	Other	Total
I-Investment					
(2008/1/EC) Investment on infrastructure for the integrated permit applications and implementation of economical and technically feasible emission limit values (hardware)	²⁷	5,000,000	15,000,000		20,000,000
(2008/1/EC) Equipment, infrastructure and measurement quality systems for the continuous measurement of pollutants	²⁸	2,500,000	7,500,000		10,000,000
(2008/1/EC) and 2000/479/EC Establishing and operating the reporting system (30.000 Euro x 81 Provinces + 50.000 Euro Central)	After 2010	620,000	1,860,000		2,480,000
(96/82/EC) Purchasing of equipment	2009-2015	2,250	6,750		9,000
1980/2000 (EC) Equipment purchasing	2008-2015	2,000	6,000		8,000
1980/2000 (EC) Establishment internet based service for consumers and applicants	2013-2015	12,500	37500		50,000
(761/2001/EC) Equipment purchasing	2008-2014	8,250	24,750		33,000

²⁷ Schedule of financing will be determined in the scope of the project titled "Prevention and Control of Integrated Pollution-TR 08 02 04" under Pre accession Financial Assistance 2008 Programme.

²⁸ Schedule of financing will be determined in the scope of the project titled "Prevention and Control of Integrated Pollution-TR 08 02 04" under Pre accession Financial Assistance 2008 Programme.

Table 27.3.4.3.1 (Continued)

(Euro)

Requirements (Provincial Directorates of MoEF)	Year	National Budget	EU sources	Other	Total
II- Legislative approximation and implementation					
- Personnel					
(2008/1/EC, 2000/479/EC, 166/2006/EC) Recruitment of personnel	2010 and Beyond	288,000,000			288,000,000
(2001/80/EC) Recruitment of personnel	2009 and Beyond	40,000,000			40,000,000
(99/13/EC, 2004/42/EC) Recruitment of personnel	2010-2015	40,000,000			40,000,000
(96/82/EC) Recruitment of personnel	2009-2015	520,000			520,000
1980/2000 (EC) Recruitment of personnel	2008-2013	143,000			143,000
(761/2001/EC) Recruitment of personnel	2008-2014	860,000			860,000
- Training					
(99/13/EC) Training of the related personnel on the methods of measurement and calculation of VOC emissions and programmes for solvent reduction and substitution	2009-2011	10,000	30,000		40,000
(2008/1/EC) Training of current personnel	2009-2012		432,000		432,000
(2008/1/EC) Study visit	2009-2012		1,500,000		1,500,000
(2008/1/EC) Training of the new personnel	2009-2012	375,000	1,125,000		1,500,000
(2008/1/EC) Study visit in Turkey	2009-2012	548,000			548,000

Table 27.3.4.3.1 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry)	Year	National Budget	EU sources	Other	Total
Equipment infrastructure and measurement quality systems for the continuous measurement of pollutants	2009-2012	540,000	8,000		548,000
(2008/1/EC, 2000/479/EC) Preparation of emission data and reporting to European Commission	2009-2012		28,000		28,000
(2004/42/EC) Training on the determination of compliance of the paints fabricated and utilized with the Directive (abroad)	2009-2012	9,600	24,000		33,600
(2004/42/EC) Training on the determination of compliance of the paints fabricated and utilized with the Directive	2009-2012	30,000	8,000	38,000	76,000
(2008/1/EC, 2001/80/EC, 99/13/EC, 2004/42/EC) Training on preparation of scope inventory	2009-2012		20,000		20,000
(2008/1/EC, 2001/80/EC, 99/13/EC, 2004/42/EC) Training of experts on EU and other international reporting requirements (abroad)	2009-2012	4,000	10,000		14,000
(2008/1/EC, 2001/80/EC, 99/13/EC, 2004/42/EC) Internship/hands-on training of the Primary Contact Points (PCP) on international and EU emissions reporting	2009-2012		9,800		9,800

Table 27.3.4.3.1 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry)	Year	National Budget	EU sources	Other	Total
(96/82/EC) - Training on investigation of major industrial accidents and establishment of procedures - Training on inspection related to major industrial accidents	2009	2,900	8,700		11,600
(96/82/EC) - Training on safety management systems and emergency plans related to major industrial accidents - Training on accident scenarios and risk analysis of establishments related to major industrial accidents	2010	6,000	18,000		24,000
(96/82/EC) Training on reporting related to major industrial accidents	2012	3,750	11,250		15,000
(1980/2000 (EC)) On-site investigation on principles of establishing the eco-labeling system	2008-2015	11,250	33,750		45,000
(761/2001/EC) General training about EMAS	2008 - 2009		10,000		10,000
(761/2001/EC) On-site investigation on principles of establishing the EMAS system	2010		15,000		15,000
(761/2001/EC) EMAS legislation training	After 2011		15,000		15,000
(761/2001/EC) - Training on EMAS, training on legislation for environmental verifiers - Pilot study on EMAS inspection	After 2011		15,000		15,000
- Consultancy					
(2008/1/EC, 2001/80/EC, 99/13/EC, 2004/42/EC) Preparation of scope inventory	2008-2010		2,236,000		2,236,000

Table 27.3.4.3.1 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry)	Year	National Budget	EU sources	Other	Total
(2008/1/EC, 2001/80/EC, 99/13/EC, 2004/42/EC) Analysis of institutional structure requirements and overcoming conflict of competence and defects in permit procedures and simplifying the permit procedure	2008-2009		2,037,000		2,037,000
(2004/42/EC) Setting the paint criteria and preparation of standards	2008-2009		203,700		203,700
(99/13/EC) Determination of the criteria for VOC emissions measurement and calculations	2008-2009		204,000		204,000
(99/13/EC) Preparation of national legislation on solvent reduction and substitute programmes and inclusion of provisions and limit values	2008-2009		204,000		204,000
(2001/80/EC) Preparation of emission inventory	2008-2009		68,000		68,000
(2001/80/EC) Preparing programmes for the reduction of emission loads	2008-2009		71,000		71,000
- Translation					
Translation of the legislation (1000 pages)	2008-2015		20,000		20,000
Translation of best available techniques reference documents (30000 pages)	2008-2015		600,000		600,000
Translation of guidebooks (10000 pages)	2008-2015		200,000		200,000
Translation of Project reports and working documents (10000 pages)	2008-2015		200,000		200,000

Table 27.3.4.3.1 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry)	Year	National Budget	EU sources	Other	Total
(1980/2000 (EC))	2008-2015	18,750	56,250		75,000
(761/2001/EC)	2011	2,500	7,500		10,000
- Other					
(2008/1/EC, 2001/80/EC) Workshops on the identification of “Best Available Techniques”, transposition requirements and cost analysis	2008-2009	45,000	135,000		180,000
(2008/1/EC, 2001/80/EC, 99/13/EC, 2004/42/EC) Workshops on the analysis of institutional structure requirements and overcoming the competence conflict and defects in permit procedures and simplifying the permit procedure.	2008-2009	2,000	6,000		8,000
(2008/1/EC) Working groups for the preparation of guidebooks for sectors and preparation of guidebooks for the personnel responsible for permitting	2008-2009	18,000			18,000
(2001/80/EC) Meetings with the relevant stakeholders for the determination of required financial resources and transition periods for compliance to new technologies	2008-2009	18,000			18,000
Integrated Pollution Prevention and Control ²⁹	2009-2011	175,000	2,325,000		2,500,000
Harmonization of EMAS Regulation and Establishment of the EMAS System in Turkey ³⁰	2008-2009		200,000		200,000
Total		379,487,250	36,530,250	38,000	416,055,500

²⁹ To be financed by the project titled “Integrated Pollution Prevention and Control – TR 08 02 04” proposed under Pre-accession Financial Assistance 2008 Programme.

³⁰ To be financed by the project titled “Harmonization of EMAS Regulation and Establishment of the EMAS System in Turkey” under SEI Programme.

Table 27.3.4.3.2

(Euro)

Requirements (Provincial Directorates of MoEF)	Year	National Budget	EU sources	Other	Total
I-Investment					
Purchasing of equipment within the context of Control of Major Accidents	2009-2015		93,000		93,000
II- Legislative approximation and implementation					
- Personnel					
Recruitment of personnel within the context of Control of Major Accidents	2009-2015	5,700,000			5,700,000
- Training					
Training on investigation of major industrial accidents and establishment of procedures for these	2009	11,500	34,500		46,000
-Training on inspection related to major industrial accidents -Training on safety management systems and internal emergency plans related to major industrial accidents	2010	31,000	93,000		124,000
- Training on external emergency plans related to major industrial accidents - Training on accident scenarios and risk analysis of establishments related to major industrial accidents	2011	33,750	101,250		135,000
Training on reporting related to major industrial accidents	2012	18,250	54,750		73,000
- Consultancy					
- Translation					
- Other					
Total		5,794,500	376,500		6,171,000

Table 27.3.4.3.3

(Euro)

Requirements (Ministry of Labour and Social Security)	Year	National Budget	EU sources	Other	Total
I-Investment					
Purchasing of equipment within the context of control of major industrial accidents	2009-2010	41,000	123,000		164,000
II- Legislative approximation and implementation					
- Personnel					
Recruitment of personnel within the context of Control of Major Accidents	2009-2010	2,600,000			2,600,000
- Training					
Within the context of control major industrial accidents - Training on legislation - Assessment of safety report - Management systems - Notification system, introduction of computer program	2009	18,300	54,900		73,200
- Implementation of inspection on site (2 workplaces for upper-tier establishments) - Implementation of inspection on site (2 workplaces for lower-tier establishments) - Investigation and reporting of accidents - Risk assessment, simulations, software etc. within the context of safety report, major accidents prevention policy document	2010	33,550	100,650		134,200
- Consultancy					
- Translation					
- Other					
Total		2,692,850	278,550		2,971,400

Sub-priority 27.3.5 Chemicals Management

1 Schedule of legislative alignment

Table 27.3.5.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 67/548/EEC	Implementing Regulation on the Classification, Packaging and Labeling of Dangerous Substances and Preparations	The scope of this By-law is to regulate the detailed rules and principles for classification, labeling and packaging of dangerous substances and preparations placed on the market for effective control and efficient surveillance in order to protect the man and the environment against their negative effects	Ministry of Environment and Forestry	2009
2	Regulation No. 689/2008/EC	Legislation on Import and Export of Dangerous Chemicals	Development of detailed rules and principles on import and export of dangerous chemicals	Undersecretariat of Foreign Trade Ministry of Environment and Forestry	After 2011
3	Directive No. 98/8/EC	Implementing Regulation on Biocidal Products	Before placing on the market, assessment of risks of biocidal products on human, animal and environment, determination of implementation procedures and principles on production of biocidal products, custom manufacturing, import, classification, placing on the market, private usage methods and inspection of biocidal products, determination of procedures relating to authorized products	Ministry of Health	2009 ³¹
4	Regulation No. 850/2004/EC	Legislation on Persistent Organic Pollutants	Raising public awareness on persistent organic pollutants and elimination and disposal of persistent organic pollutants and contaminated equipments	Ministry of Environment and Forestry	After 2011
5	Council Decision No. 2006/507/EC	Law on the Approval of Ratification of Stockholm Convention on Persistent Organic Pollutants	Being a party to Stockholm Convention regarding Persistent Organic Pollutants	Ministry of Foreign Affairs	2009-2010

³¹ Gradual transitional period is envisaged in the Implementing Regulation.

Table 27.3.5.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
6	Council Decision No. 2003/106/EC	Law on the Approval of Ratification of Rotterdam Convention	Being a party to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Dangerous Chemicals and Pesticides in International Trade	Ministry of Foreign Affairs	2011
7	Regulation No. 1907/2006/EC	Relevant legal arrangements ³²	This Regulation lays down provisions on manufacturing, placing on the market or use of substances as it is, in preparations or in articles	Ministry of Environment and Forestry	³³

³² Necessary arrangements will be made depending on the outcomes of the project titled “The REACH Chemicals- TR 08 02 02” under Pre-Accession Financial Assistance 2008 Programme.

³³ Schedule of legislative alignment and implementation will be determined within scope of the project titled “The REACH Chemicals- TR 08 02 02” under Pre-Accession Financial Assistance 2008 Programme.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 27.3.5.2

No	Requirements	Year
(Ministry of Environment and Forestry)		
1	Developing the institutional structure required for implementation of the provisions of Regulation on Import and Export of Dangerous Chemicals (304/2003/EC)	2009-2011
2	Ensuring the institutional and legal arrangements for the Rotterdam Convention (22003A0306(01))	2009-2011
3	Enhancing the current institutional structure for implementation of the provisions of Regulation on Persistent Organic Pollutants (850/2004)	2009-2011
4	For the harmonization of Directive on classification, packaging and labeling of dangerous substances (67/548/EEC); - Developing the required institutional structure, enhancing it with the required trainings - Developing a strategy for chemicals	2009-2011
5	By becoming party to Stockholm Convention on Persistent Organic Pollutants; - Establishing departments and expert network for the secretariat, information exchange and reporting - Participation to international research, development and monitoring programs- ensuring the technical assistance and financial resources	2009-2011
6	Development of institutional structure required for the implementation of Regulation No. 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) ³⁴	³⁵

³⁴ Institutional capacity building measures will be determined depending on the outcomes of the project titled "REACH Chemicals - TR 08 02 02" under Pre-Accession Financial Assistance 2008 Programme.

³⁵ Schedule of implementation will be determined within scope of the project titled "The REACH Chemicals - TR 08 02 02" under Pre-Accession Financial Assistance 2008 Programme.

3 Financial requirements and resources

Table 27.3.5.3.1

(Euro)

Requirements (Ministry of Environment and Forestry)	Year	National Budget	EU sources	Other	Total
I-Investment					
Purchasing of equipment for the harmonization of Directive on Classification, Packaging and Labeling of Dangerous Substances (67/548/EEC)	2009-2011	37,000			37,000
Purchasing of equipment for implementation of the provisions of Regulation on Import and Export of Dangerous Chemicals (304/2003)	2009-2011	11,000			11,000
Purchasing of equipment for implementation of the provisions of Regulation on Persistent Organic Pollutants (850/2004)	2009-2011	74,000			74,000
II- Legislative approximation and implementation					
- Personnel					
Recruitment of personnel for implementation of the provisions of Regulation on Import and Export of Dangerous Chemicals (304/2003)	2009-2011	310,000			310,000
Recruitment of personnel for implementation of the provisions of Regulation on Persistent Organic Pollutants (850/2004)	2009-2011	620,000			620,000
Recruitment of personnel for implementation of the Turkish legislation adapting the provisions of the Directive on the Classification, Packaging and Labeling of Dangerous Substances and Preparations (67/548/EEC)	2009-2011	93,000			93,000
Recruitment of new personnel for the implementation of Regulation No. 1907/2006 concerning the Registration, Evaluation, Authorization and Restriction of Chemicals (REACH) ³⁶	2009-2011	181,000			181,000

³⁶ To be financed by the project titled "The REACH Chemicals- TR 08 02 02" under Pre-Accession Financial Assistance 2008 Programme. The overall budget of the project was estimated as 2.500.000 Euro. Personnel, training and consultancy requirements and the other works needed for implementation will be determined at the end of the project.

Table 27.3.5.3.1 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry)	Year	National Budget	EU sources	Other	Total
- Training					
Training on implementation of the provisions of Regulation on Import and Export of Dangerous Chemicals (304/2003)	2010-2012		62,500		62,500
Training on implementation of Directive on Classification, Packaging and Labelling of Dangerous Substances (67/548/EEC)	2008-2009	40,750			40,750
Training on implementation of Regulation No. 1907/2006 concerning the Registration, Evaluation, Authorization and Restriction of Chemicals (REACH) ³⁷	2009-2011	48,200	440,000		488,200
- Consultancy					
Service contract to establish necessary infrastructure for the implementation of REACH ³⁸	2009-2011		1,590,000		1,590,000
Service contract to determine the possible impacts of REACH on Chemicals Sector ³⁹	2009-2011		320,000		320,000
- Translation					
Translation of Regulation No. 1907/2006 concerning the Registration, Evaluation, Authorization and Restriction of Chemicals (REACH) and relevant guidance documents ⁴⁰	2009-2011		33,000		33,000
- Other					
Total		1,414,950	2,445,500		3,860,450

³⁷ To be financed by the project titled "The REACH Chemicals- TR 08 02 02" under Pre-Accession Financial Assistance 2008 Programme. The overall budget of the project was estimated as 2.500.000 Euro. Personnel, training and consultancy requirements and the other works needed for implementation will be determined at the end of the project.

³⁸ To be financed by the project titled "The REACH Chemicals- TR 08 02 02" under Pre-Accession Financial Assistance 2008 Programme. The overall budget of the project was estimated as 2.500.000 Euro. Personnel, training and consultancy requirements and the other works needed for implementation will be determined at the end of the project.

³⁹ To be financed by the project titled "The REACH Chemicals- TR 08 02 02" under Pre-Accession Financial Assistance 2008 Programme. The overall budget of the project was estimated as 2.500.000 Euro. Personnel, training and consultancy requirements and the other works needed for implementation will be determined at the end of the project.

⁴⁰ To be financed by the project titled "The REACH Chemicals- TR 08 02 02" under Pre-Accession Financial Assistance 2008 Programme. The overall budget of the project was estimated as 2.500.000 Euro. Personnel, training and consultancy requirements and the other works needed for implementation will be determined at the end of the project.

Sub-priority 27.3.6 Water Management

1 Schedule of legislative alignment

Table 27.3.6.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directive No. 2000/60/EC	Framework Water Law ⁴¹	Fulfillment of legislative gaps and correction of complications occurred during implementation	Ministry of Foreign Affairs Ministry of Energy Ministry of Environment and Forestry Ministry of Agriculture and Rural Affairs	After 2011 ⁴²
2	Directive No. 91/676/EEC	Implementing Regulation Amending the Implementing Regulation on the Protection of Waters Against Pollution Caused by Nitrates from Agricultural Sources	Determination and reduction of the pollution in surface and groundwaters caused by Nitrates from Agricultural Sources and preventing probable future pollution risk	Ministry of Agriculture and Rural Affairs	After 2011
3	Directives No. 91/271/EEC and 2000/60/EC	Implementing Regulation on Determination of the Tariffs for Waste Water Treatment Plants and Solid Waste Disposal Plants	Contribution to the sustainability of the environmental infrastructure services, by adjusting and evaluating of the full cost recovery tariffs of the construction of the wastewater infrastructure and solid waste disposal plants, operation, maintenance, collection, transportation, rehabilitation, monitoring and maintenance after closure which will be held with the wastewater infrastructure administrations and municipalities.	Ministry of Environment and Forestry	2009

⁴¹ The legislative analysis of water management of our Country will be carried out within the context of the twinning component of the project titled“ Capacity Building for Water Sector in Turkey” under Pre-Accession Financial Assistance 2006 Programme which will last for 2 years beginning from 2007.

⁴² Harmonization to the related EU acquis will be ensured within the framework of full membership perspective.

Table 27.3.6.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
4	Directive No. 91/271/EEC	Implementing Regulation on Urban Waste Water Treatment	Because of the adverse effects of urban and certain industrial sectors discharge, designation of the sensitive and less sensitive areas to protect the natural freshwater lakes, other freshwater bodies, estuaries and coastal waters which are found to be eutrophic or likely to be eutrophic in the near future, if protective action is not taken, furthermore fresh surface waters from which obtaining drinking water is intended and the areas where further treatment may be required due to possible high nitrate concentrations	Ministry of Environment and Forestry	2009
5	Directive No. 91/271/EEC	Communiqué on Designation of Sensitive and Less Sensitive Areas		Ministry of Environment and Forestry	2009
6	Directives No. 80/68/EEC and 2006/118/EC	Implementing Regulation on the Protection of Groundwater Against Pollution and Deterioration	With the aim of preventing and controlling of groundwater pollution; defining criteria for the assessment of good groundwater chemical status, determination of decreasing chemical status, defining the initial point for healing and remediation of chemical status, protecting good status of groundwater resources and preventing deterioration.	Ministry of Environment and Forestry	2009 ⁴³
7	Directive No. 76/464/EEC	Amendment to the Implementing Regulation on the Control of Pollution Caused by Dangerous Substances in Water and its Environment	Amendment of new definitions, revision of given deadlines and overcoming difficulties for implementation	Ministry of Environment and Forestry Ministry of Agriculture and Rural Affairs	2009

⁴³ Gradual transitional period is envisaged in the Implementing Regulation.

Table 27.3.6.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
8	Directive No. 2006/44/EEC	Implementing Regulation on the Quality of Fresh Waters Needing Protection and Improvement in order to Support Fish Life	The protection or improvement of the quality of the water courses and ditch fresh waters in which species necessary for water management objectives and other naturally varied local species can live in normal conditions or in case of reduction and improvement in water pollution.	Ministry of Agriculture and Rural Affairs	2009
9	Directive No. 2006/7/EC	Amendment to the Implementing Regulation on Management of the Quality of Bathing Waters	Informing the public, and monitoring and classification of bathing waters in order to sustain and preserve the quality of bathing waters with the aim of protecting the human health regarding the bathing waters except bathing pools and curator waters.	Ministry of Health Ministry of Environment and Forestry	After 2011
10	Directive No. 2007/60/EC	Legislation (Necessary legislation will be determined in the framework of foreseen project.)	The Assessment and Management of Flood Risks	Ministry of Environment and Forestry	After 2011

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 27.3.6.2

No	Requirements	Year
(Ministry of Environment and Forestry- General Directorate of Environmental Management)		
1	Within the context of the implementation of Council Directive of 4 May 1976 and No. 76/464/EEC about the pollution caused in water environment by dangerous substances and its relevant directives; <ul style="list-style-type: none"> - Strengthening of the infrastructures of Ministry and Laboratory - Continuation of inventory works - Establishment of environmental quality standards - Establishment of monitoring system - Recruitment of staff who will inspect Organized Industrial Zones and Industrial Plants and the training of staff of Ministry and manufacturers 	2009-2014 ⁴⁴
2	In the context of implementation of Council Directive No. 75/440/EEC of 16 June 1975 concerning the quality required of surface water intended for the abstraction of drinking water in the Member States and Council Directive No. 79/869/EEC of 9 October 1979 concerning the methods of measurement and frequencies of sampling and analysis of surface water intended for the abstraction of drinking water in the Member States, <ul style="list-style-type: none"> - Ensure the monitoring of quality standards - Ensure that categorized water resources and existing treatment plants are appropriate for these directives - Ensure the starting of upgrades on existing treatment plants and construction of new treatment plants - Ensure the preparation of systematic drinking water basin protection plan including activities related with improvement of all surface waters used or intended for the abstraction of drinking water and especially in A3 category - Recruitment and training of staff for central and provincial organizations and equipment purchasing in order to; keep records of data collected according to these directives. 	2009-2011 ⁴⁵
3	Training of staff and strengthening current institutional structure for monitoring eutrophication in order to implement provisions of Council Directive No. 91/676/EEC of 2 December 1991 on the Protection of Waters Against Pollution Caused by Nitrates from Agricultural Sources	2009-2011

⁴⁴ Legislative alignment has been achieved after enactment of the “Implementing Regulation on Control of Pollution Caused by Dangerous Substances in Water and its Environment” which was published in the Official Gazette No. 26005 dated 26/11/2005 and by this directive; the full implementation will be achieved by 2014 according to transitional periods envisaged in the Implementing Regulation.

⁴⁵ Although Legislative alignment has been achieved after the enactment of the Implementing Regulation concerning the quality required of surface water intended for the abstraction of drinking water which was published in the Official Gazzetta No. 25999 dated 20.11.2005 and period concerning this directive was defined as 2009–2011, full implementation will be achieved by 2014 according to the transitional periods envisaged in the implementing regulation.

Table 27.3.6.2 (Continued)

No	Requirements	Year
4	<p>For the implementation of the Council Directive No. 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture;</p> <ul style="list-style-type: none"> - Accreditation practices of the Environmental Reference Laboratory on sewage sludge and soil analyses carried out within the framework of activities to be accomplished in order to enhance the current institutional infrastructure. - Making up the inventory of sewage sludge and the soil in which it is used. - Training of sewage sludge producers, users and the personnel employed in the central and provincial organization of the Ministry and raising public awareness - Recruitment of personnel to the central and provincial organization of the Ministry for ensuring regular monitoring of the soil where sewage sludge is used - Carrying out training of trainers programmes for the personnel employed in central and provincial organization of the Ministry - Establishment of a system for data collection and reporting - Realisation of investments by developing plans for sludge management and minimization 	After 2011
5	<p>For the Implementation and inspection of the Council Directive No. 91/271//EEC of 21 May 1991 concerning on Urban Wastewater Treatment;</p> <ul style="list-style-type: none"> - Recruitment and training of personel to the central and provincial offices - State of play analysis of current situation of sewerage system and wastewater treatment plant, designation of sensitive areas and agglomerations 	2009-2011
6	<p>For the Implementation and inspection of the Council Directive No. 91/271//EEC of 21 May 1991 concerning on Urban wastewater treatment;</p> <ul style="list-style-type: none"> - Establishing of monitoring and inventory system for sensitive areas, agglomerations, treatment systems and all receiving bodies - Strengthening of laboratory capacity 	2009-2011
7	<p>Within the scope of capacity building efforts to implement the repealed Council Directive No. 79/923/EEC of 30 October 1979 on the quality required of shellfish waters and the Directive No. 2006/113/EC of the European Parliament and of the Council of 12 December 2006 on the quality required of shellfish waters,</p> <ul style="list-style-type: none"> - Recruitment of personnel - Training of personnel on the issue of pollution reduction programmes - Equipment requirements 	2009 and Beyond
8	<p>Council Directive No. 76/160/EEC of 8 December 1975 concerning the quality of bathing water;</p> <ul style="list-style-type: none"> - Enhancement of the laboratory capacity for monitoring and reporting the areas being used for the purpose of bathing and recreational purposes - Inspection of water treatment facilities, waste water discharge and disinfection systems in order to ensure that the discharging process is carried out without causing any negative effects on water environments being used for bathing and recreational purposes - Enhancement of the laboratory infrastructure - Recruitment of personnel for the central and provincial organization of the Ministry and training of those personnel. - Establishment and development of a monitoring system - Equipment requirement - Training of personnel for the preparation of pollution maps. - Training of the personnel for reporting 	2009 and Beyond

Table 27.3.6.2 (Continued)

No	Requirements	Year
(Ministry of Environment and Forestry (General Directorate of Environmental Management- General Directorate of State Hydraulic Works))		
9	<p>For the implementation of Council Directive No. 80/68/EEC of 17 December 1979 on the protection of groundwater against pollution caused by certain dangerous substances and Council Directive No. 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration ^{46 47};</p> <ul style="list-style-type: none"> - Determination of groundwater bodies - Development of criteria and procedures for the evaluation of good groundwater chemical status - Identification of dangerous substances - Determination of threshold values - Development of criteria for determination of increasing deterioration of chemical status and defining the initial point for healing - Assessment of human activities on groundwater bodies - Performing monitoring programme - Monitoring of groundwater quality and quantity - Set on criteria for evaluation of groundwater chemical status - Assessment of monitoring data and making up an inventory - Determination of groundwater protected areas - Development of strategies in order to control and prevent groundwater pollution - Determination of measurement programme - Analysis of economical groundwater usage - Development and implementation of pricing system - Ensuring public participation - In the aim of preparation of groundwater management plans, strengthening of existing institutional structure, strengthening of infrastructure of laboratories for groundwater quality monitoring, purchasing consumables and other requirements, recruitment of staff for the central and provincial organizations, training and purchasing equipment. 	After 2011

⁴⁶A draft Implementing Regulation on the protection of groundwater against pollution is prepared according to Council Directive No. 2006/118/EC and groundwater aspects of Water Framework Directive (2000/60/EC). Although this draft Implementing Regulation does not include provisions of Council Directive No. 80/68/EEC completely, since direct and indirect discharge to groundwater is forbidden in the Implementing Regulation, it has more restrictive provisions. It is planned that the draft Implementing Regulation will be completed in 4th quarter of year 2009. Implementation period will be defined according to legislative alignment and institutional restructuring.

⁴⁷Concerning this directive, the project titled "Strengthening the Capacity of Sustainable Groundwater Management" (PPA05/TR/7/8) supported by Dutch Government was launched in January 2006 and finalised in January 2008. As the outcomes of this project; in order to harmonize the Council Directive 80/68/EEC and Council Directive No. 2006/118/EC which are on the management of underground water and the provisions related to underground water in Water Framework Directive No. 2000/60/EC, the national legislation, institutional infrastructure concerning underground water and implementation capacity of have been reviewed, a gap analysis has been performed and a draft Implementing Regulation has been prepared. Moreover, "Groundwater Management Plan" has been prepared for Küçük Menderes River Basin.

Table 27.3.6.2 (Continued)

No	Requirements	Year
10	In scope of implementation of Water Framework Directive (2000/60/EC) ⁴⁸ ; <ul style="list-style-type: none"> - Recruitment and training of staff for preparation of Basin Management Plans - Strengthening the infrastructure of geographical information systems for the preparation of basin management plans and purchasing of equipments, software for the development of infrastructure appropriate for European Water Information System and consultancy service - Compensation of equipment and infrastructure needs of laboratories in order to strengthen the biological monitoring works, recruitment of staff and their training - Recruitment of staff and their training for the identification and monitoring of Groundwater Absolute Protection Areas in order to conserve groundwater protection status and development of Artificial Feed into Groundwater in order to conserve groundwater protection status which is one of the subworks for the provision of using wetlands rationalistically 	2010-2011
(Ministry of Environment and Forestry- General Directorate of State Hydraulic Works))		
11	Related to Council Directive No. 75/440/EEC of 16 June 1975 concerning the quality required of surface water intended for the abstraction of drinking water in the Member States and Council Directive No. 79/869/EEC of 9 October 1979 concerning the methods of measurement and frequencies of sampling and analysis of surface water intended for the abstraction of drinking water in the Member States, <ul style="list-style-type: none"> - Recruitment of staff - Training of staff 	2009-2010
12	Regarding the Council Directive No. 91/676/EEC of 2 December 1991 on the Protection of Waters Against Pollution Caused by Nitrates from Agricultural Sources; <ul style="list-style-type: none"> - Training of staff for monitoring of eutrophication in Dam lakes 	2009-2010
13	About Directive No. 2007/60/EC on the assessment and Management of Flood Risks; <ul style="list-style-type: none"> - Determination of institutional requirements for implementation 	2009-2010

⁴⁸With the ongoing twinning component of the project titled “Support to Capacity Building for Water Sector in Turkey” (TR 06 03) under Pre-Accession Financial Assistance 2006, establishment of a water management in accordance with Water Framework Directive (WFD) No. 2000/60/EC, Urban Wastewater Directive(UWWTD) 91/271/EEC, Council Directive No. 76/464/EEC on Hazardous Substances and other relevant Directives is aimed with a view to ensuring full implementation of EU acquis at the time of Turkey’s full membership. The implementation plans to be obtained at the end of this project will enable to lay down technical and administrative capacity requirements and schedule towards the full alignment and implementation of WFD. It will be more suitable to estimate the costs of related institutions and organizations in this framework. Detailed analysis will be carried out within scope of the project for the establishment of investment requirements for recruitment of personel, consultancy, translation services and the cost analysis.

Table 27.3.6.2 (Continued)

No	Requirements	Year
(Ministry of Agriculture and Rural Affairs)		
14	<p>In order to implement provisions of Council Directive No. 91/676/EEC of 2 December 1991 on the Protection of Waters Against Pollution Caused by Nitrates from Agricultural Sources;</p> <ul style="list-style-type: none"> - Determination of sensitive areas - Determination of good agriculture implementation codes - Setting up an Action Programme - Setting up monitoring network for surface and groundwaters - Monitoring surface and groundwaters - Setting up a national monitoring and report system - Purchasing mobile laboratories and strengthening infrastructure of existing laboratories - Training of staff 	2009-2011
15	<p>Within the context of institutional capacity strengthening for the implementation of 6 September 2006 dated 2006/44/EC European Parliament and Community Directive on the quality of fresh waters needing protection or improvement in order to support fish life;</p> <ul style="list-style-type: none"> - Training for the implementation of directive - Training for the fish fieldwork - Training for the establishment of the water quality sampling and monitoring system - Training for analysis methods - Strengthening the laboratory infrastructure - Establishment of the information database - Establishment of the national monitoring and reporting system - Training for pollution reduction programs 	2009-2016
16	<p>Within the scope of capacity building efforts to implement the Council Directive No. 2006/113/EC of 12 December 2006 on the quality required of shellfish waters,</p> <ul style="list-style-type: none"> - Recruitment of personnel - Training of personnel - Setting up and enhancing the monitoring system - Equipment requirements 	2009

Table 27.3.6.2 (Continued)

No	Requirements (Ministry of Health)	Year
(Ministry of Health)		
17	<p>Within the scope of the Council Directive No. 76/160/EEC of 8 December 1975 concerning the quality of bathing water;</p> <ul style="list-style-type: none"> - Dissemination of standardized process procedures for bathing water analysis developed by Refik Saydam Hygiene Centre Presidency (RSHM) within the scope of “the Strengthening the Ministry of Health to Harmonize and Implement Legislation in Water for Public Health Protection” to 33 provincial public health laboratories which monitor bathing water, - Continuation of accreditation studies by Refik Saydam Hygiene Centre, - Establishment of a data base for 33 provinces where bathing water monitoring studies are carried out by developing the database prototypes prepared for the pilot provinces within the scope of the Water Twinning Project, - Personnel Training (identification of bathing waters, sampling, analysis, data collection, data flow, end of season reports, management of non-conformity situations, bathing water profiles, dissemination of information to the public) 	2009-2015
18	<p>Within the scope of the Directive No. 2006/7/EC;</p> <ul style="list-style-type: none"> - Establishment of data base systems, - Data collection, data analysis and evaluation, - Developing bathing water data sets, - Classification of bathing water quality, - Ensuring local and international reporting, - Updating/changing microbiological analysis methods, - Establishment of the laboratory infrastructure and provision of technical support regarding the Cyanobacteria analyses , - Identification of health risks resulting from cyanobacteria and algae and precautionary measures, - Ensuring coordination between relevant institutions and providing technical support in order to establish bathing water profiles, - Training of personnel in the central organizations of the Ministry, Refik Saydam Hygiene Centre (RSHM), provincial directorates of Ministry of Health, provincial public health laboratories , regional directorates of the Hygiene Centre, in order to implement the Directive, - Improving the studies for dissemination of information to the public. 	After 2015

3 Financial requirements and resources

Table 27.3.6.3.1

(Euro)

Requirements (Ministry of Environment and Forestry- General Directorate of Environmental Management)	Year	National Budget	EU sources	Other	Total
I-Investment					
(76/464/EEC) Strengthening the infrastructure of Ministry and laboratory (Laboratory equipment)	2009-2014	1,200,000	200,000		1,400,000
(76/464/EEC) Office needs of staff at the centre and at the provincial directorates	2009-2014	236,606			236,606
(91/271/ EEC) - Strengthening the infrastructure of Ministry and laboratory (laboratory equipments, office equipments, sampling equipments, consumables) - Equipments and software necessary for establishment of the central monitoring system	2009-2011	125,000	375,000		500,000
(91/271/ EEC) Construction, operation and renewal of wastewater treatment plants (these investments belong to municipalities) ⁴⁹	2007-2023	11,392,000,000	6,148,000,000	543,000,000 ⁵⁰	18,083,000,000
(75/440/ EEC, 79/869/ EEC) Equipment needs for the staff at the centre and in the provinces	2009-2010	64,841			64,841
(80/68/ EEC, 2006/118/ EC) Equipment needs for the staff at the centre and in the provinces	2010	122,658			122,658

⁴⁹ Dates and financial requirements were previously determined in the EU Integrated Environmental Approximation Strategy (UÇES) Document. The Financial requirement extends beyond the scope of the National Programme. It will be revised upon developments in time.

⁵⁰ To be financed by foreign credits.

Table 27.3.6.3.1 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry- General Directorate of Environmental Management)	Year	National Budget	EU sources	Other	Total
(80/68/ EEC, 2006/118/ EC) For monitoring, inspection and reporting ⁵¹ ; - Laboratories - Vehicles - Drilling of monitoring wells - Consumables - Hardware and software in order to build central monitoring system	2012	1,500,000	3,750,000		5,250,000
(91/271/EEC) Strengthening of computer network system for establishment of central monitoring system for sensitive areas, agglomerations, wastewater treatment plants and receiving water bodies	2009-2011	500,000	1,500,000		2,000,000
(86/278/EEC) - Establishment of a system for data collection and reporting	After 2011	200,000			200,000
(86/278/EEC) Office needs for personnel at the central and provincial level	2008-2009	65,662			65,662
(76/160/EEC) For monitoring, inspection and reporting - Laboratories - Vehicles - Consumables - Establishment of central monitoring system	2009-2015	95,763	287,290		383,053

⁵¹ Investment costs, defined for 80/68/EEC and 2006/118/EC Council Directives, indicate the total investment to be made by MoEF - General Directorate of Environmental Management and State Hydraulic Works required for the implementation of relevant directives of EU on groundwater. Through the projects to be proposed, it is envisaged to cover 3.750.000 Euro of investment costs from EU sources and 1.250.000 Euro from national budget and also operating cost of 250.000 Euro from national budget.

Table 27.3.6.3.1 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry- General Directorate of Environmental Management)	Year	National Budget	EU sources	Other	Total
II- Legislative approximation and implementation					
- Personnel					
(76/464/EEC) Recruitment of staff to the central and provincial organizations	2009-2014	12,873,264			12,873,264
(79/923/EEC, 2006/113/EC) Recruitment of staff to the central and provincial organizations	2009-2014	1,304,629			1,304,629
(76/160/EEC) Recruitment of staff for the central and provincial organizations	2009-2015	28,043,049			28,043,049
(75/440/EEC, 79/869/EEC) Recruitment of staff for the central and provincial organizations ⁵²	2009-2013	5,810,400			5,810,400
(80/68/EEC, 2006/118/AT) Recruitment of staff for the central and provincial organizations ⁵³	2010-2013	8,883,456			8,883,456
(91/676/EEC) Recruitment of staff for the central and provincial organizations	2008-2010	3,253,824			3,253,824
(91/271/EEC) Recruitment of staff for the central and provincial organizations	2009-2022	38,000,000			38,000,000
86/278/EEC) Recruitment of staff for the central and provincial Organizations	2008-2009	1,911,730			1,911,730

⁵² The cost of additional staff to be in charge of the mentioned directives were previously determined in the EU Integrated Environmental Approximation Strategy (UÇES) Document and will be financed by the national budget. The Financial requirement extends beyond the scope of the National Programme. It will be revised upon developments in time.

⁵³ The cost of additional staff to be in charge of the mentioned directives were previously determined in the EU Integrated Environmental Approximation Strategy (UÇES) Document and will be financed by the national budget. The Financial requirement extends beyond the scope of the National Programme. It will be revised upon developments in time.

Table 27.3.6.3.1 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry- General Directorate of Environmental Management)	Year	National Budget	EU sources	Other	Total
- Training					
(76/464/EEC) Training of industrial producers and seminar and workshop for training of trainees in provinces in order to organize the works that will be done	2009-2011		300,000		300,000
(76/464/EEC) Training for establishment of Environmental Quality Standards for Dangerous Substances	2009-2011		11,590		11,590
(76/464/EEC) Technical investigations in order to examine the implementations of clean production technologies in the Member States	2009-2011		200,000		200,000
(76/464/EEC) Training for provincial organizations and industrial producers	2009-2014		150,000		150,000
(76/464/EEC) Training for establishment of Pollution Reduction Programs	2009-2014		150,000		150,000
(79/923/EEC, 2006/113/EC) Preparation of Pollution Reduction Programmes and reporting monitoring results	2009-2014	10,000			10,000
(76/160/EEC) Training programme on the monitoring of bathing water quality	2015		137,500		137,500

Table 27.3.6.3.1 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry- General Directorate of Environmental Management)	Year	National Budget	EU sources	Other	Total
(75/440/EEC, 79/869/EEC) Home and abroad seminars on implementation periods and examples from Member States and their association with the Water Framework Directive ⁵⁴	2010		300,000		300,000
(75/440/EEC, 79/869/EEC) Home and abroad workshop/training seminar on determination of quality of surface waters intended to be used as drinking water, treatment techniques, measurements taken to protect these waters and sharing experiences with the Member States ⁵⁵	2010		300,000		300,000
(75/440/EEC, 79/869/EEC) Home and abroad training seminar on plans that are prepared or to be prepared to improve surface waters intended to be used as drinking water and especially in A3 category ⁵⁶	2011		150,000		150,000
(75/440/EEC, 79/869/EEC) Home and abroad training programmes on plans that are prepared or to be prepared to improve surface waters intended to be used as drinking water and especially in A3 category ⁵⁷	After 2011		150,000		150,000

⁵⁴The trainings are envisaged to be organized ensuring the participation of the staff of related institutions (including provincial and regional authorities). In order to meet the training needs from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

⁵⁵ The trainings are envisaged to be organized ensuring the participation of the staff of related institutions (including provincial and regional authorities). In order to meet the training needs from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

⁵⁶ The trainings are envisaged to be organized ensuring the participation of the staff of related institutions (including provincial and regional authorities). In order to meet the training needs from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

⁵⁷ The trainings are envisaged to be organized ensuring the participation of the staff of related institutions (including provincial and regional authorities). In order to meet the training needs from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

Table 27.3.6.3.1 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry- General Directorate of Environmental Management)	Year	National Budget	EU sources	Other	Total
(80/68/EEC, 2006/118/EC) Home and abroad training seminars for sharing experiences and implementation examples of Member States about harmonization and implementation period; to see the harmonization studies and implementation examples related to the new groundwater directive ; ⁵⁸	2010		185,000		185,000
(80/68/EEC, 2006/118/EC) Determination of groundwater protected areas and threshold values ⁵⁹	2010		50,000		50,000
(80/68/EEC, 2006/118/EC) Determination of groundwater protected areas and threshold values ⁶⁰	2011		50,000		50,000
(80/68/EEC, 2006/118/EC) Determination of groundwater protected areas and threshold values ⁶¹	After 2011		50,000		50,000
(80/68/EEC, 2006/118/EC) Determination of groundwater protected areas and threshold values ⁶²	After 2011		50,000		50,000
(86/278/EEC) - Training of trainers	2009		13,765		13,765
(86/278/EEC) - Training of the personnel employed in central and provincial organization of the Ministry on the implementation and inspection of the Directive	2009		119,642		119,642
(91/271/EEC) Home and abroad training of trainers	2009-2021	122,000	122,000		244,000

⁵⁸ The trainings are envisaged to be organized ensuring the participation of the staff of related institutions (including provincial and regional authorities). In order to meet the training needs from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

⁵⁹ The trainings are envisaged to be organized ensuring the participation of the staff of related institutions (including provincial and regional authorities). In order to meet the training needs from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

⁶⁰ The trainings are envisaged to be organized ensuring the participation of the staff of related institutions (including provincial and regional authorities). In order to meet the training needs from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

⁶¹ The trainings are envisaged to be organized ensuring the participation of the staff of related institutions (including provincial and regional authorities). In order to meet the training needs from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

⁶² The trainings are envisaged to be organized ensuring the participation of the staff of related institutions (including provincial and regional authorities). In order to meet the training needs from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

Table 27.3.6.3.1 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry- General Directorate of Environmental Management)	Year	National Budget	EU sources	Other	Total
(91/271/EEC) Training of the personnel of central and provincial organizations of the Ministry on the implementation of the Directive and inspection	2009-2021	433,000	433,000		866,000
(91/271/EEC) Study visit to examine implementations of Member States	2009-2021		250,000		250,000
- Consultancy					
(76/464/EEC) Consultancy service	2009-2014		200,000		200,000
(75/440/EEC, 79/869/EEC) Consultancy service ⁶³	2010-2011		270,000		270,000
(80/68/EEC,2006/118/EC) Consultancy service on harmonization and implementation period and sharing experiences of Member States ⁶⁴	2010		180,000		180,000
(80/68/EEC,2006/118/EC) Consultancy service on Groundwater monitoring, determination of groundwater protected areas and threshold values ⁶⁵	2011		180,000		180,000
(80/68/EEC,2006/118/EC) Consultancy service on Groundwater monitoring, determination of groundwater protected areas and threshold values ⁶⁶	After 2011		180,000		180,000
(80/68/EEC,2006/118/EC) Consultancy service on Groundwater monitoring, determination of groundwater protected areas and threshold values ⁶⁷	After 2011		180,000		180,000

⁶³ In order to finance consultancy services from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

⁶⁴ In order to finance consultancy services from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

⁶⁵ In order to finance consultancy services from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

⁶⁶ In order to finance consultancy services from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

⁶⁷ In order to finance consultancy services from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

Table 27.3.6.3.1 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry- General Directorate of Environmental Management)	Year	National Budget	EU sources	Other	Total
(91/271/EEC) Consultancy service	2009-2011		75,000		75,000
(86/278/EEC) Consultancy service	2009-2010		200,000		200,000
- Translation					
(76/464/EEC); - Simultaneous translation - Translation of Guidance Documents and case studies of Member States. (1500 pages)	2009-2014		50,000		50,000
(75/440/EEC, 79/869/EEC); - Simultaneous translation - Translation of Guidance Documents and case studies of Member States (1500 pages)	2009-2010		50,000		50,000
(80/68/EEC,2006/118/EC); - Simultaneous translation - Translation of Guidance Documents and case studies of Member States (1500 pages)	2008-2009		50,000		50,000
(86/278/EEC); - Simultaneous translation - Translation of Guidance Documents and case studies of Member States.	2009-2010		80,000		80,000
(76/464/EEC); - Simultaneous translation - Translation of country case studies and guidance documents for the implementation of the directive. (1500 pages)	2009-2014		50,000		50,000

Table 27.3.6.3.1 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry- General Directorate of Environmental Management)	Year	National Budget	EU sources	Other	Total
(91/271/EEC) - Simultaneous translation(seminar and workshop) (10 meetings) - Translation of Guidance Documents and country case studies (1000 pages)	2009-2011		50,000		50,000
- Other					
Total		11,496,755,882	6,159,079,787	543,000,000	18,198,835,669

Table 27.3.6.3.2

(Euro)

Requirements (Ministry of Environment and Forestry- General Directorate of State Hydraulic Works)	Year	National Budget	EU sources	Other	Total
I-Investment					
(80/68/ EEC, 2006/118/ EC) equipment for central and regional staff ⁶⁸	2010	64,652			64,652
II- Legislative approximation and implementation					
- Personnel					
Directive No. 75/440/EEC concerning the quality required of surface water intended for the abstraction of drinking water in the Member States and Directive No. 79/869/EEC concerning the methods of measurement and frequencies of sampling and analysis of surface water intended for the abstraction of drinking water in the Member States	2009-2011	1,800,000			1,800,000
(80/68/EEC, 2006/118/EC) Staff recruitment at central and provincial level ⁶⁹	2010-2013	3,873,600			3,873,600
- Training					
Directive No. 75/440/EEC concerning the quality required of surface water intended for the abstraction of drinking water in the Member States and Directive No. 79/869/EEC concerning the methods of measurement and frequencies of sampling and analysis of surface water intended for the abstraction of drinking water in the Member States	2009-2011		100,000		100,000

⁶⁸ Office equipment cost will be financed from the national budget.

⁶⁹ Cost of additional staff to be in charge of the mentioned directives were previously determined in the EU Integrated Environmental Approximation Strategy (UÇES) Document and will be financed by the national budget. The Financial requirement extends beyond the scope of the National Programme. It will be revised upon developments in time.

Table 27.3.6.3.2 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry- General Directorate of State Hydraulic Works)	Year	National Budget	EU sources	Other	Total
(80/68/EEC, 2006/118/EC) Home and abroad training seminars for sharing experiences and implementation examples of Member States about harmonization and implementation period; Examining harmonization studies and implementation examples related with the new ground water directive ⁷⁰	2010		92,500		92,000
(80/68/EEC, 2006/118/EC) Determination of groundwater protected areas and threshold values ⁷¹	2010		50,000		50,000
(80/68/EEC, 2006/118/EC) Determination of groundwater protected areas and threshold values ⁷²	2011		100,000		100,000
(80/68/EEC, 2006/118/EC) Determination of groundwater protected areas and threshold values ⁷³	After 2011		50,000		50,000
91/676/EEC Protection of Waters Against Pollution Caused by Nitrates from Agricultural Sources; (Monitoring eutrophication in Dam lakes)	2009-2011		80,000		80,000
- Consultancy					
Council Directive No. 75/440/EEC concerning the quality required of surface water intended for the abstraction of drinking water in the Member States and Council Directive No. 79/869/EEC concerning the methods of measurement and frequencies of sampling and analysis of surface water intended for the abstraction of drinking water in the Member States	2009-2011		300,000		300,000

⁷⁰ The trainings are envisaged to be organized ensuring the participation of the staff of related institutions (including provincial and regional authorities). In order to meet the training needs from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

⁷¹ The trainings are envisaged to be organized ensuring the participation of the staff of related institutions (including provincial and regional authorities). In order to meet the training needs from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

⁷² The trainings are envisaged to be organized ensuring the participation of the staff of related institutions (including provincial and regional authorities). In order to meet the training needs from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

⁷³ The trainings are envisaged to be organized ensuring the participation of the staff of related institutions (including provincial and regional authorities). In order to meet the training needs from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

Table 27.3.6.3.2 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry- General Directorate of State Hydraulic Works)	Year	National Budget	EU sources	Other	Total
(80/68/EEC,2006/118/EC) Consultancy service on Groundwater monitoring, determination of groundwater protected areas and threshold values ⁷⁴	2011		300,000		300,000
(80/68/EEC,2006/118/EC) Consultancy service on Groundwater monitoring, determination of groundwater protected areas and threshold values ⁷⁵	After 2011		150,000		150,000
2007/60/EC Directive on the Assessment and Management of Flood Risks	2009-2011		1,000,000		1,000,000
- Translation					
- Other					
Council Directive No. 75/440/EEC concerning the quality required of surface water intended for the abstraction of drinking water in the Member States and Council Directive No. 79/869/EEC concerning the methods of measurement and frequencies of sampling and analysis of surface water intended for the abstraction of drinking water in the Member States and Council Directive No. 80/68/EEC (Laboratory consumables and chemical equipment)	2009-2011	300,000			300,000
Total		6,038,252	2,222,500		8,260,752

⁷⁴ In order to finance consultancy services from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

⁷⁵ In order to finance consultancy services from EU sources, TAIEX and MATRA Programmes are planned to be resorted.

Table 27.3.6.3.3

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs)	Year	National Budget	EU sources	Other	Total
I-Investment					
(91/676/EEC) - Portable Water Sampling Equipments - Purchase of chemicals - Computer network system - Mobile Laboratories - Training materials - Laboratory Equipments	2008-2010	941,250	2,823,750		3,765,000
(2006/44/EC) - Purchase of laboratory equipments - Purchase of consumables	2009-2016	1,300,000	3,600,000		4,900,000
(79/923/EEC, 2006/113/EC) - Ensuring sampling equipment from the shellfish production areas	2009	50,000			50,000
(79/923/EEC, 2006/113/EC) - Setting up a monitoring system for shellfish production areas.	2009	225,000			225,000
II- Legislative approximation and implementation					
- Personnel					
(91/676/EEC) Recruitment of staff	2008-2011	26,030,592			26,030,592
(2006/44/EC) Recruitment of staff	2009-2015	30,007,488			30,007,488
(79/923/EEC, 2006/113/EC) Recruitment of staff for central and provincial organizations	2009	227,340			227,340

Table 27.3.6.3.3 (Continued)

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs)	Year	National Budget	EU sources	Other	Total
- Training					
(91/676/EEC); Water Management	2009	50,000	100,000		150,000
(91/676/EEC); Training on thematic subjects including, but not limited to, EU Framework and legislation.	2009	50,000	100,000		150,000
(91/676/EEC); Training on using mobile laboratories	2009	50,000	200,000		250,000
(91/676/EEC); Training on soil and water pollution laboratories, sampling with field analysis techniques, preparation for research and evaluation.	2009	75,000	300,000		375,000
(91/676/EEC); Implementation of nitrate directive (including monitoring and analysis)	2009	50,000	100,000		150,000
(91/676/EEC); Good agricultural practices	2009	25,000	500,000		525,000
(91/676/EEC); Reporting	2009	25,000	50,000		75,000
(91/676/EEC); Evaluation of collected data and pollution maps	2010	50,000	100,000		150,000
(91/676/EEC); Good agricultural practices codes and implementations of thereof	2010	50,000	200,000		250,000
(91/676/EEC); Manure management	2010	25,000	150,000		175,000

Table 27.3.6.3.3 (Continued)

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs)	Year	National Budget	EU sources	Other	Total
(91/676/EEC); Irrigation management	2010	25,000	50,000		75,000
(91/676/EEC); Land use management	2010	25,000	50,000		75,000
(2006/44/EC); Training on implementation of the regulation	2009	30,000	58,000		88,000
(2006/44/ EC); Fish fieldwork	2009	30,000	58,000		88,000
(2006/44/EC); Establishment of an efficient water quality sampling and monitoring system	2009	30,000	58,000		88,000
(2006/44/EC); Fish fieldwork	2010	40,000	88,000		128,000
(2006/44/EC); Establishment of an efficient water quality sampling and monitoring system	2010	40,000	88,000		128,000
(2006/44/EC); Training on Information Database	2011	90,000	180,600		270,600
(2006/44/EC); Preparation of Pollution Reduction Programmes	2013	90,000	170,100		260,100
(79/923/EEC, 2006/113/EC) Training of personnel	2009	5,000			5,000

Table 27.3.6.3.3 (Continued)

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs)	Year	National Budget	EU sources	Other	Total
- Consultancy					
(91/676/EEC); Consultancy Service (Training Requirement Analysis Report)	2009		189,000		189,000
(91/676/EEC); Consultancy Service (Thematic issues including EU Legislation)	2009		281,000		281,000
(91/676/EEC); Consultancy Service (Soil and water pollution laboratories sampling with field analysis techniques , preparation for research and evaluation)	2009		200,000		200,000
(91/676/EEC); Consultancy Service (Good agricultural practices codes and implementations)	2009		160,000		160,000
(91/676/EEC); Consultancy Service (Using mobile laboratories)	2010		170,000		170,000
(2006/44/EC); Consultancy Service (Classification of Water Structures)	2009-2010		38,000		38,000
(2006/44/EC); Consultancy Service (Determination of sampling points and analysis methods)	2009-2010		38,000		38,000
- Translation					
- Other					
Total		59,636,670	10,100,450		69,737,120

Table 27.3.6.3.4

(Euro)

Requirements (Ministry of Health)	Year	National Budget	EU sources	Other	Total
I-Investment					
(76/160/EEC) Making necessary network connections of provinces that are monitoring bathing water by improving the bathing water database prototype and composing a database system ⁷⁶	2009-2011	60,000	60,000		120,000
(2006/7/EC) Software for bathing water database	2015	40,000			40,000
(2006/7/EC) Establishing laboratory infrastructure suitable for cyanobacteria and algae analysis	After 2015	40,000			40,000
II- Legislative approximation and implementation					
- Personnel⁷⁷					
(76/160/EEC) Monitoring bathing water quality, bathing water analysis and bathing water quality assessment practices.	2009-2015	97,658,463			97,658,463
(2006/7/EC) Monitoring bathing water quality, bathing water analysis and bathing water quality assessment practices.	After 2015	97,658,463			97,658,463

⁷⁶ Part of the investment requirement for extending the database of 76/160/EC is planned to be financed by EU sources.

⁷⁷ The cost of additional staff to be in charge of the mentioned directives were previously determined in the EU Integrated Environmental Approximation Strategy (UÇES) Document and will be financed by the national budget. The Financial requirement extends beyond the scope of the National Programme. It will be revised upon developments in time.

Table 27.3.6.3.4 (Continued)

(Euro)

Requirements (Ministry of Health)	Year	National Budget	EU sources	Other	Total
- Training ⁷⁸					
(76/160/EEC) Training on monitoring bathing water quality, bathing water analysis and bathing water quality assessment - Ministry - Provincial directorates - Refik Saydam Hygiene Centre - Public Health and Regional Directorate for Hygiene laboratories	2009-2015	362,279			362,279
(2006/7/EC) For implementation; Training of the personnel employed in central organization of the Ministry, Refik Saydam Hygiene Centre (RSHS), provincial directorates of Ministry of Health, provincial laboratories for public health and regional directorates for hygiene Centre,	After 2015	300,000	300,000		600,000
- Consultancy					
- Translation					
- Other					
Total		196,119,205	410,000		196,489,205

⁷⁸ In order to meet training needs from EU sources, TAIEX and similar programmes are planned to be resorted.

Sub-priority 27.3.7 Nature Protection and Genetically Modified Organisms

1 Schedule of legislative alignment

Table 27.3.7.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directives No. 92/403/EEC and No.79/409/EEC	Law on Nature and Biodiversity Protection	Conservation of natural values, biodiversity and genetic resources of Turkey and ensuring their sustainable use on a plan basis considering the balance between the conservation and use ; contributing to sustainable development of Turkey for present and future generations; providing a system of protected areas network, with designation criteria and management responsibilities for the protection of Turkey’s biological diversity; ensuring continuity of ecosystems, species and their habitats and biological functionality; ensuring protection of the characteristics and beauty of nature and biodiversity and recreational resources; ensuring protection of non-living natural assets and assets along with cultural values and landscape of the Country.	Ministry of Environment and Forestry	After 2011
2	Directives No. 98/81/EC and 2001/18/EC Regulation No. 1946/2003	Biosafety Law	Establishing, developing, implementing and managing the biosafety system as an entire system to address biosafety issues to ensure the advance determination, inhibition and/or minimizing, and controlling unforeseen possible adverse effects of GMOs and products thereof that are developed by using modern biotechnology, consistent with the Cartagena Protocol on Biosafety and EU legislation.	Ministry of Agriculture and Rural Affairs	2009-2010

Table 27.3.7.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
3	Regulations No. 338/97 and 865/2006	Amendment to the Implementing Regulation on the Implementation of the Convention in International Trade of Endangered Wild Fauna and Flora Species	- Implementation of the CITES Convention - Defining areas for which the administrative and scientific authorities are responsible and regulating methods and principles related to permits and certificates in those areas - Regulating international trade of wild flora and fauna species	Ministry of Environment and Forestry	2010
4	Regulation No. 3254/91	Legislation regarding the Use of Leghold Traps Pelts and Prohibition of Import of Manufactured Goods which Provide by Leghold Traps Pelts Animal Leathers in the EU Countries	Prohibiting use of leghold traps method and forbidding importation of products obtained from animals by means of leghold traps	Ministry of Environment and Forestry	2010

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 27.3.7.2

No	Requirements	Year
(Ministry of Environment and Forestry – General Directorate of Nature Protection and National Parks)		
1	<p>According to the Council Regulation No. 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein (OJ L 061 03.03.1997 p. 1)</p> <ul style="list-style-type: none"> - Establishment of CITES Office/ offices (Details of Draft CITES Office have been take place in the Strategy Document but the date haven't been determined yet. - Initiation of studies for the establishment of a scientific authority which will be responsible for education and scientific evaluation, orientation and development of a strategy (including education and research centre and nature museum) - Computer based compiling of data which will be used for the identification of CITES species - Standardization of CITES permits and establishment of a databank - Establishment of an information network for related institutions and public - Establishment of conservation, control and monitoring systems for CITES species - Stakeholder training and information meeting - Capacity building of related institution for CITES Implementation - Strengthening of infrastructure of Ministry of Environment and Forestry for effective national and international coordination related to the CITES Legislation - Preparation of ID Manuals and support to the research to determine the endangered wild flora and fauna due to international trade to be added to the CITES Annexes - Establishment of rescue and rehabilitation centres for animals captured or confiscated due to illegal trade or other reasons ⁷⁹ 	2009-2011
2	<p>In order to Implement the Draft Law on Nature and Biodiversity Protection;</p> <ul style="list-style-type: none"> - Establishment of a Nature Protection Scientific Authority and fulfillment of technical infrastructure needs - Establishment of the Nature Protection Institutions and fulfillment of technical infrastructure needs 	After 2011

⁷⁹ Details will be clarified within the scope of projects to be submitted to the Pre-Accession Financial Assistance 2009 and beyond Programmes and to SEI or TAIEX.

Table 27.3.7.2 (Continued)

No	Requirements	Year
3	<p>Council Directive No. 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora which is amended by Commission Directive 97/62/EC and Council Directive No. 97/49/EC of 29 July 1997 amending Directive No. 79/409/EEC on the conservation of wild birds⁸⁰;</p> <ul style="list-style-type: none"> - Putting Draft Law on Nature and Biodiversity Protection into force - Establishment of a scientific committee which will carry out consultation related to biodiversity - Review of existing status of protected areas, carrying out biotope/habitat classification and mapping for protected areas and evaluation of potential Natura 2000 areas. - Establishment of an administrative structure for implementation of Natura 2000 network and initiation of studies for the establishment of a scientific authority which will be responsible for evaluation of education and scientific issues and development of a strategy (including education and research centre and the natural museum) - Capacity building (including existing staff training and new staff employment) and strengthening of the technical structure - Organization of information and awareness raising campaigns for related stakeholders - Within the scope of improving the technical structure of biodiversity monitoring systems; establishment of a data base system, determination of monitoring indicators and establishment of the institutional structure for monitoring - Carrying out studies to examine all species and habitats within the scope of the Habitat and Bird Directives - Strengthening capacity for financial aspects, staff and equipment at local level in order to establish a network for protected areas. - Establishment of coordination mechanism between the related institutions for natural protection management, rehabilitation and restoration at local, regional and national level - Determination and Implementation of incentive and measures for protection of biodiversity and development of appropriate financial mechanisms - Integration/Improvement of Ecological Impact Assessments in protected areas into decision making mechanisms for all politics, plans and projects 	2010-2013 ⁸¹
(Ministry of Agriculture and Rural Affairs-General Directorate of Agriculture Researches)		
4	Purchase of equipment, recruitment and training of personnel in order to implement the Biosafety Law, which will be published with a view to transposing and implementing the directives regarding Genetically modified organisms, within the present structure	2009-2012

⁸⁰ Studies within the scope of twinning component of the project titled "Capacity-Building for Turkey in the Field of Environment" under Pre-Accession Financial Assistance 2002 Programme were finalised in July 2006. The studies conducted within the scope of the above mentioned project for harmonization and implementation of EU Directives is in their early stages. Appropriate rearrangements could be made in the tables above in accordance with the data obtained from the results of the projects that will be submitted to the European Union-Turkey Pre-Accession Financial Aid 2009 and post-2009 IPA and SEI Programs. Moreover, through the implementation plans that could be obtained from abovementioned project proposals, within the framework of full harmonization and implementation of Habitat-Bird Directives, more accurate results could be reached with the transposition and implementation schedules related to the institutional infrastructure needs.

⁸¹ Harmonization to the related EU acquis will be ensured within the framework of full membership perspective.

3 Financial requirements and resources

Table 27.3.7.3.1

(Euro)

Requirements (Ministry of Environment and Forestry)	Year	National Budget	EU sources	Other	Total
I-Investment					
(3254/91/ EEC) Purchase of Equipment	2009	67,000			67,000
II- Legislative approximation and implementation					
- Personnel					
(338/97/EC) Staff recruitment	2009-2011	955,488			955,488
(99/22/ EC) Staff recruitment	2009	1,045,872			1,045,872
(3254/91/EEC) Staff recruitment	2009	69,720			69,720
(92/43/EEC, 79/409/EEC) Additional personnel	2011-2012	4,688,110			4,688,110
- Training					
(338/97/EC) Domestic training	2008-2010	15,000	15,000		30,000
(338/97/EC) Study visits to Member States	2009-2011		50,000		50,000
(3254/91/EEC)	2009	20,000			20,000
(92/43/EEC, 79/409/EEC) Study visits to Member States ⁸²	2010-2013	895,000	50,000		945,000

⁸² In order to perform each component of institutional capacity building measures required for legislative alignment and implementation, training support is envisaged within the context of mentioned projects. The schedule and implementation plan regarding training requirements will be prepared through mentioned projects and the indicated numbers may be revised within the framework of this "schedule and implementation plan".

Table 27.3.7.3.1 (Continued)

(Euro)

Requirements (Ministry of Environment and Forestry)	Year	National Budget	EU sources	Other	Total
-Consultancy					
(92/43/EEC, 79/409/EEC) Consultancy service in order to implement Habitat and Bird Directives and to carry out evaluations regarding the Natura 2000 areas ⁸³	2010-2013	850,000	7,650,000		8,500,000
- Translation					
(338/97/EC)	2008-2010		50,000		50,000
(92/43/EEC, 79/409/EEC)	2010-2013	50,000			50,000
- Other					
Total		8,656,190	7,815,000		16,471,190

⁸³ To be implemented within the scope of projects to be submitted to the Pre-Accession Financial Assistance 2009 and Future Programmes and to SEI or TAIEX and the indicated numbers may be revised.

Table 27.3.7.3.2

(Euro)

Requirements (Ministry of Agriculture and Rural Affairs-General Directorate of Agriculture Researches) ⁸⁴	Year	National Budget	EU sources	Other	Total
I-Investment					
Purchase of laboratory equipment	2009-2010	6,286,000			6,286,000
II- Legislative approximation and implementation					
- Personnel					
Personnel recruitment	2009-2012	7,428,000			7,428,000
- Training					
Training for the alignment of preventive and other protective measures in line with general principles of Directives.	2009-2010	6,286,000			6,286,000
- Consultancy					
- Translation					
- Other					
Total		20,000,000			20,000,000

⁸⁴ Financial requirements for the recruitment of the personnel and trainings have been figured out based on the Draft Biodiversity Law. Figures may be revised depending on the possible changes after the enactment of the mentioned law.

Priority 27.4 Follow-up of the integration of environmental requirements to sectoral policies

1 Schedule of legislative alignment

No legislative alignment study is envisaged under this priority at this stage.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 27.4.2

No	Requirements	Year
(Undersecretariat of State Planning Organization)		
1	National Sustainable Development Indicator Set and relevant index will be developed. In this context, data compilation will be initiated by related institutions.	2009-2010

3 Financial requirements and resources

Table 27.4.3

(Euro)

Requirements (State Planning Organization)	Year	National Budget	EU sources	Other	Total
I-Investment					
II- Legislative approximation and implementation					
- Personnel					
- Training					
- Consultancy					
Consultancy for preparation of indicator set and developing relevant index.	2009	50,000			50,000
- Translation					
- Other					
Total		50,000			50,000

CHAPTER 28 CONSUMER AND HEALTH PROTECTION

Priority 28.1 Further aligning with the consumer acquis and ensuring adequate administrative structures and enforcement capacity

1 Schedule of legislative alignment

Table 28.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Directives No. 85/357/EEC, 85/374/EEC, 93/13/ AET, 1999/44/EC, 98/6/EC, 85/577/EEC, 97/7/EC, 87/102/ AET, 2002/65/EC, 84/450/EEC, 97/55/EC, 94/47/EC, 90/314/EEC, 98/27/EC and 2005/29/EC	Law Amending the Law No. 4077 on Protection of Consumers	Full harmonization with the EU acquis on the protection of consumers and taking additional measures to protect consumers.	Ministry of Industry and Trade	2009
2	Directive No. 2001/95/EC	Law on Product Safety	Alignment with developments in EU legislation on product safety	Undersecretariat for Foreign Trade	2009
3	Directive No. 2005/29/EC	Implementing Regulation on Unfair Business-to-Consumer Commercial Practices ¹	Full harmonization with the relevant EU legislation and taking new measures to protect consumers.	Ministry of Industry and Trade	2009
4	Directives No. 84/450/EEC and 97/55/EC	Implementing Regulation Amending the Implementing Regulation on Principles and Implementing Principles of Commercial Advertisements and Promotions ²	Full harmonization with the relevant EU legislation and taking new measures to protect consumers.	Ministry of Industry and Trade	2009

¹ It will be enacted after the adoption the Law Amending the Law no. 4077 on Consumer Protection.

² It will be enacted after the adoption the Law Amending the Law no. 4077 on Consumer Protection.

Table 28.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
5	Directives No. 84/450/EEC and 97/55/EC	Implementing Regulation Amending the Implementing Regulation on Board of Advertisement ³	Full harmonization with the relevant EU legislation and taking new measures to protect consumers.	Ministry of Industry and Trade	2009
6	Directive No. 90/314/EEC	Implementing Regulation Amending the Implementing Regulation on the Rules and Procedures on Package Tour Contracts ⁴	Full harmonization with the relevant EU legislation and taking new measures to protect consumers.	Ministry of Industry and Trade	2009
7	Directive No. 94/47/EC	Implementing Regulation on Application Principles and Methods of Contracts Relating to the Right to Use Immovable Properties on a Timeshare Basis ⁵	Full harmonization with the relevant EU legislation and taking new measures to protect consumers.	Ministry of Industry and Trade	2009
8	Directive No. 98/6/EC	Implementing Regulation Amending the Implementing Regulation on Labels, Tariffs and Price Lists ⁶	Full harmonization with the relevant EU legislation and taking new measures to protect consumers.	Ministry of Industry and Trade	2009
9	Directive No. 93/13/EEC	Implementing Regulation Amending the Implementing Regulation on Unfair Terms in Consumer Contracts ⁷	Full harmonization with the relevant EU legislation and taking new measures to protect consumers.	Ministry of Industry and Trade	2009
10	Directive No.87/102/EEC	Implementing Regulation on the Rules and Procedures for Consumer Credit ⁸	Full harmonization with the relevant EU legislation and taking new measures to protect consumers.	Ministry of Industry and Trade	2009

³ It will be enacted after the adoption the Law Amending the Law no. 4077 on Consumer Protection.

⁴ It will be enacted after the adoption the Law Amending the Law no. 4077 on Consumer Protection.

⁵ It will be enacted after the adoption the Law Amending the Law no. 4077 on Consumer Protection.

⁶ It will be enacted after the adoption the Law Amending the Law no. 4077 on Consumer Protection.

⁷ It will be enacted after the adoption the Law Amending the Law no. 4077 on Consumer Protection.

⁸ It will be enacted after the adoption the Law Amending the Law no. 4077 on Consumer Protection.

Table 28.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
11	Directives No. 2002/65/EC and 97/7/EC	Implementing Regulation Amending the Implementing Regulation on the Rules and Procedures for Distant Contracts ⁹	Full harmonization with the relevant EU legislation and taking new measures to protect consumers; enabling financial services via distant contracts.	Ministry of Industry and Trade	2009
12	Directive No.85/577/EC	Implementing Regulation Amending the Application Principles and Methods Regarding Doorstep - Sales ¹⁰	Full harmonization with the relevant EU legislation	Ministry of Industry and Trade	2009
13	Directives No. 90/314/EEC and 84/450/EEC	Implementing Regulation on Sea Tourism	Identification of the implementing principles in accordance with the amendment made to Law No. 2634 on Promotion of Tourism.	Ministry of Culture and Tourism	2009
14	Regulation No. 261/2004	Instruction on Rights of Passengers ¹¹	Transferring the existing practices to the legislation in order to redress the passenger grievances	Directorate General of Civil Aviation	2009
15	Directive No. 2001/95/EC	Secondary Legislation Regarding the Implementation of Product Safety Law ¹²		Undersecretariat for Foreign Trade	2009

⁹ It will be enacted after the adoption the Law Amending the Law no. 4077 on Consumer Protection.

¹⁰ It will be enacted after the adoption the Law Amending the Law no. 4077 on Consumer Protection.

¹¹ It is also mentioned under "Priority 14.3 In the field of aviation, working towards a technical solution to ensure the necessary communication in order to guarantee the appropriate level of air safety in the South Eastern Mediterranean region. Engagement in a process towards the recognition of "Community designation" and providing a clear strategy for the progressive alignment to the acquis on the Single European Sky. Alignment with, and implement, the relevant provisions and specificities of the European Civil Aviation Conference's policy statement in the field of civil aviation security"

¹² It will be enacted after the adoption of Product Safety Law.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 28.1.2

No	Requirements	Year
(Ministry of Industry and Trade)		
1	Establishing Unfair Commercial Practices Board after the adoption of Law Amending the Law no. 4077 on Consumer Protection	2009
2	Recruiting 17 new assistant experts	2009
3	Training of arbitration committees	2009

3 Financial requirements and resources

Table 28.1.3

(Euro)

Requirements (Ministry of Industry and Trade)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
Recruiting 17 new assistant experts	2009	200,000			200,000
- Training					
Providing training to arbitration committees	2009	135,000			135,000
Training of personnel	2009	10,000			10,000
- Consultancy					
- Translation					
- Other					
Establishment of 43 new Arbitration Committees ¹³	2009	105,000			105,000
Establishment of the Unfair Commercial Practices Board	2009	25,000			25,000
Establishment of the Specialised Commissions for monitoring advertisements and unfair commercial practices	2009	300,000			300,000
Total		775,000			775,000

¹³ Due to the establishment of 43 new districts, new arbitration committees will be formed.

Priority 28.2 Further align with the health acquis and ensuring adequate administrative structures and enforcement capacity

1 Schedule of legislative alignment

Table 28.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Commission Decision No. 2003/641/EC	Implementing Regulation Amending the Regulation on Principles and Procedures concerning Production Type, Labelling and Controlling of Tobacco Products for Protection Against Their Harmful Effects	Protecting individuals from the detrimental health, social, environmental and economic damages and lethal results of tobacco and tobacco products; preventing the use of these products by children and the young.	Ministry of Health Tobacco, Tobacco Products and Alcoholic Beverages Market Regulation Authority	2009
2	Directive No. 2003/33/EC	Implementing Regulation Amending the Regulation on the Wholesale and Retail Sale of Tobacco Products, Alcohol and Alcoholic Beverages and Sales Certificates	Making necessary arrangements and taking necessary measures to protect individuals from all sorts of advertisement and promotion campaigns encouraging consumption of tobacco and tobacco products.	Ministry of Health Tobacco, Tobacco Products and Alcoholic Beverages Market Regulation Authority	2009

Table 28.2.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
3	Directives No. 2004/23/EC, 2006/17/EC and 2006/86/EC	Law on the Organ, Tissue, and Cell Transplantation Services	Regulating the procedures and principles of supply, donation, procurement, testing, processing, preservation, storage, transportation, distribution, implantation, and transplantation of organs, tissues, cells, stem cells and cell components for treatment, diagnostic or scientific purposes, and of other procedures relating to these activities.	Ministry of Health	2009-2010
4	Directives No. 2004/23/EC, 2006/17/EC and 2006/86/EC	Implementing Regulation on Tissue and Cell	Setting standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells and traceability requirements, notification of serious adverse reactions and events and coding of human tissues and cells.	Ministry of Health	2010
5	Commission Decisions No. 2007/875/EC, 2008/351/EC and 2008/426/EC	Amendment to Implementing Regulation on Principles for Surveillance and Control of Communicable Diseases	Alignment of the implementing regulation published on 30 May 2007 with the relevant directives of the EU issued after that date. The list of Obligatory Notifiable Communicable Diseases and the other relevant articles of the implementing regulation shall be amended as required by the recent decisions of the EU (2007/875/EC, 2008/351/EC, 2008/426/EC) ¹⁴	Ministry of Health	2009
6	Council Recommendation No. 1999/519/EC	Implementing Regulation on Effects of Electromagnetic Fields on Public Health	Identification of tasks and duties of relevant administration and institutions in order to protect public health against electromagnetic fields, to study their effects on health and to enlighten public on the issue.	Ministry of Health	2009

¹⁴ As a complementary issue for the mentioned implementing regulation, “Implementing Regulation on Working Principles of Microbiology Laboratories for Standard Diagnosis” and “Implementing Regulation on Working Principles of Public Health Laboratories” will be published in 2009. Moreover, “Strategic Plan for Communicable Diseases (2008-2013)” in which the administrative arrangements and measures are programmed will be published in 2009.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 28.2.2

No	Requirements	Year
(Tobacco, Tobacco Products and Alcoholic Beverages Market Regulatory Authority)		
1	Recruitment of experts	2008-2009
2	Education, translation and consultancy services	2009
3	Establishing an institutional database system	2008-2009
(Ministry of Health)		
4	Establishing Regional Blood Centres in accordance with new law on blood and blood products and restructuring of current blood centres in accordance with the regulation	2008-2009
5	Preparing a software for data transfer between central authority and blood banking and transfusion service units	2009
6	Preparing guidelines for blood banking and transfusion services	2009
7	Establishing of national hemotopathic stem cell coordination centre, voluntary donor centres, establishing of national sample collection centre, establishing of national tissue information bank, establishing of national cord blood collection centre, establishing of cord blood banks, opening new bone marrow trasplantation centres, establishing of national patient information bank and waiting list, establishing social service and national patient consultation units for patients in bone marrow trasplantation centres, increasing the number of regional tissue typing laboratories, etc.	2009-2013
8	Restructuring of “Refik Saydam Hygiene Centre” as “National Institute of Public Health” in order to meet today’s requirements and in accordance with national and international needs.	2008-2009
9	Establishment of “National Cancer Institute” with a view to fighting against cancer more efficiently in Turkey, in parallel with the EU practices.	2009
10	Setting up an “Early Warning and Response System” with reorganization of relevant departments within “Refik Saydam Hygiene Centre ” and “Directorate General for Basic Health Services” for a rapid exchange of information between the parties in case of a possible threat concerning communicable diseases	2009-2013

3 Financial requirements and resources

Table 28.2.3.1

(Euro)

Requirements (Tobacco, Tobacco Products and Alcoholic Beverages Market Regulatory Authority)	Year	National Budget	EU sources	Other	Total
I- Investment					
II- Legislative approximation and implementation					
- Personnel					
Recruitment of experts for improving administrative capacity	2008-2009	500,000			500,000
- Training					
Two-year masters degree programme and one-year internship in abroad for experts and assistant experts	2009	500,000			500,000
- Consultancy					
Consultancy service procurement for monitoring and inspection of tobacco products market and legislative alignment.	2008-2009	20,000	20,000		40,000
- Translation					
Translation of legislation	2008-2009	30,000			30,000
- Other					
Setting up an institutional database	2008-2009	200,000	100,000		300,000
Total		1,250,000	120,000		1,370,000

Table 28.2.3.2

(Euro)

Requirements (Ministry of Health (Blood and Blood Components)) ¹⁵	Year	National Budget	EU sources	Other	Total
I- Investment	2009-2011	197,500	592,500		790,000
II- Legislative approximation and implementation					
- Personnel					
- Training	2010-2011	98,100	882,900		981,000
- Consultancy	2010-2011	62,400	561,600		624,000
- Translation	2010-2011	14,400	129,600		144,000
- Other	2010-2011	20,000	180,000		200,000
Travel	2010-2011	24,300	218,700		243,000
Equipment	2010-2011	7,500	67,500		75,000
Local offices	2010-2011	16,000	144,000		160,000
Total		483,400	2,733,600		3,217,000

¹⁵ To be financed by the project titled "Strengthening the blood supply system in Turkey - TR 08.02.15" under Pre-Accession Financial Assistance 2008 Programme.

Table 28.2.3.3

(Euro)

Requirements (Ministry of Health (Tissue and Cell))	Year	National Budget	EU sources	Other	Total
I- Investment	2009-2013	2,500,000	7,500,000		10,000,000
II- Legislative approximation and implementation					
- Personnel	2009-2013	1,250,000			1,250,000
- Training	2009-2013	500,000	1,500,000		2,000,000
- Consultancy	2009-2013	500,000	1,500,000		2,000,000
- Translation	2009-2013	50,000	150,000		200,000
- Other	2009-2013	200,000	4,350,000		4,550,000
Total		8,750,000	11,250,000		20,000,000

Table 28.2.3.4

(Euro)

Requirements (Ministry of Health (National Public Health Institution))	Year	National Budget	EU sources	Other	Total
I- Investment	2010-2013	160,000,000	5,000,000	1,500,000	166.500.000¹⁶
II- Legislative approximation and implementation					
- Personnel	2009-2013	4,000,000			4,000,000
- Training					
Professional and quality oriented training of personnel, study visits, workshops...etc	2009-2013	300,000	1,200,000	1,000,000	2,500,000
- Consultancy	2009-2013	60,000	700,000	240,000	1,000,000
- Translation	2009-2013			60,000	60,000
- Other	2009-2013	120,000	320,000	160,000	600,000
Total		164,480,000	7,220,000	2,960,000	174,660,000

¹⁶ The figure indicates the required amount for the construction of a new building. However the source of financing is not clear yet. If public-private partnership method is used for the construction of the building, then such an amount from the national budget will not be required.

Table 28.2.3.5

(Euro)

Requirements (Ministry of Health (National Cancer Institute))	Year	National Budget	EU sources	Other	Total
I- Investment					
Building- Equipment	2009-2013	765,579.55	1,531,159.09		2,296,738.64
II- Legislative approximation and implementation					
- Personnel					
Personnel of the Institute	2009-2013	1,020,772.73			1,020,772.73
- Training					
Training of the Institute personnel	2009-2013	153,115.91	153,115.91		306,231.82
- Consultancy					
Consultancy service procurement for legislative alignment	2009-2013	25,519.32	10,207.73		35,727.05
- Translation					
Translation of legislation	2009-2013	51,038.64			51,038.64
- Other					
Establishment of institutional database	2009-2013	102,077.28	51,038.64		153,115.92
Total		2,118,103.43	1,745,521.37		3,863,624.80

Table 28.2.3.6

(Euro)

Requirements (Ministry of Health (Communicable Diseases))	Year	National Budget	EU sources	Other	Total
I- Investment	2008-2009	1,485,775	4,457,325		5,943,100¹⁷
II- Legislative approximation and implementation					
- Personnel					
- Training	2008-2009		600,000		600,000¹⁸
	2009-2012	128,000	1,152,000		1,280,000¹⁹
- Consultancy	2008-2009		450,000		450,000²⁰
	2009-2012	278,200	2,503,800		2,782,000²¹
- Translation					
- Other					
Documentation, publication, stationery	2009-2012	43,800	394,200		438,000²²
Total		1,935,775	9,557,325		11,493,100

¹⁷ Financed by the project titled "Strengthening of the Epidemiological Surveillance and Control of Communicable Diseases System (ESCCDS) in Turkey (TA)-2 - TR 05.03.13" under Pre-Accession Financial Assistance 2005 Programme.

¹⁸ Financed by the project titled "Strengthening of the Epidemiological Surveillance and Control of Communicable Diseases System (ESCCDS) in Turkey (TA)-2 - TR 05.03.13" under Pre-Accession Financial Assistance 2005 Programme.

¹⁹ To be financed by the project titled "Surveillance and Control of Communicable Diseases - TR 08.02.16" under Pre-Accession Financial Assistance 2008 Programme.

²⁰ Financed by the project titled "Strengthening of the Epidemiological Surveillance and Control of Communicable Diseases System (ESCCDS) in Turkey (TA)-2 - TR 05.03.13" under Pre-Accession Financial Assistance 2005 Programme.

²¹ To be financed by the project titled "Surveillance and Control of Communicable Diseases - TR 08.02.16" under Pre-Accession Financial Assistance 2008 Programme.

²² To be financed by the project titled "Surveillance and Control of Communicable Diseases - TR 08.02.16" under Pre-Accession Financial Assistance 2008 Programme.

Priority 28.3 Strengthening the courts' capacity, including through training, to ensure consistency in interpretation of consumer legislation, ensuring a high level of protection through the effective enforcement of consumer protection rules and involvement of relevant consumer organisations

1 Schedule of legislative alignment

No legislative alignment is envisaged under this priority at this stage.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 28.3.2

No	Requirements	Year
(Ministry of Industry and Trade)		
1	Establishment of a 'Consumer Portal' in which consumer courts, arbitration committees and consumer organisations will be included	2009
2	Training for the members of arbitration committees	2009

3 Financial requirements and resources

Table 28.3.3

(Euro)

Requirements (Ministry of Industry and Trade)	Year	National Budget	EU sources	Other	Total
I- Investment					
Establishment of Consumer Portal	2009	297,000			297,000
II- Legislative approximation and implementation					
- Personnel					
- Training					
Training of arbitration committee members	2009	35,000			35,000
- Consultancy					
- Translation					
- Other					
Total		332,000			332,000

Priority 28.4 In the area of mental health, developing community-based services as an alternative to institutionalisation, and ensuring allocation of sufficient financial resources for mental health care

1 Schedule of legislative alignment

No legislative alignment is envisaged under this priority at this stage.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

Table 28.4.2

No	Requirements	Year
(Ministry of Health)		
1	Developing community-based mental health services as an alternative to institutionalisation	2010-2011
2	Issuing “Mental Health Action Plan” in parallel with Mental Health Policy Paper 2006	2009

3 Financial requirements and resources

Table 28.4.3

(Euro)

Requirements (Ministry of Health)	Year	National Budget	EU sources	Other	Total
I- Investment	2010-2011	250,000	750,000		1,000,000
II- Legislative approximation and implementation					
- Personnel	2010-2011	1,200,000			1,200,000
- Training					
- Consultancy					
- Translation					
- Other					
Commission meetings, preparing printed materials	2009	8,000	72,000		80,000
Total		1,458,000	822,000		2,280,000

CHAPTER 29 CUSTOMS UNION

Priority 29.1 Aligning legislation on free zones with the relevant acquis, particularly for rules concerning customs controls and tax auditing

1 Schedule of legislative alignment

Table 29.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Council Regulations No. 2913/92, 2700/2000, 1383/2003 and 648/2005	Law Amending Customs Law and Certain Laws and Decree Laws ¹	Increasing the effectiveness and efficiency of customs activities; entitling customs administration for granting authorisations regarding customs procedures with economic impact; clear identification of activities subject to penalties; harmonization of security and safety measures and arrangements for authorized economic operators; making customs controls based on risk identification and assessment and using computerised risk analysis techniques; establishing risk management framework of Undersecretariat of Customs and identification of risk criteria and priority control areas; submission of summary declaration within a certain period before arrival of the goods brought into Turkish Customs Territory; submission of customs declaration, or in case this declaration is not required, submission of pre-departure summary declaration for goods exit from the Turkish Customs Territory; simplification of the procedures for amending customs declarations; filling the gap in the customs legislation regarding identification of the boundaries and entry and exit points of free zones.	Undersecretariat of Customs	2009

¹ It is also mentioned under “Priority 7.1 Improving the capacity of police, customs and the judiciary to enforce intellectual property rights, including strengthening coordination between these bodies” “Priority 29.2 Strengthening the enforcement capacity of the customs administration, particularly regarding the fight against illegal trade and counterfeit. Continuing the preparations for interconnectivity of the IT systems with the EU” and “Priority 29.4 Completing alignment of customs legislation on dual-use goods and technologies, precursors and counterfeit and pirated goods”

Table 29.1.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
2	Regulations No. 2913/92 and 2454/93	Amendment to the Legislation on Free Zones		Undersecretariat for Foreign Trade Undersecretariat of Customs	To be enacted within the framework of full membership perspective

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

Priority 29.2 Strengthening the enforcement capacity of the customs administration, particularly regarding the fight against illegal trade and counterfeit. Continuing the preparations for interconnectivity of the IT systems with the EU

1 Schedule of legislative alignment

Table 29.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Council Regulations No. 2913/92, 2700/2000, 1383/2003 and 648/2005	Law Amending Customs Law and Certain Laws and Decree Laws ²	Increasing the effectiveness and efficiency of customs activities; entitling customs administration for granting authorisations regarding customs procedures with economic impact; clear identification of activities subject to penalties; harmonization of security and safety measures and arrangements for authorized economic operators; making customs controls based on risk identification and assessment and using computerised risk analysis techniques; establishing risk management framework of Undersecretariat of Customs and identification of risk criteria and priority control areas; submission of summary declaration within a certain period before arrival of the goods brought into Turkish Customs Territory; submission of customs declaration, or in case this declaration is not required, submission of pre-departure summary declaration for goods exit from the Turkish Customs Territory; simplification of the procedures for amending customs declarations; filling the gap in the customs legislation regarding identification of the boundaries and entry and exit points of free zones.	Undersecretariat of Customs	2009

² It is also mentioned under “Priority 7.1 Improving the capacity of police, customs and the judiciary to enforce intellectual property rights, including strengthening coordination between these bodies”, Priority 29.1 Aligning legislation on free zones with the relevant acquis, particularly for rules concerning customs controls and tax auditing” and “Priority 29.4 Completing alignment of customs legislation on dual-use goods and technologies, precursors and counterfeit and pirated goods”

Table 29.2.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
2		Law on Amendment to and Adoption of the Decree Law No. 485 on the Organization and Functions of the Undersecretariat of Customs	Strengthening the administrative capacity of Undersecretariat of Customs, and thus, improvement of the effectiveness and efficiency of customs services.	Undersecretariat of Customs	2009-2010
3	Regulations No. 1383/2003, 2454/93 and 1891/2004.	Implementing Regulation Amending the Implementing Regulation on Customs ³	Improvement of the effectiveness and efficiency of the customs activities.	Undersecretariat of Customs	2009
4	Council Regulation No. 2658/87	Legislation Necessary for the Harmonization of the Current BILGE System with the TARIC System	Harmonization with EU legislation.	Undersecretariat of Customs Undersecretariat for Foreign Trade	After 2011

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation**Table 29.2.2**

No	Requirements	Year
(Undersecretariat of Customs)		
1	Centralization of customs implementation for protecting the Intellectual Property Rights and establishment of a computer database accessible by the local customs administrations	2009
2	Establishment of a central risk analysis unit	2009
3	Re-structuring of the post-control system ⁴	2009
4	Establishment of the regional risk analysis departments ⁵	2010-2013
5	Employment of personnel in order to enhance the human resources capacity of the customs administration ⁶	2009

³ It is also mentioned under "Priority 7.1 Improving the capacity of police, customs and the judiciary to enforce intellectual property rights, including strengthening coordination between these bodies" and "Priority 29.4 Completing alignment of customs legislation on dual-use goods and technologies, precursors and counterfeit and pirated goods"

⁴ Financed by the project titled "Modernisation of the Turkish Customs Administration III- TR 06 03 07" under Pre-Accession Financial Assistance 2006 Programme

⁵ To be financed by the project titled "Modernisation of the Turkish Customs Administration VI" under Pre-Accession Financial Assistance 2009 Programme

⁶ Personnel will be recruited in accordance with budget allocations.

3 Financial requirements and resources

Table 29.2.3

(Euro)

Requirements (Undersecretariat of Customs)	Year	National Budget	EU sources	Other	Total
I- Investment					
Customs IT Systems Project (Supply of equipments for the development of Integrated Tariff Management System-ITMS and New Computerized Transit System-NCTS) ⁷	2009	650,000	2,600,000		3,250,000
Supply of the Vehicle Tracking System and other systems in the context of improvement of the Customs Enforcement infra-structure ⁸	2009	875,000	2,625,000		3,500,000
Supply of the railroad cargo inspection system in the context of improvement of the Customs Enforcement infra-structure ⁹	2009	969,285	2,907,854		3,877,139
Construction of the regional customs laboratory in Istanbul	2009	5,965,000			5,965,000
Supply of the modern analysis device and equipment for the regional customs laboratory in Istanbul ¹⁰	2009	1,175,000	3,525,000		4,700,000
Supply of the patrol boats, patrol vehicles and mobile scanning system in the context of improvement of the Customs Enforcement infra-structure ¹¹	2009-2010	3,700,000	11,100,000		14,800,000
Strengthening of the Central Risk Analysis Unit; establishment of the regional risk analyses departments; ensuring of the coordination and data flow between these departments and the Central Risk Analysis Unit; supply of the equipment and vehicles in the context of improvement of the efficiency of the regional risk analyses departments ¹²	2010-2013	1,750,000	5,250,000		7,000,000

⁷ Financed by the project titled "Modernisation of the Turkish Customs Administration III- TR 06 03 07" under Pre-Accession Financial Assistance 2006 Programme

⁸ Financed by the project titled "Modernisation of the Turkish Customs Administration III- TR 06 03 07" under Pre-Accession Financial Assistance 2006 Programme

⁹ Financed by the project titled "Modernisation of the Turkish Customs Administration V- TR 08 02 20" under Pre-Accession Financial Assistance 2008 Programme

¹⁰ Financed by the project titled "Modernisation of the Turkish Customs Administration IV- TR 07 02 03" under Pre-Accession Financial Assistance 2007 Programme

¹¹ To be financed by the project titled "Modernisation of the Turkish Customs Administration VI" under Pre-Accession Financial Assistance 2009 Programme

¹² To be financed by the project titled "Modernisation of the Turkish Customs Administration VI" under Pre-Accession Financial Assistance 2009 Programme

Table 29.2.3 (Continued)

(Euro)

Requirements (Undersecretariat of Customs)	Year	National Budget	EU sources	Other	Total
II- Legislative approximation and implementation					
- Personnel					
- Training					
In service training for customs officers to increase the level of knowledge on prevention of illegal trade and counterfeiting	2008-2011	12,000,000			12,000,000
EU funded (e.g. TAIEX) supported trainings for customs officers to increase the capacity regarding suspicious consignments	2008-2009		5,500		5,500
Training provided by the trademark holders for customs officers to increase the capacity of discernment of the fake and the original goods and the level of knowledge on specifications of the products bearing trademarks	2008-2009			31,500	31,500
Training of customs chemists on the use of the databases of EU customs laboratories and the tariff classification (twinning light) ¹³	2008-2009		250,000		250,000
Training of the Customs Enforcement personnel on sea operations ¹⁴	2010-2013	40,000	360,000		400,000
Training of the personnel of the risk analyses departments on risk techniques ¹⁵	2010-2013	140,000	1,260,000		1,400,000

¹³ Financed by the project titled "Modernisation of the Turkish Customs Administration IV" under Pre-Accession Financial Assistance 2007 Programme

¹⁴ To be financed by the project titled "Modernisation of the Turkish Customs Administration VI" under Pre-Accession Financial Assistance 2009 Programme

¹⁵ To be financed by the project titled "Modernisation of the Turkish Customs Administration VI" under Pre-Accession Financial Assistance 2009 Programme

Table 29.2.3 (Continued)

(Euro)

Requirements (Undersecretariat of Customs)	Year	National Budget	EU sources	Other	Total
- Consultancy					
Consultancy service for the establishment of the infra-structure of Integrated Tariff Management System-ITMS and New Computerized Transit System-NCTS ¹⁶	2008-2009		4,400,000		4,400,000
Twinning projects for the implementation of Integrated Tariff Management System-ITMS and New Computerized Transit System-NCTS ¹⁷	2008-2009		2,000,000		2,000,000
Twinning project on training and restructuring of post-control system under EU Pre-Accession Financial Assistance 2006 Programming ¹⁸	2008-2009		2,000,000		2,000,000
- Translation					
- Other					
Total		27,264,285	38,283,354		65,579,139

¹⁶ Financed by the project titled "Modernisation of the Turkish Customs Administration III- TR 06 03 07" under Pre-Accession Financial Assistance 2006 Programme

¹⁷ Financed by the project titled "Modernisation of the Turkish Customs Administration III- TR 06 03 07" under Pre-Accession Financial Assistance 2006 Programme

¹⁸ Financed by the project titled "Modernisation of the Turkish Customs Administration III- TR 06 03 07" under Pre-Accession Financial Assistance 2006 Programme

Priority 29.3 Eliminating customs duty relief for goods covered by the Customs Union and which are sold in duty-free shops to travellers entering in Turkey

1 Schedule of legislative alignment

Table 29.3.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1		Ministerial Decree Amending the Annex Decision on “Reliefs and Derogations from the Customs Duties” of the Ministerial Decree No. 2000/53 of 13/1/2000	Aligning the provisions of Ministerial Decree No. 2000/53 in relation to the importation of goods sold at shops at arrival points with EU acquis.	Undersecretariat of Customs	2009-2011

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage

Priority 29.4 Completing alignment of customs legislation on dual-use goods and technologies, precursors and counterfeit and pirated goods

1 Schedule of legislative alignment

Table 29.4.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Council Regulations No. 2913/92, 2700/2000, 1383/2003 and 648/2005	Law Amending Customs Law and Certain Laws and Decree Laws ¹⁹	Increasing the effectiveness and efficiency of customs activities; entitling customs administration for granting authorisations regarding customs procedures with economic impact; clear identification of activities subject to penalties; harmonization of security and safety measures and arrangements for authorized economic operators; making customs controls based on risk identification and assessment and using computerised risk analysis techniques; establishing risk management framework of Undersecretariat of Customs and identification of risk criteria and priority control areas; submission of summary declaration within a certain period before arrival of the goods brought into Turkish Customs Territory; submission of customs declaration, or in case this declaration is not required, submission of pre-departure summary declaration for goods exit from the Turkish Customs Territory; simplification of the procedures for amending customs declarations; filling the gap in the customs legislation regarding identification of the boundaries and entry and exit points of free zones.	Undersecretariat of Customs	2009
2	Regulations No. 1383/2003 2454/93 and 1891/2004.	Implementing Regulation Amending the Implementing Regulation on Customs ²⁰	Improvement of the effectiveness and efficiency of the customs activities.	Undersecretariat of Customs	2009

¹⁹ It is also mentioned under “Priority 7.1 Improving the capacity of police, customs and the judiciary to enforce intellectual property rights, including strengthening coordination between these bodies”, “Priority 29.1 Aligning legislation on free zones with the relevant acquis, particularly for rules concerning customs controls and tax auditing” and “Priority 29.2 Strengthening the enforcement capacity of the customs administration, particularly regarding the fight against illegal trade and counterfeit. Continuing the preparations for interconnectivity of the IT systems with the EU”

²⁰ It is also mentioned under “Priority 7.1 Improving the capacity of police, customs and the judiciary to enforce intellectual property rights, including strengthening coordination between these bodies”, and “Priority 29.2 Strengthening the enforcement capacity of the customs administration, particularly regarding the fight against illegal trade and counterfeit. Continuing the preparations for interconnectivity of the IT systems with the EU”

Table 29.4.1 (Continued)

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
3	Regulation No. 1334/2000	Law on Export Controls of Dual-Use Items	Activation of the coordination between the institutions and agencies taking part in export controls of dual-use items and fulfilment of the commitments within the scope of the international arrangements, to which Turkey is a party, that provide for subjection of dual-use items to export controls in order to prevent the proliferation of mass destruction weapons	Undersecretariat for Foreign Trade	2009-2010

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation**Table 29.4.2**

No	Requirements	Year
(Undersecretariat of Customs)		
1	Centralization of customs implementations for protecting the Intellectual Property Rights and establishment of a computer database accessible by the local customs administrations	2009

3 Financial requirements and resources

Financial requirements regarding this institutional capacity building measure is mentioned in Table 29.2.3.

CHAPTER 30 EXTERNAL RELATIONS

Priority 30.1 Aligning with the EU position in the World Trade Organisation, as regards the Doha Development Agenda and in the OECD

Turkey aligns, where possible, its policies towards third countries and its positions within international organisations with those of the EU. In this context, Turkey refers to the “Presidency Statement made with the Consent of the Council”, on 3rd October 2005, during the adoption of Negotiating Framework for Turkey, which stipulates the following:

“Paragraph 7 of the Negotiating Framework, which is covering all relevant international organisations, cannot be interpreted as prejudicing the autonomy of decision-making and rights of any of those international organisations or of their members, or of the Member States of the European Union.”

Alignment with EU’s position in the platform of WTO, especially within the framework of DOHA Development Agenda, should not be conceived as an exact transposition of the EU’s position. On the contrary, as pronounced in the legal documents between the Parties, progressive alignment with the EU’s position is envisaged especially in certain areas of priority and sensitivity, which is also stated in the seventh paragraph of Negotiation Framework Document.

1 Schedule of legislative alignment

Table 30.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Council Directives 98/29/EC and 84/568/EEC	Amendment to Law No. 3332 on Banks	The Law regulating the establishment, objectives and the operations of the Bank.	Turk Eximbank	2009-2010

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

Priority 30.2 Completing the alignment with the European Community regime on generalised system of preferences (GSP)

Regarding the scope of the products, Turkey's commitments emerging from the Association Council Decision No. 1/95 includes only the industrial products within the scope of the Customs Union until full membership; in this respect harmonization with EU's GSP Regime, in terms of its results, has been achieved with Import Regime Decree of 2008 and Import Communiqué No. 2008/19. This Decree and the Communiqué are regularly updated in parallel to the related EU Directives. The harmonization in terms of agricultural and ECSC products will be ensured within the framework of full membership perspective and implementation will start upon accession.

1 Schedule of legislative alignment

No legislative alignment is envisaged under this priority at this stage.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

Priority 30.3 Continuing efforts to conclude outstanding free trade agreements with third countries in line with the acquis

Regarding to the adoption of Free Trade Agreements (FTAs) concluded by the EU, Turkey is experiencing difficulties due to reluctant approach of some third countries in starting negotiations with Turkey. Therefore, although efforts to “conclude FTAs in the framework of EU acquis” in accordance with the related priority of the Accession Partnership Document continue, starting and concluding FTA negotiations depend on not only Turkey’s efforts, but also the third countries’ positive approach. Moreover, in order overcome this bottleneck, it is required that the EU should take initiatives in respect of the related third countries and exercise its will power.

1 Schedule of legislative alignment

Table 30.3.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	FTAs concluded by the EU with the third countries - EU-Montenegro Stabilisation and Association Agreement (SAA) - EU-Chile Association Agreement (AA) - EU-Jordan AA - EU-Lebanon AA - EU-Faroe Islands FTA - EU-Serbia SAA ¹ - EU-Mexico Economic Partnership, Political Coordination and Cooperation Agreement - EU Algeria AA - EU-Republic of South Africa Trade and Development Co-operation Agreement	Ratification Laws regarding the Free Trade Agreements concluded with the Third Countries	Concluding parallel agreements with the countries which the EU concluded FTAs within the framework of adopting the EU’s preferential trade regimes,.	Undersecretariat for Foreign Trade	2009 and Beyond ²

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

¹ The Agreement was signed but is not in force yet.

² Depends on the negotiation process of the conclusion of FTAs between Turkey and the related countries.

CHAPTER 31 FOREIGN, SECURITY AND DEFENSE POLICY

Turkey aligns, where possible, its policies towards third countries and positions within international organisations with those of the EU. In this context, Turkey refers to the “Presidency Statement made with the Consent of the Council”, on 3rd October 2005, during the adoption of Negotiating Framework for Turkey, which stipulates the following:

“Paragraph 7 of the Negotiating Framework, which is covering all relevant international organisations, cannot be interpreted as prejudicing the autonomy of decision-making and rights of any of those international organisations or of their members, or of the Member States of the European Union.”

1 Schedule of legislative alignment

No legislative alignment is envisaged under this priority at this stage, as the screening report of this chapter has not been received yet. However there is an ongoing work on the legislation covered by this chapter, including being a party to the “Statute of the International Criminal Court”.

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

CHAPTER 32 FINANCIAL CONTROL

Priority 32.1 Adoption of an updated public internal financial control (PIFC) policy paper and derived public internal financial control legislation

1 Schedule of legislative alignment

Table 32.1.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Publication date
1	Regulation No. 1605/2002	Council of Ministers Decree on the Public Internal Financial Control Policy Paper	Analysis of the current situation in the area of public internal financial control and identification of the work to be conducted in the future.	Ministry of Finance	2009
2	Regulation No. 1605/2002	Law Amending the Law No. 5018 on Public Financial Management and Control	Restructuring of the Central Harmonization Unit in order to develop and coordinate the public internal audit system.	Ministry of Finance	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

Priority 32.2 Adoption of pending legislation to guarantee the functioning of the Turkish Court of Accounts in line with the International organisation of supreme audit institutions (INTOSAI) standards and guidelines

1 Schedule of legislative alignment

Table 32.2.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Date of enforcement
1	Regulations No. 4253/88, 2988/95, 2064/97 and 1267/1999	Law on the Turkish Court of Accounts ¹	Ensuring compliance with the Constitution and the Law no. 5018 in order to ensure contribution of external audit to the establishment of an accountable and transparent public financial management system	Turkish Court of Accounts	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage.

¹ It is also mentioned under the “Priority 23.1 Increasing the efficiency, efficacy and functionality of the judiciary”

Priority 32.3 Setting up an operationally independent anti-fraud coordination structure for the protection of EU financial interests

1 Schedule of legislative alignment

Table 32.3.1

No	EU legislation in force	Draft Turkish legislation	Scope	Institution in charge	Date of enforcement
1	Article 280 of the EC Agreement	Legislation on Establishment of Anti-Fraud Co-ordination Structure-AFCOS	Setting up a inter-institutional network to fight against fraud in order to protect EU's financial interests.	Prime Ministry Inspection Board	2009

2 Schedule of institutional capacity building requirements necessary for legislative approximation and implementation

No institutional capacity building requirement is envisaged under this priority at this stage. However, it is possible to establish new appointments within the current structure while establishing AFCOS with a view to reaching required standards for protecting EU's financial interests.

3 Financial requirements and resources

No financial requirement is envisaged under this priority at this stage. However, financing may be necessary in the framework of new arrangement in order to provide training, infrastructure (IT, management control units...etc) and to ensure coordination and filing.