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EU Acquis and Harmonization of Local Authorities in Turkey: *An Analysis*



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LIST OF ABBREVIATIONS

ABEK	European Union Coordination Council (<i>Avrupa Birliđi Eşgüdüm Kurulu</i>)
AETR	European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport
CECIS	Common Emergency Communication and Information System
CEMR	Council of European Municipalities and Regions
CFCU	Central Finance and Contracts Unit
CFSP	Common Foreign and Security Policy
CIVITAS	City-Vitality-Sustainability: Cleaner and Better Transport in Cities
CO	Carbon monoxide
CO₂	Carbon dioxide
CoE	Council of Europe
CoR	Committee of the Regions
COSME	Competitiveness of Enterprises and Small and Medium-sized Enterprises
COVID-19	Novel Coronavirus Disease
CSO	Civil society organisation
DEUA	Directorate for EU Affairs of the Ministry of Foreign Affairs of the Republic of Turkey
DG	Directorate-General
DG CLIMA	European Commission Directorate-General for Climate Action
DG ENER	European Commission Directorate-General for Energy
DG ENV	European Commission Directorate-General for Environment
DG MOVE	European Commission Directorate-General for Mobility and Transport
DG NEAR	European Commission Directorate-General for European Neighbourhood Policy and Enlargement Negotiations
DGLA	Directorate-General of Local Authorities of the Ministry of Environment and Urbanisation of the Republic of Turkey
EASI	Employment and Social Innovation
EEA	European Environment Agency
EMAS	European Eco-management and Audit Scheme
ESPON	European Observation Network for Territorial Development and Cohesion
EU	European Union
GDP	Gross Domestic Product
IPA	Instrument for Pre-accession Assistance
ISO	International Organization for Standardization
KAYSİS	<i>Elektronik Kamu Bilgi Yönetim Sistemi</i> (Electronic Public Information Management System)
KENTGES	<i>Bütünleşik Kentsel Gelişme Stratejisi ve Eylem Planı 2010-2023</i> (Integrated Urban Development Strategy and Action Plan for 2010-2023)
LA	Local Authorities
LAU	Local Authorities Union

M	Municipality
MENR	Ministry of Energy and Natural Resources of the Republic of Turkey
MEU	Ministry of Environment and Urbanisation of the Republic of Turkey
MM	Metropolitan municipality
Mol	Ministry of Interior of the Republic of Turkey
MTI	Ministry of Transport and Infrastructure of the Republic of Turkey
NEEAP	National Energy Efficiency Action Plan
NO _x	Nitrogen oxides
OJ	Official Journal of the European Union
R&D	Research and development
REC	Regional Environmental Centre
SEA	Strategic Environmental Assessment
SO ₂	Sulfur dioxide
SP	Strategic Plan
SPA	Special Provincial Administrations
SWD	Staff Working Document
TAIEX	Technical Assistance and Information Exchange
TAT	Technical Assistance Team
TOE	Tonne of oil equivalent
ToR	Terms of Reference
UMT	Union of Municipalities of Turkey
UP	Union of Provinces
VİBEM	<i>Vilayetler Birliği Sürekli Eğitim Merkezi</i> (Continuous Education Centre of the Union of Provinces)
VNG International	International Cooperation Agency of the Association of Netherlands Municipalities (<i>Vereniging van Nederlandse Gemeenten</i>)
WSA	Water and Sewerage Administration
YEKA	<i>Yenilenebilir Enerji Kaynak Alanı</i> (Renewable Energy Resources Zone)
YİKOB	<i>Yatırım İzleme ve Koordinasyon Başkanlığı</i> (Investment Monitoring and Coordination Directorate)

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EXECUTIVE SUMMARY

The project entitled “Town Twinning between Turkey and the European Union” is a technical assistance project co-financed by the European Union and the Republic of Turkey. The overall objective of the project is to increase the administrative capacity at local level in Turkey's EU accession process. The analysis of the implementation of the EU *acquis* at local level is envisaged as one of the project activities geared toward capacity building. Its purposes are **measuring the impact of the EU *acquis* at the local level and defining the roles and responsibilities of the local authorities in the implementation of the EU *acquis* in selected themes**. The analysis is mainly aimed at the elected and appointed officials working at the local authorities, but it will also be useful for officials working at the central government level in the process of improving the relevant legal and administrative framework.

The beneficiary of the project is the Directorate for EU Affairs and the key stakeholders consist of the Union of Municipalities of Turkey, the Union of Provinces, and the Directorate-General of Local Authorities within the Ministry of Environment and Urbanisation. The target groups of the project consist of the Directorate for EU Affairs and the key stakeholders delineated above as well as the local authorities in Turkey. Being part of the capacity building activities, the present report is among the key outputs of the Town Twinning Project and aims at **increasing the level of knowledge and understanding at the local level concerning Turkey's process of accession to the EU and its impact on local authorities policies and services**. The document is also intended to promote town twinning activities between Turkish and EU counterparts by way of pointing out to possible fields of information exchange and co-operation in relation to harmonisation with the EU *acquis*.

Since the beginning of the 1950s, the supranational entity that has set out with only six members has been expanding into what is today referred as the EU with 27 member states. Enlargement of the EU is regulated by the Treaty on European Union and countries aspiring to become members of the EU are expected to meet a set of conditions commonly referred as the Copenhagen Criteria, which prescribe the political, economic, and legal foundations on which the participation in the EU shall be built. **Adoption and implementation of the EU *acquis*, which is defined as the body of common rights and obligations that are binding on all EU countries as members, is an inherent part of the negotiations stage in the process of accession to the EU**. EU membership requires constantly harmonizing the EU *acquis* into the national legislation of the member state. Although a major part of the accession process to the EU is called ‘negotiations’, the EU *acquis* as a whole is not negotiable. What is being negotiated between the EU and the candidate country is not the content of the EU *acquis* but it is how and when the candidate country will be fully adopting and implementing the EU *acquis*. The EU *acquis* is what makes the EU an entity based on and operating in the rule of law and upholds trust among the member states to ensure a credible and equitable setting for all members. At present, the EU *acquis* as the basis of the rule of law in the EU is considered to be approximately 130.000 pages long and it is grouped into 35 chapters for the purposes of the present negotiations of accession. The EU is monitoring and assessing the progress of all candidate countries in the accession negotiations process and making various forms of financial and technical assistance available to support the candidate countries while they are undertaking the necessary reforms and harmonisation initiatives. **The entire process of accession to the EU is a matter for the national government of the candidate country and it is the national legislation that is expected to be in harmony with the EU *acquis***. Nevertheless, full awareness and understanding of the accession process is required at all levels of government and in the civil society.

Turkey formally applied for full membership to the EU in 1987 and was officially declared by the EU a candidate country for EU membership in 1999. **The accession negotiations were opened in 2005**. Out of the 35 EU *acquis* chapters identified by the EU, 16 of them have been opened for negotiations so far and only one of them has been provisionally closed up until 2020. Since 1998, the progress of Turkey in adopting and implementing the criteria for membership has been monitored by the EU with annual reports and 21 of such progress reports have been issued to date. These reports were called “Progress Reports” until 2016 and thereafter were named “Country Report.” In order to support the progress towards accession, the EU has allocated more than 8 billion euros of financial assistance to Turkey between 2007 and 2020. **Turkey is by far the primary recipient of the pre-accession financial assistance compared to the other candidate and potential candidate countries in terms of the total amount allocated**. However, per capita allocation for the period 2014-2020 was around 58 euros in Turkey while it reached to more than 350 euros in Montenegro and Kosovo. In the face of the mass migration from Syria as a result of which 3,6 million people sought temporary protection in Turkey, the EU also made available a total of 6 billion euros between 2016 and 2019. As regards the administration of the accession process, European Commission's DG NEAR is responsible for the enlargement negotiations, and on the side of Turkey, the process of accession to the EU is currently administered by Ministry of Foreign Affairs Directorate for

EU Affairs. In accordance with the Presidential Circular No. 2019/22, the commitment of Turkey in the continuation of the activities towards harmonisation with the EU is reiterated and a high-level EU Coordination Council is established among the public institutions to guide, monitor, and evaluate the status of harmonisation with the EU *acquis* in a participatory approach.

The application of what has been regulated at the EU level is carried out by the own legislative systems of the member states and this process is referred as the ratification or transposition of the EU *acquis* into national legislation. Once the EU *acquis* is transposed into national legislation of the member state, it is innately one and the same with the national legislation of that member state. Therefore, **the EU *acquis* that is applied at the national level is basically national legislation for all intents and purposes.** In this context, **the impact of the EU *acquis* at local level is exactly the same as the impact of any national legislation at local level,** and all legislative instruments impact all kinds of human interaction at all levels either directly or indirectly. The main determinant here is the public administration structure of the member state, and the extent of the functions and powers of local authorities within the overall structure and operation of the national governmental system in place. It is therefore logical to assume that the impact of the EU *acquis* on the local level would vary from one member state to the other and it would be relatively higher in a member state with a more decentralised governmental system than in a member state with a more centralised one. The specific topic of the EU *acquis* also plays an important role on its impact at the local level. The principle of conferral, which is governed by the principles of subsidiarity and proportionality is the determining factor concerning the division of competences within the EU. As the majority of the competences conferred to the EU fall under exclusive and shared competences, **there is a predominantly indirect impact of the EU on the local level.** However, the implementation of the EU *acquis*, or any kind of legislative instrument in that respect, is such an interconnected process affecting the entire governmental system that it is practically impossible to decouple the involvement of or the impact on the different levels of government. This being the case, **it is highly important to ensure that local authorities are properly involved in the transposition of the EU *acquis* into national legislation in order to achieve successful implementation of the related legislative instruments.** According to the European Committee of the Regions, 70 percent of all EU legislation has an impact on regions and cities, and this Committee is consulted in all legislative processes carried out by the EU so that the decisions taken at the EU level show due regard to the conditions and needs at the local level. **There is a mutually reinforcing legislative mechanism among the different administrative levels in the EU, where the local level can directly contribute to shaping the EU *acquis* and then take part in effectively implementing it.** For the local authorities in the EU member states, the first step of implementing the national legislation that is introduced or amended on account of the EU *acquis* is fully understanding the policy background and the intended objectives. Full implementation of the EU *acquis* and therefore achieving the European objectives is a shared responsibility for the local, regional and national levels as well as the level of the EU.

The first step of the analysis was to identify the three EU *acquis* chapters to be addressed. In this context, Chapter 14: Transportation policy, Chapter 15: Energy and Chapter: 27. Environment and Climate Change were selected. As a second step, a conceptual framework has been prepared in order to draw a clear boundary for the research. As the second step, a conceptual framework was prepared to provide a clearer boundary for research. As a result of this refinement process, out of the total of 30 main topics covered in the selected three chapters of the EU *acquis*, a total of 15 main topics and 22 sub-topics were identified to be analysed. The research stage of the analysis was carried out as desk research on the impact of each one of these topics by focusing on the following six dimensions: aim, key points in relevant legal texts of the EU *acquis*, relevant mandates of local authorities in Turkey, assessment of compliance with key points, major channels of improvement, challenges and opportunities for full alignment. Furthermore, as an additional sub-activity introduced in the Technical Proposal, an evaluation study was carried out with contributions from four pilot municipalities.

For each one of the selected EU *acquis* chapters, **a brief description of the specific EU *acquis* and the selected topics** for analysis were provided, **the current state of alignment in Turkey** with respect to the selected EU *acquis* was summarised, the specific topics selected under each chapter were analysed with respect to **six dimensions mentioned above**, and the **main policy highlights** were listed for local authorities in Turkey.

The four pilot municipalities identified for the evaluation of the analysis were Çankaya Municipality (Ankara), Gaziantep Metropolitan Municipality, Antalya Metropolitan Municipality and Mersin Metropolitan Municipality. The rubric of the evaluation included general questions on the process of accession the EU, and specific questions on the local level implementation of legislation and policies in relation to the relevant EU *acquis* per each selected topic of the three selected chapters. The evaluation exercise allowed the exchange of useful information and practical examples and provided constructive input that reaffirm and reinforce the findings of the analysis. **It is observed that many important municipal activities are being implemented in all of the different fields analysed.** However, when

questioned about the rationale of such activities and whether or not harmonisation with the EU is an underlying driving force, the common response indicated that the EU *acquis* per se has no direct impact at the local level. The results of the evaluation were summarised with respect to the following main topics: involvement of local authorities in the legislative cycle, taking into consideration the cost of compliance on the side of the local authorities, integrating EU harmonisation priorities into local strategic management processes with clear targets, strengthening horizontal and vertical communication and co-operation, and improving the management of EU funded financial support to local authorities.

The analysis revealed the extensive roles and responsibilities that local authorities shall and may assume in the process of harmonisation with the EU. The **priority focus areas** identified under each chapter can be considered as key starting points for local authorities in supporting full implementation of the EU *acquis* at the local level. The first general finding valid for all the topics analysed is that **there exists a general reference** to all of them in the relevant policies and legislation in Turkey. However, much of the existing policies, strategies, and action plans are soon to reach termination so there is need for developing updated policies and strategies for new short-, medium-, and long-term periods, including well-defined monitoring and evaluation mechanisms. Another general finding is that **much of the existing legislation does provide the broad basis that can be amplified by local authorities in order to enhance application at the local level**. Among the three chapters taken into account, Chapter 27 on environment and climate change was the only chapter for which accession negotiations are open. **The existence of explicit opening and closing benchmarks for EU *acquis* chapters would contribute to the national alignment efforts by setting clearer targets and priorities**. The specific findings of the analysis based on the three chapters analysed are summarised according to a three-scale overall assessment, which identifies the existence of general references, detailed references, and/or explicit reference to the EU *acquis*. As a result, **out of the 22 sub-topics analysed in each main topic, 14 can be considered to be in good compliance**, with Chapter 27 on environment and climate change having the highest level of comparative compliance.

As the study presented in this report was intended to be a methodological example on the impact of the EU *acquis* and its implementation at the local level, **a number of recommendations** including administrative, procedural, technical, and legal dimensions were highlighted **for ensuring better understanding, interpretation, implementation, monitoring, and evaluation** of the national legislation and policies at the local level in general, and for an improved perception and appreciation of the process of harmonisation with the EU *acquis* in particular. Additionally, as regards the domains of further research and analysis that will feed into relevant activities in Turkey, some examples on the recent efforts within the EU to strengthen policy making and implementation by way of **improving the principles of subsidiarity and proportionality** were listed. While focusing on the relationship between local authorities and the European Union related legislation, it would be useful to consider the different intersections of **experience sharing, external funding, multi-level governance reform, and national benchmarking** to channel the harmonisation efforts to the most appropriate public policy issues that would deliver the most efficient and effective results.

The conclusions drawn from the analysis are summarised based on the main questions of "what to focus on?", "why take action?", "how to work", and "who to work with?" that this study sought to compile answers to. In the end, the essence of the analysis on the impact of the EU *acquis* and its implementation at the local level can be boiled down to the seven points of 1) rationale, 2) rule of law, 3) target-setting, 4) performance, 5) decentralisation, 6) legislative cycle, 7) commitment. **Regardless of the progress of negotiations, implementation of the EU *acquis* needs to be perceived by local authorities not as an end in itself but as an anchor that provides a firm basis for further improvements.**

1 INTRODUCTION

The project entitled “Town Twinning between Turkey and the European Union” is a technical assistance project implemented by the Directorate for EU Affairs (DEUA) with co-financing from the European Union (EU) and the Republic of Turkey under the Instrument for Pre-accession Assistance (IPA II).

The overall objective of the project is to increase the administrative capacity at local level in Turkey's EU accession process by creating sustainable structures for exchange between local authorities in Turkey and the EU Member States.

In order to contribute to achieving this objective, various activities based on the method of town twinning are designed within the context of this project. Some of these activities focus on the exchange of information and experience through a series of events including training programmes, workshops, study visits, and an internship programme, which are conducted in Turkey and in the member states of the EU. In addition, a grant scheme is implemented to enable the acquisition of practical experience and to establish sustainable co-operation networks in the field of town twinning. Furthermore, a number of analyses and evaluation activities are envisaged to support and complement all these activities aimed at capacity building. Promotion and awareness-raising activities in relation to town twinning and the EU *acquis* are also incorporated within the context of the project.

The analysis of the implementation of the EU *acquis* at local level is envisaged as one of the project activities geared toward capacity building. With the purposes of defining the impact of the EU *acquis* at the local level and defining the roles and responsibilities of the local authorities¹ in the implementation of the EU *acquis* in selected themes, the analysis is targeted to be a reference document for relevant officials in Turkey as well as for representatives visiting from abroad to carry out work in this field. In this context, it is mostly intended for contributing to broadening the technical scope of town twinning activities by bringing the focus on the alignment with the EU *acquis* at the local level and by pointing out to policy priorities for information exchange and further co-operation in the process of harmonisation with the EU in order to revive and strengthen bottom-up support for EU accession.

Despite the fact that the direct responsibility for the adoption of the EU *acquis* rests with the central government, the immediate target group of this analysis is not the respective offices and officials at the central government level. With the purposes of increasing the overall comprehension and appreciation of the EU accession process at the local level, the analysis is mainly aimed at the elected and appointed officials working at the local authorities. Nevertheless, it will also be useful for officials working at the central government level in the process of improving the relevant legal and administrative framework influencing the functioning of local level public services.

The report of the analysis conducted begins by providing general information in relation to the project. Subsequently, general information on the EU accession process together with general information on the impact of the EU *acquis* at local level are provided. Then, the methodology of the analysis is explained. In the next three sections, the analysis carried out on the selected three chapters of the EU *acquis*,² which are transport, energy, and environment and climate change is presented in detail. Afterwards, the evaluation study in relation to the analysis, which took place in four pilot municipalities in Turkey is depicted and lastly, the summary of findings and issues for further analysis are pointed out.

The reader of this report will be able to find information throughout the document that can be useful in answering the following eight guiding questions in relation to the topics analysed (Figure 1):

- What is the current state of Turkey's process of accession to the EU?
- What is the EU *acquis* and which sectors and issues does it cover?
- Why and to what extent does the EU *acquis* concern local authorities?
- Why harmonising local policies and local service delivery with European standards is important?
- How can local authorities be involved in and contribute to the implementation of the EU *acquis*?

¹ Turkey signed the European Charter of Local Self-government on 21.11.1988, endorsed it on 8.5.1991 as published in the Official Journal No. 20877 dated 21.5.1991, and ratified it on 3.10.1992 as published in the Official Journal No. 21364 dated 3.10.1992.

² The three chapters included in the analysis are selected by the beneficiary on account of their direct relevance to the primary mandates of local authorities in Turkey.

- How can local service delivery be improved with the help of the EU *acquis*?
- Who can local authorities consult and obtain support for the implementation of the EU *acquis*?
- Who can local authorities co-operate with in the implementation of the EU *acquis*?

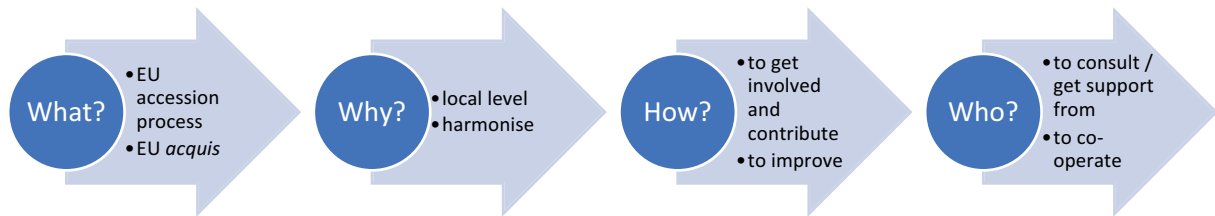


Figure 1: Guiding questions of the analysis

Although, the scope of the present analysis covers a number of selected sample topics from the three specific chapters of the EU *acquis*, the methodology developed for the purposes of this study is designed as a scalable template that allows expansion to include additional topics and chapters as deemed appropriate in the future.

All in all, this analysis is expected to provide guidance to local authorities in Turkey, particularly by contributing to raising awareness on the overall scope of the EU *acquis* and its relevance for decision-making and service delivery at the local level. The findings of the analysis are intended to provide input to furthering the alignment of local public policies with the EU standards and to contribute to paving the way for better quality, more effective, and more efficient local service delivery that is in better harmony with the EU.

2 GENERAL INFORMATION ON THE PROJECT

The project on Town Twinning between Turkey and the European Union is designed to encompass an implementation period of 32 months between 6 April 2018 and 5 December 2020.³

The beneficiary of the project is the Directorate for EU Affairs. The key stakeholders of the project consist of the Union of Municipalities of Turkey (UMT), the Union of Provinces (UP), and the Directorate-General of Local authorities (DGLA) within the Ministry of Environment and Urbanisation (MEU). The Central Finance and Contracts Unit (CFCU) is the Contracting Authority of the project.

The target groups of the project consist of the Directorate for EU Affairs and the key stakeholders delineated above as well as the local authorities in Turkey and the grant beneficiaries (local authorities from Turkey and the EU countries).

Technical Assistance for the Project is provided by WYG Türkiye, in consortium with Tetra Tech International Development B.V., WEglobal, and VNG International.

The overall objective of the project is to increase administrative capacity at local level in Turkey's EU accession process, whereas the purpose of the project is to create sustainable structures for exchange between local authorities in Turkey and the EU Member States in areas relevant for EU accession.

The activities planned for the implementation period of the project are envisaged to focus on the following four areas:

1. Improving the capacity of key institutions for town twinning initiatives with the EU (the Directorate for EU Affairs, the Union of Municipalities of Turkey, the Union of Provinces, and the Directorate-General of Local authorities within the Ministry of Environment and Urbanisation), and preparing and publishing a road map to give guidance for further structural improvements.
2. Sustaining the relations with key partners in the EU and Turkey for town twinning, including through strengthened networking structures.
3. Improving the capacity of Turkish local authorities in areas relevant for EU accession and disseminating best practices.
4. Increasing the quantity and quality of town twinning initiatives involving Turkish local authorities, including effective promotion and involvement of key stakeholders such as civil society and citizens at local level.

The project activities are grouped under two components: the first component focuses on "technical assistance for the implementation of the grant scheme" and the second component focuses on "capacity building activities". Component 1 encompasses the activities for the implementation of the grant scheme under which local authorities from Turkey and the EU carry out 23 small-scale town twinning projects together as beneficiary and co-beneficiary. Component 2 primarily focuses on capacity building activities and comprises a series of analyses, evaluation studies, and training activities in the areas of town twinning and the EU *acquis*.

Detailed and up-to-date information on the activities conducted under the project are provided in the "Yerelde AB" website (www.yereldeab.org.tr), which is the main online portal in Turkey in relation to the EU harmonisation activities at the local level, as well as in the Town Twinning Project web pages published under this portal (www.yereldeab.org.tr/towntwinning).

Being part of the capacity building activities, the present report is among the key outputs of the Town Twinning Project and aims at increasing the level of knowledge and understanding at the local level concerning Turkey's process of accession to the EU and its impact on local authorities' policies and services. The document is also intended to promote town twinning activities between Turkish and EU counterparts by way of pointing out to possible fields of information exchange and co-operation in relation to harmonisation with the EU *acquis*.

³ The project implementation period initially envisaged as 24 months has been updated as 32 months due to the precautions taken in response to the Novel Coronavirus Disease (COVID-19) pandemic.

3 GENERAL INFORMATION ON THE ACCESSION PROCESS TO THE EUROPEAN UNION

This section provides summary information on the enlargement of the EU and on Turkey's EU accession process with the purpose of establishing the overall framework within which the analysis of the implementation of the EU *acquis* at local level was envisaged.

3.1 Enlargement of the European Union

Since the beginning of the 1950s, the supranational entity that has set out with only six members (Belgium, France, Germany, Italy, Luxembourg, and The Netherlands) has been growing into what is today referred as the EU with 27 member states. Covering a population of more than 500 million, the EU continues its political and economic evolution as a supranational structure.

In fact, the EU is approaching enlargement as a means to promote democracy, fundamental freedoms, and the rule of law across the entire continent (European Commission, 2015). It is also promoting democracy and European values across its immediate neighbours.

Above all, the EU is a peace project that is based on agreeing on and adopting common values and living standards and gradually removing boundaries to achieve harmonious coexistence that fosters shared wellbeing and prosperity within and around Europe. The Norwegian Nobel Committee awarded the EU with the Nobel Peace Prize in 2012 by stating that the "union and its forerunners have for over six decades contributed to the advancement of peace and reconciliation, democracy and human rights in Europe".⁴ Therefore, becoming part of the EU can be interpreted as becoming part of this peace project and making an expressive commitment to democracy, fundamental freedoms, and the rule of law.

Enlargement of the EU is regulated by the Treaty on European Union⁵ in which Article 49 stipulates that:

Any European State which respects the values referred to in Article 2 and is committed to promoting them may apply to become a member of the Union. The European Parliament and national Parliaments shall be notified of this application. The applicant State shall address its application to the Council, which shall act unanimously after consulting the Commission and after receiving the consent of the European Parliament, which shall act by a majority of its component members. The conditions of eligibility agreed upon by the European Council shall be taken into account.

The conditions of admission and the adjustments to the Treaties on which the Union is founded, which such admission entails, shall be the subject of an agreement between the Member States and the applicant State. This agreement shall be submitted for ratification by all the contracting States in accordance with their respective constitutional requirements.

The values referred in Article 49 of the Treaty on European Union are stated in Article 2 as follows:

The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.

⁴ Further details available at: <https://www.nobelprize.org/prizes/peace/2012/summary/>.

⁵ Consolidated text available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:12012M/TXT>.

These values are further elaborated and embedded in the Treaty on European Union through the Charter of Fundamental Rights of the European Union.⁶

On the basis of the abovementioned provisions, countries aspiring to become members of the EU are expected to meet the following conditions, which are commonly referred as the Copenhagen Criteria:⁷

- 1) stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- 2) a functioning market economy and the ability to cope with competitive pressure and market forces within the EU;
- 3) ability to take on the obligations of membership, including the capacity to effectively implement the rules, standards and policies that make up the body of EU law (the '*acquis*'), and adherence to the aims of political, economic and monetary union.

These three Copenhagen Criteria respectively prescribe the political, economic, and legal foundations on which the participation in the EU shall be built. While all three of these criteria are jointly assessed for full membership, an applicant country may attain the status of a candidate country only if it sufficiently meets the political criteria. Very briefly, the process of accession to the EU involves three basic successive stages as shown in the figure 2 below:

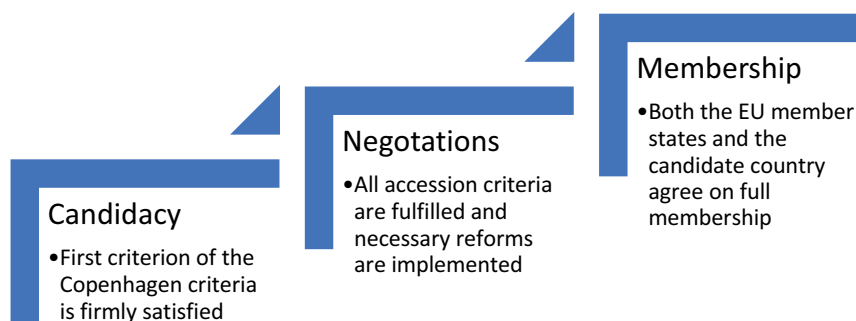


Figure 2: Process of accession to the EU

Adoption and implementation of the EU *acquis* is an inherent part of the negotiations stage in the process of accession to the EU described above. The EU defines the scope of the *acquis*⁸ as follows:

The EU's '*acquis*' is the body of common rights and obligations that are binding on all EU countries, as EU Members. It is constantly evolving and comprises:

- the content, principles and political objectives of the Treaties;
- legislation adopted in application of the Treaties and the case law of the Court of Justice of the EU;
- declarations and resolutions adopted by the EU;
- measures relating to the common foreign and security policy;
- measures relating to justice and home affairs;
- international agreements concluded by the EU and those concluded by the EU countries between themselves in the field of the EU's activities.

Due to its ever-evolving nature similar to any legislative instrument being used at national levels, countries acceding to the EU are not only obliged to adopt and implement the EU *acquis* in force upon their accession but they are also obliged to keep on incorporating any amendments and additions to it after becoming an EU member. Therefore, EU membership requires constantly ratifying the EU *acquis* into the national legislation of the member state.

⁶ Full text available at: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:083:0389:0403:en:PDF>.

⁷ Further details available at: https://eur-lex.europa.eu/summary/glossary/accesion_criteria_copenhagen.html.

⁸ Available at: <https://eur-lex.europa.eu/summary/glossary/acquis.html>.

One of the important characteristics of the process of accession to the EU is that although a major part of the process is called 'negotiations', the EU *acquis* as a whole is not negotiable (European Commission, 2015). What is being negotiated between the EU and the candidate country is not the content of the EU *acquis* but it is how and when the candidate country will be fully adopting and implementing the EU *acquis*.

The crucial significance of the EU *acquis* is that it is in direct relation with Article 2 of the Treaty on European Union on account of the explicit reference to the rule of law as being the foundation of the EU (European Commission, 2019a and Ballesteros, 2017). Indeed, it is the EU *acquis* that enables the EU to actually fulfil this principle and thereby safeguard democracy and fundamental rights within the EU. In this sense, the EU *acquis* is what makes the EU an entity based on and operating in the rule of law. By enabling the rule of law, the EU *acquis* is also what upholds trust among the member states to ensure a credible and equitable setting for all members. The EU defines the rule of law as follows:

[...] all public powers always act within the constraints set out by law, in accordance with the values of democracy and fundamental rights, and under the control of independent and impartial courts. The rule of law includes, among others, principles such as legality, implying a transparent, accountable, democratic and pluralistic process for enacting laws; legal certainty; prohibiting the arbitrary exercise of executive power; effective judicial protection by independent and impartial courts, effective judicial review including respect for fundamental rights; separation of powers; and equality before the law. (European Commission, 2019a)

Similar to many of the national legal systems, the different types of the EU law are categorised as primary and secondary, and also as legislative and non-legislative. The primary EU law refers to the treaties on which the entire system of the EU is founded. All other legislative instruments including regulations, directives, decision, recommendations, and opinions are considered as the secondary law of the EU. When a legal act is adopted through the legislative procedures set out in the EU treaties, these are referred as legislative acts. All others that can be adopted by the institutions of the EU based on specific rules are referred as non-legislative acts. The Figure 3 below provides descriptions of the most common types of legal acts utilised by the EU.⁹

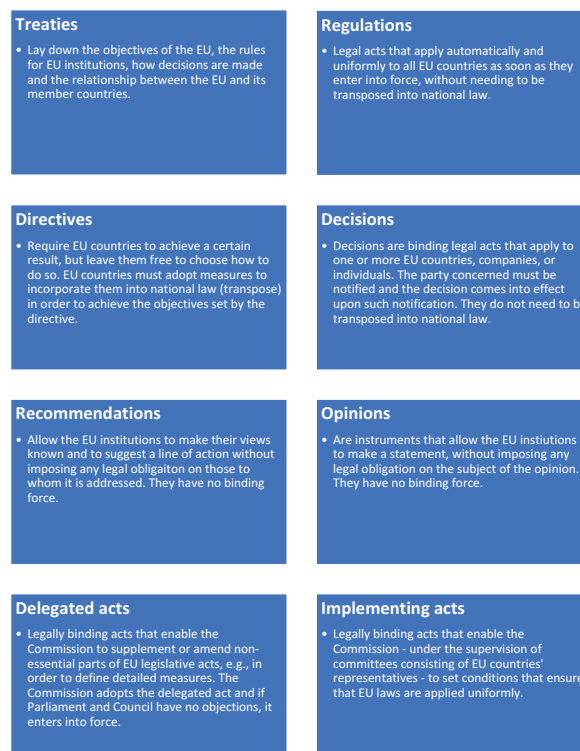


Figure 3: Most common types of EU legal acts

⁹ Available at: https://ec.europa.eu/info/law/law-making-process/types-eu-law_en.

At present, the EU *acquis* as the basis of the rule of law in the EU is considered to be approximately 130.000 pages long and it is grouped into 35 chapters¹⁰ for the purposes of the present negotiations of accession. The candidate countries for EU membership are expected to carry out all the necessary reforms under each one of these chapters in order to completely align their national legislation as well as their administrative and institutional structure for full implementation of the EU *acquis*, which will enable them to enjoy the same rights and to share the same responsibilities with all other member states upon accession.

The EU monitors and assesses the progress of all candidate countries in the accession negotiations process and making various forms of financial and technical assistance available to support the candidate countries while they are undertaking the necessary reforms and harmonisation initiatives. IPA is the major financial instrument of the EU for this purpose and more than 23 billion euros have been allocated to candidate countries within the period of 2007-2020 (the total of IPA and IPA II). The present project of 'Town Twinning between Turkey and the EU' is one of the examples of such financial and technical assistance precisely made available within the scope of IPA II for this purpose.

The entire process of accession to the EU is a matter for the national government of the candidate country. Starting from the candidacy, opening up of the accession negotiations, the screening process, opening and closing of negotiations for each one of the EU *acquis* chapters to the drafting and ratification of the accession treaty, it is the relevant institutions and offices at the central government level that are responsible and that oversee the whole process on behalf of the candidate country. Hence, it is the national legislation that is expected to comply with the EU *acquis*. Nevertheless, full awareness and understanding of the accession process is required at all levels of the government and in the civil society in order to ensure that the necessary reforms and harmonisation initiatives are truly embraced, internalised, and implemented in a broader context.

As of 2020, Albania, North Macedonia, Montenegro, Serbia, and Turkey are the five countries holding the candidate country status for EU membership. Bosnia and Herzegovina and Kosovo have the status of potential candidate.

3.2 Turkey's process of accession to the European Union

Turkey formally applied for full membership to the EU (then the European Economic Community) in 1987 and was officially declared by the EU a candidate country for EU membership in 1999. The accession negotiations were opened in 2005. A Customs Union Agreement is in effect between Turkey and the EU since 1995.

Out of the 35 EU *acquis* chapters identified by the EU, 16 of them have been opened for negotiations so far and only one of them (Chapter 25: Science and research) has been provisionally closed up until 2020. The current status of the negotiations 15 years after the beginning of the accession process is presented in Table 1 below:

¹⁰ Further details available at: https://ec.europa.eu/neighbourhood-enlargement/policy/conditions-membership/chapters-of-the-acquis_en.

Table 1: Current status of the EU accession negotiations with Turkey

Chapter No. and Title	Negotiation status*
1. Free movement of goods	Not open
2. Free movement of workers	Not open
3. Right of establishment and freedom to provide services	Not open
4. Free movement of capital	Opened in 2008
5. Public procurement	Not open
6. Company law	Opened in 2008
7. Intellectual property law	Opened in 2008
8. Competition policy	Not open
9. Financial services	Not open
10. Information society and media	Opened in 2008
11. Agriculture and rural development	Not open
12. Food safety, veterinary and phytosanitary policy	Opened in 2010
13. Fisheries	Not open
14. Transport policy	Not open
15. Energy	Not open
16. Taxation	Opened in 2009
17. Economic and monetary policy	Opened in 2015
18. Statistics	Opened in 2007
19. Social policy and employment	Not open
20. Enterprise and industrial policy	Opened in 2007
21. Trans-European networks	Opened in 2007
22. Regional policy and coordination of structural instruments	Opened in 2013
23. Judiciary and fundamental rights	Not open
24. Justice, freedom and security	Not open
25. Science and research	Provisionally closed in 2006
26. Education and culture	Not open
27. Environment and climate change	Opened in 2009
28. Consumer and health protection	Opened in 2007
29. Customs union	Not open
30. External relations	Not open
31. Foreign, security and defence policy	Not open
32. Financial control	Opened in 2007
33. Financial and budgetary provisions	Opened in 2016
* Statuses in red indicate chapters having been politically blocked.	

Chapter 34: Institutions, and Chapter 35: Other issues, both of which have not been listed in Table 1 above, are negotiated once the negotiations on all other chapters are successfully completed.

As of 2006, negotiation in the following chapters are suspended due to the decision of the General Affairs and External Relations Council of the EU:¹¹

- Chapter 1: Free movement of goods
- Chapter 3: Right of establishment and freedom to provide services

¹¹ Available at: http://europa.eu/rapid/press-release_PRES-06-352_en.htm?locale=en.

- Chapter 9: Financial services
- Chapter 11: Agriculture and rural development
- Chapter 13: Fisheries
- Chapter 14: Transport policy
- Chapter 29: Customs Union
- Chapter 30: External relations

During the EU General Affairs Council meeting held on 8 December 2009, a unilateral precondition of “normalisation” was introduced by the Greek Cypriot Administration of Southern Cyprus to the progressing of negotiations in the following 6 chapters:

- Chapter 2 : Free movement of workers
- Chapter 15 : Energy
- Chapter 23 : Judiciary and fundamental rights
- Chapter 24 : Justice, freedom and security
- Chapter 26 : Education and culture
- Chapter 31 : Foreign, security and defence policy

In June 2018, the General Affairs Council concluded that the EU accession negotiations of Turkey have come to a standstill, indicating that no chapters of the EU *acquis* can be considered for opening or closing (European Commission, 2019d).

Since 1998, the progress of Turkey in adopting and implementing the criteria for membership has been monitored by the EU with annual reports and 21 of such progress reports¹² have been issued to date. The latest report issued in 2019 includes the following statements as regards the ability to assume the obligations of membership, which is directly related to the adoption and implementation of the EU *acquis*:

[...] Turkey has continued to align with the *acquis*, albeit at a limited pace. There have been more instances of backsliding regarding a number of key aspects in the areas of free movement of capital, public procurement, competition, information society, economic and monetary policy, and external relations. Turkey is well advanced in the areas of company law, trans-European networks and science and research and it has achieved a good level of preparation in the areas of free movement of goods, intellectual property law, financial services, enterprise and industrial policy, consumer and health protection, customs union and financial control. Turkey is moderately prepared on public procurement as important gaps remain in its alignment. Turkey is also moderately prepared in the area of free movement of capital, statistics, energy, taxation, economic and monetary union, regional policy, education and culture, CFSP and transport policy where further significant efforts are needed across the board. Turkey has reached some level of preparation on competition, agriculture, food safety, veterinary and phytosanitary policy, social policy and employment, environment and climate change where more ambitious and better coordinated policies still need to be established and implemented. In all areas, more attention needs to be given to enforce legislation whilst many areas require further significant progress to achieve legislative alignment with the EU *acquis*, strengthen the independence of regulatory authorities and build the administrative capacities. (European Commission, 2019d)

In order to support the progress towards accession, the EU has allocated more than 8 billion euros of financial assistance to Turkey between 2007 and 2020 (total allocation of IPA and IPA II to Turkey, which roughly amounts to 38 per cent of the total budget of IPA and IPA II). The focus of this financial assistance was on institution building, cross-border co-operation, regional development, human resource development, and rural development for IPA (2007-2013) and on democracy and governance, the rule of law and fundamental rights, environment and climate action, transport,

¹² Full text available at: <https://www.avrupa.info.tr/en/regular-reports-turkey-744>.

energy, competitiveness and innovation, education, employment and social policies, agriculture and rural development, and regional and territorial co-operation for IPA II (2014-2020). The breakdown of EU financial assistance allocations within the scope of IPA II is presented in Table 2 below:

Table 2: Breakdown of EU financial assistance allocations within the scope of IPA II (2014-2020)

Sectors		EU financial assistance allocations (million euros)
Democracy and rule of law	Democracy and governance	916
	Rule of law and fundamental rights	515
Competitiveness and growth	Environment, climate action and energy	438
	Transport	372
	Competitiveness, innovation, agriculture and rural development	975
	Education, employment and social policies	318
TOTAL		3,533

According to the evaluation of the European Commission (2018d), while Turkey is by far the primary recipient of the pre-accession financial assistance compared to the other candidate countries and potential candidate countries in terms of the total amount allocated, per capita allocation for the period 2014-2020 was around 58 euros whereas per capita allocations to Montenegro and Kosovo reached more than 350 euros per person.

Public institutions at the central and local level jointly benefited from the EU financial assistance and many of the projects implemented at the central level included pilot actions at the local level that extended the reach of these interventions and strengthened vertical and horizontal co-operation among public stakeholders. According to the data available at the EU Aid Explorer,¹³ the European Commission's disbursements to central government in Turkey have been 1,57 billion euros out of a total disbursement to Turkey of 5,75 billion euros between the years 2009 and 2019. This can be taken as an indicator that roughly 73 percent of the financial support was utilised at the local level (Table 3). This ratio is considered to become much higher if indirect EU support to local level via the assistance provided to the central government units is also taken into account.

Table 3: Distribution of disbursements by the European Commission to Turkey between 2009 and 2019

Channel of the action by the European Commission	Disbursements to Turkey (billion euros)
Central government	1,57
Other	4,18
TOTAL	5,75

While the EU is providing financial assistance to Turkey to support the process of accession, Turkey is also making financial contributions (paying the entry ticket) within the scope of certain programmes and agencies, in which Turkey is actively participating in and benefiting from on account of its candidate country status.¹⁴ The overall economic and social impact of this large-scale financial co-operation between Turkey and EU is much broader in terms of know-how transfer, employment, innovation, and cultural transformation.

In the face of the mass migration from Syria as a result of which 3,6 million people sought temporary protection in Turkey, the EU also made available a total of 6 billion euros between 2016 and 2019 within the scope of the Facility for

¹³ Available at: <https://euaidexplorer.ec.europa.eu>.

¹⁴ Such programmes that Turkey participates are Horizon 2020, Erasmus+, COSME (Competitiveness of Enterprises and Small and Medium-sized Enterprises), Customs 2020, Fiscalis 2020, EASI (Employment and Social Innovation).

Refugees in Turkey. In addition to humanitarian assistance, this support also focused on education, migration management, health, municipal infrastructure, and socioeconomic development. In this context, this special type of EU financial support also contributed to developing capacity at the central and local levels,¹⁵ especially in municipal service delivery.

As regards the administration of the accession process, DG NEAR is the European Commission's Directorate-General responsible for the neighbourhood policy of the EU and the enlargement negotiations. On the side of Turkey, the process of accession to the EU is currently administered by the Ministry of Foreign Affairs Directorate for EU Affairs. The Minister of Foreign Affairs is managing the accession negotiations with the title of Chief Negotiator. The Directorate for EU Affairs is also the National IPA Coordinator responsible for the overall planning, programming, and monitoring of the EU financial assistance.

09.25.2014 dated and 29130 numbered Official Gazette as required to fill a legislative alignment chart of all public institutions that prepare draft legislation for all the work of co-ordination regarding Turkey's accession process with the 2014/16 numbered circular¹⁶ which was published on the EU and such in all relevant draft. It is stipulated that a special article titled "Harmonization with the European Union Legislation" should be added to the draft with the necessary reference to the EU *acquis*. In line with this Circular, it was stated which legal regulation in the EU *acquis* constitutes the basis for the relevant legislation for the legislation to come into force. Legislation Information System (Republic of Turkey, 2019b) According to the survey results¹⁷, a total of 81 regulations as of August 2019, there are about 37 communiqué stated harmonization with EU *acquis*.

National Action Plan for EU Accession, covering the years 2016-2019 (the Republic of Turkey, 2017 A) EU accession process in our country has been one of the main roadmap and to be taken in the EU process steps, both legislative harmonization, both corporate and forth in the administrative structure frame in a concrete way has put. In accordance with the Eleventh Development Plan (2019-2023) published in July 2019, the National Action Plan for EU Accession will be updated by taking into account the EU *acquis* harmonization process.

As of today, the management structure of pre-accession funds and participation in EU programs are regulated in accordance with the Presidential Circular No. 2019/20 published in the Official Gazette dated 4.10.2019 and numbered 30908. This Presidential Circular describes in detail the institutional structures, including the operating structures, the supervisory authority and the internal audit unit. Boards and committees have also been established with the circular, which aims to ensure the effective use of pre-accession funds.

More recently, a new Presidential Circular (No. 2019/22) was also published in the Official Journal No. 30921 dated 17.10.2019 on the coordination of the EU related activities. This Presidential Circular reiterates the commitment in the continuation of the activities towards harmonisation with the EU. It stipulates that such activities shall be carried out in accordance with the programme to be prepared under the coordination of the Directorate for EU Affairs. The Directorate for EU Affairs is to publish a guidebook on its official web site to set out the principles and procedures of drafting legislation in reference to the EU *acquis* (therefore, the abovementioned Circular No. 2014/16 is annulled). All relevant institutions are also expected to inform the Directorate for EU Affairs on their EU related activities in a timely manner. A high-level EU Coordination Council (ABEK) is established among the public institutions under the chairmanship of the Deputy Minister of Foreign Affairs and the Director for EU Affairs. The EU Coordination Council is shall convene at least once a year to guide, monitor, and evaluate the status of harmonisation with the EU *acquis* in a participatory approach.

¹⁵ Further detailed information is available at: https://ec.europa.eu/neighbourhood-enlargement/news_corner/migration.

¹⁶ This Circular was subsequently cancelled.

¹⁷ Keyword search on www.mevzut.gov.tr for "Avrupa Birliği mevzuatına uyum" as stipulated by the related Circular.

4 GENERAL INFORMATION ON THE IMPACT OF THE EUROPEAN UNION ACQUIS AT LOCAL LEVEL

While the EU *acquis* is defined as “the body of common rights and obligations binding on all EU countries”, which connotes that the act of regulating is done at the supranational level, the application of what has been regulated at the EU level is carried out by the own legislative systems of the member states, which is at the national level. This process can be referred as the ratification or transposition of the EU *acquis* into national legislation.

Transposition of the EU *acquis* into national legislation may take different forms and may require different procedures depending on the type of the EU legal act (please see Figure 3 in Section 3.1) and the legislative process in operation in the member state. For the transposition of certain legal acts of the EU, the member state might be in a position to enact new legislation and for some others, amendments to existing legislation might be possible. The legal acts within the scope of the EU *acquis* include specific deadlines for the necessary transposition into the national legislation to take place. Upon the completion of the required national legal procedures for transposition by the member state, a copy of the implementing measures shall be sent to the European Commission for examination to ensure that the objectives of that specific EU legal act are met in the national legislation of the member state.¹⁸

Once the EU *acquis* is transposed into national legislation of the member state, it is innately one and the same with the national legislation of that member state. For example, the EU directive setting the minimum time limit of guarantees for consumer goods is part of the relevant EU *acquis* and when this directive is transposed into national legislation, the minimum time limit of guarantees for consumer goods becomes the part of that member state's national legislation on consumer protection. Therefore, the EU *acquis* that is applied at the national level is basically national legislation for all intents and purposes.

In this context, the impact of the EU *acquis* at local level is exactly the same as the impact of any national legislation at local level. Just as some parts of the national legislation are directly relevant for local authorities, some parts of the EU *acquis* are also directly relevant for local authorities. Some other parts of the EU *acquis* might be indirectly relevant for local authorities, which would also apply to national legislation in the same way but at the end, it is important to note that all legislative instruments impact all kinds of human interaction at all levels either directly or indirectly.

The main determinant here is the public administration structure of the member state, and the extent of the functions and powers of local authorities within the overall structure and operation of the national governmental system in place. The EU has no powers or mandate when it comes to the nature of the national governmental systems of member states and also no competence over their subnational systems, hence there is a wide range of different local government systems across the EU. It is therefore logical to assume that the impact of the EU *acquis* on the local level would vary from one member state to the other and it would be relatively higher in a member state with a more decentralised governmental system than in a member state with a more centralised governmental system.

Moreover, the specific topic of the EU *acquis* in question also plays an important role concerning the impact of the EU *acquis* at the local level. For instance, the impact of the EU *acquis* on a particular issue that generally falls under the responsibility of local authorities, such as waste management, would be relatively higher at the local level than the impact of the EU *acquis* on another issue that generally falls under the responsibility of the central government, such as national security.

An important point to highlight here is the division of competences within the European Union, which is based on the principle of conferral defined in Article 5 of the Treaty on European Union¹⁹ as follows:

1. The limits of Union competences are governed by the principle of conferral. The use of Union competences is governed by the principles of subsidiarity and proportionality.
2. Under the principle of conferral, the Union shall act only within the limits of the competences conferred upon it by the Member States in the Treaties to attain the objectives set out therein. Competences not conferred upon the Union in the Treaties remain within the Member States.

¹⁸ Available at: <https://eur-lex.europa.eu/summary/glossary/transposition.html>.

¹⁹ Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12012M%2FTXT>.

3. Under the principle of subsidiarity, in areas which do not fall within its exclusive competence, the Union shall act only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States, either at central level or at regional and local level, but can rather, by reason of the scale or effects of the proposed action, be better achieved at Union level.

The institutions of the Union shall apply the principle of subsidiarity as laid down in the Protocol on the application of the principles of subsidiarity and proportionality. National Parliaments ensure compliance with the principle of subsidiarity in accordance with the procedure set out in that Protocol.

4. Under the principle of proportionality, the content and form of Union action shall not exceed what is necessary to achieve the objectives of the Treaties.

The institutions of the Union shall apply the principle of proportionality as laid down in the Protocol on the application of the principles of subsidiarity and proportionality.

In line with this principle of conferral, the competences within the EU are divided into four main categories as stated in Article 2 through Article 6 of the Treaty on the Functioning of the European Union.²⁰ These are:

- Exclusive competences: only the Union may legislate and adopt legally binding acts, the Member States being able to do so themselves only if so empowered by the Union or for the implementation of Union acts.
- Shared competences: the Union and the Member States may legislate and adopt legally binding acts in that area. The Member States shall exercise their competence to the extent that the Union has not exceeded its competence. The Member States shall again exercise their competence to the extent that the Union has decided to cease exercising its competence.
- Coordination: the Member States shall coordinate their economic and employment policies within arrangements as determined by this Treaty, which the Union shall have competence to provide.
- Support: the Union shall have competence to carry out actions to support, coordinate or supplement the actions of the Member States, without thereby superseding their competence in these areas.

²⁰ Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT>.

In addition to these four main categories, the EU has a special competence in the field of common foreign and security policy. In accordance with these main categories, the division of competences within the EU based on specific policy areas is demonstrated in Table 4 below:

Table 4: Division of competences within the EU

Exclusive competences	Shared competences	Coordination	Support
<ul style="list-style-type: none"> • Customs union • Competition policy • Monetary policy (for the euro area) • Conservation of marine biological resources under the common fisheries policy • Common commercial policy • Conclusion of international agreements under certain conditions 	<ul style="list-style-type: none"> • Internal market • Specific aspects of social policy • Regional policy: economic, social, and territorial cohesion • Agriculture and fisheries, excluding the conservation of marine biological resources • Environment • Consumer protection • Transport • Trans-European networks • Energy • Freedom, security, and justice • Common safety concerns in public health matters for specific aspects • Research, technological development, and space • Development co-operation and humanitarian aid 	<ul style="list-style-type: none"> • Economic policies • Employment • Social policies 	<ul style="list-style-type: none"> • Protection and improvement of human health • Industry • Culture • Tourism • Education, vocational training, youth and sport • Civil protection • Administrative co-operation
Special competence	Common foreign and security policy (CFSP)		

On account of the abovementioned division of competences within the EU, the local level is less likely to be directly impacted by the policy areas falling under the exclusive competences of the EU. It is also seen that the exclusive competences of the EU are in a limited number of areas and the majority of the policy areas listed above involve shared competences between the EU and the member states, coordination, and support, which asserts a predominantly indirect impact of the EU on the local level.

All in all, the implementation of the EU *acquis*, or any kind of legislative instrument in that respect, is such an interconnected process affecting the entire governmental system that it is practically impossible to decouple the involvement of or the impact on the different levels of government.

This being the case, it is highly important to ensure that local authorities are properly involved in the transposition of the EU *acquis* into national legislation in order to achieve successful implementation of the related legislative instruments. Therefore, the 'Protocol No. 2 on the application of the principles of subsidiarity and proportionality'²¹ of the Treaty on the Functioning of the European Union included provisions to ensure constant respect to these two principles as referred in Article 5 of the Treaty on European Union.

According to the European Committee of the Regions (CoR), 70 percent²² of all EU legislation has an impact on regions and cities. This means that much of what is decided at the EU level is having an effect on the way regions and cities operate. For this reason, the CoR, as the EU's assembly of regional and local representatives, is consulted in all legislative processes carried out by the EU so that these decisions taken at the EU level show due regard to the conditions and needs at the local level.

CoR's six commissions cover all chapters of the EU *acquis* and conduct assessments and analyses on all relevant issues to provide opinions to the CoR plenary sessions. The CoR also carries out territorial impact assessments²³ to analyse the potential impact of the EU's legislative proposals on the local level. Hence, there is a mutually reinforcing legislative mechanism among the different administrative levels in the EU, where the local level can directly contribute to shaping the EU *acquis* and then take part in effectively implementing it.

As pointed out above, with the exception of a few issues such as foreign affairs and defence policy that usually fall under the strict mandate of national governments, the implementation of the EU *acquis* that is transposed into national legislation affects local authorities in all member states either directly or indirectly. Therefore, for the local authorities in the EU member states, the first step of implementing the national legislation that is introduced or amended on account of the EU *acquis* is fully understanding the policy background and the intended objectives. This understanding can only be developed on the basis of sufficient knowledge and information regarding the duties and responsibilities of local authorities that can be connected to the EU *acquis*.

In order to ensure partnership, co-operation, efficiency, and most importantly subsidiarity across all levels of government in the EU, the Charter for Multilevel Governance in Europe²⁴ was drafted to "acknowledge the legitimacy and responsibility of local and regional authorities for the implementation of public policies". From this perspective, full implementation of the EU *acquis* and therefore achieving the European objectives of peace, democracy, fundamental freedoms, the rule of law, and prosperity is a shared responsibility for the local, regional, and national levels as well as the level of the EU.

²¹ Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12008E%2FPRO%2F02>.

²² Available at: <https://cor.europa.eu/en/about/Pages/default.aspx>.

²³ Further details available at: https://espon.public.lu/dam-assets/fr/actualites/2013/03/10_ImpactsTerritoriaux/10_TIA-publication.pdf (ESPON, 2013).

²⁴ Full text available at: <https://portal.cor.europa.eu/mlgcharter/Pages/default.aspx>.

5 METHODOLOGY OF ANALYSIS

The analysis of the implementation of the EU *acquis* at local level is carried out in four major stages. Firstly, the boundary of the analysis was determined in sufficient detail. Then, the research stage was carried out, which was followed by the evaluation stage. The final stage of the analysis was reporting. The details of each one of these stages of the analysis are explained in the respective sub-sections presented below.

5.1 Defining the boundaries of the analysis

As the first step, with respect to the provisions of the Terms of Reference stated above, a concept note was prepared. The concept note summarised the existing state of affairs with respect to the adoption and implementation of the EU *acquis* in Turkey and laid out the basic mandates at local level in Turkey. In addition, the topics that can be relevant to be addressed within the scope of this activity were highlighted. The concept note also provided explanations on the proposed methodology for the implementation of the activity as well as an indicative outline for the research report, which is the main output. The following three chapters of the EU *acquis* were selected to be addressed within the scope of the analysis:

- Chapter 14: Transport policy
- Chapter 15: Energy
- Chapter 27: Environment and Climate Change

As a second step, a conceptual framework for the analysis has been prepared. The purpose of this conceptual framework determined to provide a general overview of the three EU *acquis* chapters and local authorities in Turkey have been establishing links with the services corresponding to each policy area. The conceptual framework has been prepared in order to draw a clear boundary for the research that will evaluate the impact of selected EU *acquis* chapters at local level and determine the duties and responsibilities of local authorities in the implementation of the EU *acquis* in three selected issues.

In order to present a systematic approach to the analysis, the conceptual framework first outlined the entire scope of each one of the three selected EU *acquis* chapters. Then, the current state of alignment in Turkey and priority recommendations of the EU for each chapter were highlighted. The strategic priorities of the EU until 2020 and the current reform policy in Turkey in the related areas were also pointed out. After summarising the main responsibilities of local authorities specific to the selected policy areas, the particular topics²⁵ of the selected EU *acquis* chapters that can be considered to be directly and currently relevant for the local level in Turkey were identified. As a result of this refinement process, the particular topics of analysis proposed for each of the selected EU *acquis* chapters were listed. The boundaries of the analysis are determined as shown in Table 5 below.

*Table 5: Boundaries of the analysis on the selected three chapters of the EU *acquis**

No.	Chapter title	Total number of main topics covered in EUR-Lex	Number of main topics relevant for the local level that are proposed to be addressed in the analysis	Number of sub-topics to be analysed in each main topic
14	Transport policy	11	5	7
15	Energy	8	3	6
27	Environment and climate change	11	7	9
TOTAL		30	15	22

²⁵ EUR-Lex presents the EU law in topics that broadly corresponds to the chapters of the EU *acquis* however, it is important to note that much of the EU law cannot be categorized in a single specific topic exclusively. Therefore, it is possible for a specific piece of EU law to belong in more than one EUR-Lex topic simultaneously.

5.2 Research stage

The research stage of the analysis was carried out as desk research on the impact of each one of the 15 selected topics of the EU *acquis* at the local level. The main domains of research were EUR-Lex (European Union, 2019) for the EU *acquis*, and Legislation Information System (*Mevzuat Bilgi Sistem*) (Republic of Turkey, 2019b) and Electronic Public Information Management System (KAYSİS) (Republic of Turkey, 2019d) for Turkish legislation. Where available, strategic documents and data from various resources in the EU and in Turkey were also reviewed.

For each one of the topics addressed within the scope of the research, the following six dimensions of the specific topic were analysed (Figure 4)



Figure 4: Six dimensions of the analysis of the implementation of the EU *acquis* at local level

The main reference document for this analysis is the Eleventh Development Plan of the Republic of Turkey covering the years 2019-2023 (Republic of Turkey, 2019c), which is prepared as the highest-level national policy document identifying the country's goals and objectives for the next five-years. Other key reference documents that draw the overall policy framework for the analysis are:

- 2018 Communication on EU Enlargement Policy and Turkey 2018 Report (European Commission, 2018a)
- 2019 Communication on EU Enlargement Policy and Turkey 2019 Report (European Commission, 2019d)
- Medium Term Programme of the Republic of Turkey 2019-2021 (Republic of Turkey, 2018b)
- Pre-accession Economic Reform Programme (2019-2021) (Republic of Turkey, 2019a)
- 2019 Programme of the Presidency (Republic of Turkey, 2018d)
- 2020 Programme of the Presidency (Republic of Turkey, 2019g)

5.3 Evaluation stage

An assessment was carried out with below-listed four pilot municipalities for exchanging views on the analysis:

- Çankaya Municipality (Ankara)
- Gaziantep Metropolitan Municipality
- Antalya Metropolitan Municipality
- Mersin Metropolitan Municipality

Inputs from these pilot municipalities for the evaluation study were gathered through the following methods:

- Çankaya Municipality (Ankara): Half-day meeting on 10 March 2020.
- Gaziantep Metropolitan Municipality: Written contributions received on 8 May 2020 via the beneficiary.
- Antalya Metropolitan Municipality: Written contributions received on 10 June 2020 via the beneficiary.
- Mersin Metropolitan Municipality: Written contributions received on 5 May 2020 via the beneficiary.

These inputs were then compiled as broad issues to reflect the key points highlighted by the representatives of the pilot municipalities.

5.4 Reporting stage

The first partial draft of the report that sets out the main structure of the document and presents the findings of the desk research on the EU *acquis* was submitted to the beneficiary as an interim output in May 2019. Upon receiving the comments and contributions of the beneficiary on this first partial draft, the second partial draft presenting the findings of the desk research on the relevant Turkish legislation was submitted in August 2019. This second partial draft was later revised based on a number of additional comments by the beneficiary.

The first full draft of the report presenting the conclusions of the analysis was presented in December 2019. After the completion of the evaluation study the final report was submitted in August 2020.

6 ANALYSIS IN RELATION TO CHAPTER 14: TRANSPORT POLICY

This chapter presents a brief description of the EU *acquis* on transport policy and the selected topics for analysis, summarises the current state of alignment in Turkey with respect to the relevant topics of the EU *acquis*, analyses the implementation of the selected EU *acquis* topics at the local level, and points out to the main transport policy highlights for local authorities in Turkey.

6.1 Brief description of the European Union *acquis* on transport policy and the selected topics for analysis

Transport policy, Chapter 14 of the EU *acquis*, is considered as one of the key policies of European integration as it is directly focused on connecting people, places, and production within the single market. The free movement of persons, services, goods, and capital are established as the four freedoms of the common market in the Treaty of Rome and from the perspective of the EU, transport is a vital policy area that specifically aims at fulfilling these freedoms by removing technical and administrative barriers to market access, streamlining infrastructure, and protecting the people and the environment (European Commission, 2014d).

As a policy area of shared competence with the member states, ensuring that transport within the EU is efficient, sustainable, safe, and secure requires Europe-wide regulations concerning all modes of transport including road, rail, air, and water. For this purpose, common transport policy of the EU is legally based on Article 90 through Article 100 of the Treaty on the Functioning of the European Union.²⁶ Developing on this main legal basis in the past four decades, the EU transport policy currently focuses on the following main objectives in a broader context:

- Increasing mobility by removing barriers
- Reducing dependence on imported oil
- Cutting carbon emissions in transport
- Streamlining infrastructure
- Ensuring safety and security
- Utilising information technologies for better transport
- Protecting passenger rights
- Co-operating internationally for better standards

DG MOVE is the European Commission's Directorate-General responsible for the EU policies on mobility and transport. It is carrying out its work within the scope of the following themes²⁷ in order to achieve the abovementioned objectives:

- European strategies
- Passenger rights
- Security and safety
- Clean transport, urban transport
- Sustainable transport
- Infrastructure, trans-European transport network, connecting Europe
- Intelligent transport systems
- Research and innovation
- International relations

²⁶ Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT>.

²⁷ Further details available at: https://ec.europa.eu/transport/themes_en.

- Public service obligations
- Logistics and multimodal transport
- Social issues

In connection with the transport themes covered by the DG MOVE, the EU *acquis* on transport policy currently covers 11 main topics as defined by the EUR-Lex database.²⁸ These are:

- Bodies and objectives
- Road transport
- Rail transport
- Waterborne transport
- Air transport
- Transport, energy, and the environment
- Intermodality and trans-European networks
- Mobility and passenger rights
- Intelligent transport and navigation by satellite
- International dimension and enlargement
- European statistics

Each one of these main topics includes specific headings and sub-topics in relation to the particular topic addressed. At present, there are 129 sub-topics that are grouped under 38 specific headings in relation to transport policy (please see Appendix 1). For the purposes of the present analysis, the following five main topics and seven sub-topics (Table 6) that are the closely relevant for local authorities in Turkey are reviewed:

Table 6: Selected topics of the EU acquis on transport policy that are relevant for the local level in Turkey

Selected main topics of Chapter 14	Selected sub-topics of Chapter 14	
	Heading	Scope
• Bodies and objectives	General objectives of transport policies	Roadmap to a single European Transport Area: Towards a competitive and resource-efficient transport system
• Road transport	Employment and working conditions	Road transport: EU rules on driving times, breaks and rest periods
	Road safety	Road safety: policy orientations on road safety 2011-2020
• Transport, energy, and the environment	Protection of the environment	Clean and energy-efficient road transport vehicles
• Mobility and passenger rights	Sustainable mobility	Urban mobility in the EU
	Passenger rights	Bus and coach passengers' rights
• Intelligent transport and navigation by satellite	Intelligent transport systems	The deployment of intelligent transport systems in Europe

²⁸ Available at: https://eur-lex.europa.eu/summary/chapter/transport.html?root_default=SUM_1_CODED=32.

6.2 Current state of alignment in Turkey with respect to the selected European Union acquis on transport policy

Subsequent to the initiation of the accession negotiations with Turkey in 2005, the screening process on Chapter 14: Transport policy was completed in 2006 however, the screening report including the opening benchmarks has not yet been officially communicated to Turkey and this chapter is among the eight chapters that have been suspended due to the 2006 decision of the General Affairs and External Relations Council of the EU. Therefore, accession negotiations on transport policy have not been opened to date.

The financial assistance by the EU to Turkey in the field of transport is to reach 372 million euros within the framework IPA II covering the years 2014-2020. Transport sector is considered as the third largest sector having supported via IPA II after competitiveness and innovation, agriculture and rural development and environment, climate change and energy sectors.

The latest report of the European Commission on Turkey (Turkey 2019 Report: European Commission, 2019d) assesses the current state of alignment in Turkey with respect to the EU *acquis* on transport policy as moderate and points out that some progress has been achieved in the period between 2016 and 2019.

As regards the selected five EU *acquis* topics for this analysis, the following statements and recommendations presented in Table 7 are included in the Turkey 2019 Report of the European Commission (pp. 86-88):

Table 7: Assessments of the Turkey 2019 Report on the selected EU *acquis* topics of Chapter 14: Transport policy

Selected main topics of Chapter 14	Assessments of the Turkey 2019 Report	
	Statements	Recommendations
<ul style="list-style-type: none"> Bodies and objectives 	<ul style="list-style-type: none"> Turkey is preparing a new comprehensive study to assess the level of alignment in the transport sector and identify gaps and actions to close them. There has been some progress on combined transport. Turkey prepared a four-step multi-modal national transport master plan in March 2018 and transport information management systems in June 2018. The now finished logistics master plan has broadly identified the locations of the logistics centres in the regions. 	-
<ul style="list-style-type: none"> Road transport 	<ul style="list-style-type: none"> The legal framework is well aligned with the <i>acquis</i>. Turkey has continued to carry out robust roadside inspections. Turkey's Directorate-General for Highways of the Ministry of Transport and Infrastructure has published a regulation on road infrastructure safety assessment. 	<p>Turkey should finalise its new Road Safety Strategy for 2021-2030 in line with the EU's safe system approach.</p> <p>Road safety is suffering from the lack of a lead agency and Turkey needs to take significant steps to ensure better coordination among the relevant stakeholders with a concrete road safety strategy for the safe system approach.</p>
<ul style="list-style-type: none"> Transport, energy, and the environment 	<ul style="list-style-type: none"> Turkey is not yet aligned with the Clean Power for Transport package. 	-
<ul style="list-style-type: none"> Mobility and passenger rights 	-	<p>Turkey should take steps towards aligning with the EU <i>acquis</i> legislation in the area of EU passenger rights in all modes of transport.</p>
<ul style="list-style-type: none"> Intelligent transport and navigation by satellite 	<ul style="list-style-type: none"> Turkey has finalised and published its intelligent transport systems strategy and action plan. 	<p>Turkey should take steps towards aligning with the EU <i>acquis</i> legislation in the area of intelligent transport systems.</p>

The Revised Indicative Strategy Paper for Turkey (2014-2020) (European Commission, 2018b) prepared by the European Commission includes the following policy highlights concerning the alignment of Turkey with the selected topics of the transport policy within the scope of the EU *acquis*:

- Unless proper mitigation measures are taken, the [transport] sector will continue to emit significant amounts of greenhouse gases, and its proportion of oil consumption will increase to levels that are unsustainable for a country which imports almost all of its oil. The [transport] sector's resource efficiency and the optimisation and modal-integration of the transport network will therefore be crucial for the Turkish economy's competitiveness.
- Another priority is the area of road safety where the fatality and serious injuries are above EU average and may follow an upward trend due to increasing income level and car ownership. In this regard, the National Transport Master Plan completed in 2017 becomes a major asset and path finder in identifying measures and infrastructure investments to be undertaken until 2035.
- Turkey needs to spend considerable efforts to address the climate change challenge and to move towards a low-carbon and climate resilient economy.
- Increasing levels of Urbanisation, increasing income levels and car ownership are likely to increase congestion and reduce quality of life in city centres. Careful transport planning is needed to anticipate and accommodate the increasing demand. Turkey needs to promote integrated planning of land use – transport development, accessibility, road safety, resource efficiency and smart infrastructure at national and urban level.

In connection with these policy highlights, the Revised Indicative Strategy Paper for Turkey (2014-2020) points out to the following objectives for the short-term in relation to the selected EU *acquis* topics on transport policy:

- Improved inter-connections among different modes of transport and developed integrated intermodal nodes.
- Advanced sustainable urban mobility planning in selected cities.
- Implementation of the new intelligent transport implementation strategy and action plan.
- Turkey's "road safety vision zero" strategy including communication and advocacy is defined and implemented.
- Identified mitigation and adaptation policies in the transport sector related to climate change.

The Pre-accession Economic Reform Programme (2019-2021) of Turkey (Republic of Turkey, 2019a) formulates the current structural reforms on the agenda in the process of accession to the EU. Relevant structural reforms in the transport sector are indicated as:

[...] new policies are needed to be implemented that highlight development of productive and effective transport infrastructure by means of facilitating integrated operation of transportation modes, focus on human factor and minimise environmental damage.

European Commission's assessment of Turkey's current economic reform programme (European Commission, 2019b) underlines the most recent developments and needs in the transport sector as follows:

- [...] reliance on road transport continues to generate environmental and traffic safety problems.
- [...] there are a number of urban mobility issues especially in large cities such as Istanbul that reduce economic efficiency.
- [...] the strategy for intelligent transport systems have [...] been finalised and aim at more balanced, multimodal approach to transport; however, implementation has not started yet.

The Eleventh Development Plan for the years 2019-2023 (Republic of Turkey, 2019c) sets out the following national goals and objectives in relation to the transport topics analysed in this report:

- Stable and strong economy
 - Law on Vehicles will be updated from a perspective of effectiveness and efficiency.
- Competitive production and efficiency
 - Finalising the Logistics Master Plan of Turkey and the National Transport Master Plan in coordination.
 - Support will be provided and regulations will be enacted for the use of domestically manufactured electric busses in intra-city and inter-city transport.
 - Strengthening integration among modes of transport.
 - Establishing a dynamic road transport database to encourage sharing economy via digital platforms and applications.
 - Increasing the number and effectiveness of controls to ensure safety and to protect the environment.
 - Implementing the necessary architecture for intelligent transport systems together with the local authorities to ensure savings in energy and time, traffic safety, and effective use of road capacity in road transport.
 - Minimising death, injury, and damages caused by road traffic accidents.
 - Adopting the safe system approach and establishing the necessary institutional structure.
 - Maximising coordination and data sharing among institutions active in road safety.
 - Increasing controls for road safety and increasing traffic safety awareness of road users.
 - Taking average measurements instead of instantaneous measurements into account in speed controls.
 - Ensuring coordination among spatial plans and transport plans at national, provincial, and local level.
 - Legislating regulations for the preparation of urban logistics plans and preparing relevant guidelines.
- Liveable cities, sustainable environment
 - Encouraging local authorities for the development of smart city strategies and road maps.
 - Ensuring coordination in the preparation and updating of land development plans and transport plans.
 - Establishing a coordination mechanism for harmonising the urban land development plans and transport plans.
 - Promoting mass transport based on demand-oriented policies in order to reduce traffic congestion, road accidents, and air pollution.
 - Prioritizing bus, metrobus, and similar transport systems in urban mass transit.
 - Promoting environmentally friendly and motor-free transport in urban transit.
 - Developing cycling plans and constructing cycling routes.
 - Setting up bicycle sharing systems.
 - Generalising intelligent transport systems for more efficient use of the existing transport infrastructure, improved traffic safety, and better management of the transport demand.
 - Implementing dynamic information systems for passengers, drivers, and pedestrians in the urban transport network, particularly in metropolitan cities.

6.3 Analysis of the implementation of the selected European Union *acquis* topics on transport policy at local level

This sub-section presents the analysis of the implementation of the selected five EU *acquis* topics on transport policy at local level. The analysed topics, as being directly relevant for local authorities are bodies and objectives; road transport; transport, energy and the environment; mobility and passenger rights; and intelligent transport and navigation by satellite.

In accordance with the methodology of the analysis, the six dimensions of each of these five specific topics analysed are; aim, key points in relevant legal texts of the EU *acquis*, relevant mandates of local authorities in Turkey, assessment of compliance with key points, major channels of improvement, and challenges and opportunities for full alignment.

6.3.1 Bodies and objectives

The bodies and objectives topic of the EU *acquis* on transport policy contains the key strategic document laying out the general medium to long-term objectives of this policy that is currently in effect in the EU. It is titled as the 'Roadmap to a single European transport area: towards a competitive and resource-efficient transport system',²⁹ which is in the form of a white paper adopted by the European Commission in 2011. This roadmap includes 40 actions and 131 initiatives to ensure a safe and efficient transport system within the EU. Summary information on the aim of the roadmap is provided in Table 8 presented below.

Table 8: Aim of the Roadmap to a single European transport area

General objectives of transport policies			
Roadmap to a single European transport area: towards a competitive and resource-efficient transport system			
Year	Ref.	Type of act	Aim
2011	COM (2011) 144 final dated 28.3.2011	Communication (White paper)	Ensuring the freedom of movement for individuals, goods, and services in an efficient, safe, and sustainable manner via: <ul style="list-style-type: none"> • Reducing EU's dependence on imported oil. • Achieve CO₂ free city mobility by 2030. • Cutting transport carbon emissions by 60 percent by 2050.

This main transport policy document of the EU is not a stand-alone instrument but it is closely connected to all related initiatives in the fields of research, infrastructure, environment, and energy that are jointly contributing to the different aspects of the addressed issues in order to be able to achieve the set objectives in a coherent manner. These initiatives include:

- Horizon 2020: the EU's Research and Innovation Programme (2014-2020)³⁰
- Connecting Europe Facility³¹
- A Roadmap for moving to a competitive low-carbon economy in 2050³²
- 2020 Goals on Energy Efficiency³³

Concerning the local authorities, a major initiative of the European Commission is CIVITAS³⁴ (City-Vitality-Sustainability: Cleaner and Better Transport in Cities), which was launched in 2002. As a network of cities dedicated to better and cleaner transport, CIVITAS tests and implements innovative transport solutions within the scope of

²⁹ Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52011DC0144>.

³⁰ Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:2701_3.

³¹ Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:3207_2.

³² Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:2001_7.

³³ Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:en0002>.

³⁴ Available at: <https://civitas.eu>.

laboratory projects across Europe. So far, 5 cities from Turkey³⁵ have been involved in the CIVITAS network as a non-demonstration city, meaning to have self-financed commitments in improving urban transport. In addition, within the scope of the project on Town Twinning between Turkey and the EU, representatives of the The Ministry of Foreign Affairs Directorate for EU Affairs, The Union of Municipalities of Turkey, The Union of Provinces, Ministry of Environment and Urbanisation, Directorate-General for Local Authorities and various local authorities visited the CIVITAS Secretariat in Brussels as part of the international study trip organised in April 2019.

³⁵ Turkish cities involved in the CIVITAS network are Antalya Metropolitan Municipality, Eskişehir Metropolitan Municipality, İzmir Metropolitan Municipality, Kocaeli Metropolitan Municipality, and Sakarya Metropolitan Municipality.

Table 9: Analysis of the Roadmap to a single European transport area

General objectives of transport policies Roadmap to a single European transport area: Towards a competitive and resource-efficient transport system				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>Relevant goals for local authorities:</p> <ul style="list-style-type: none"> Reduce the use of petrol and diesel cars in cities by half by 2030, phasing them out completely by 2050, and achieve CO₂ free city mobility by 2030. Reduce EU CO₂ emissions from ship fuels by 40 percent by 2050. Connect major airports to rail and core seaports and rail and inland waterways by 2050. Introduce traffic management systems for the various transport modes, such as for rail and for road. Develop a multimodal transport information management and payment system by 2020. Halve road casualties by 2020 and reduce these to almost zero by 2050. Fully apply the 'user pays' and 'polluter pays' principles. 	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> Provincial planning and coordination Road infrastructure and maintenance <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> Strategic planning and investment planning Spatial planning, and planning and coordination of land development Transport planning and coordination Infrastructure coordination Construction and maintenance of roads Urban transport and traffic management Public mass transit Licensing mass transit vehicles Parking Geographical information systems 	<p>Regional Development National Strategy (2014-2023):³⁶</p> <ul style="list-style-type: none"> Ensuring transport via multi-modal systems. Ensuring enhanced connectivity of major airports to settlements via railway connections. <p>National Transport and Communication Strategy for 2023:³⁷</p> <ul style="list-style-type: none"> Ensuring coordination among all public institutions including local authorities. Incentivising cycling routes. Improving traffic safety by infrastructure improvements and training. <p>KENTGES:³⁸</p> <ul style="list-style-type: none"> Ensuring that the urban transport plans are prepared and implemented in due consideration to environmental, technical, economic and social values. Preparing guidebooks and design criteria for increasing pedestrian and cycling routes and making relevant legislative arrangements. Developing 	<ul style="list-style-type: none"> Reduction of car dependency in cities by improving public mass transit and planning cycling routes as per relevant provisions of Law No. 3194 on Land Development and the relevant provisions of the Regulation on the Design and Construction of Bicycle Routes, Bicycle Stations, and Bicycle Parking on Urban Roads.⁴³ Revising urban and provincial master plans to incentivise car-free mobility and improve multimodal transport in line with the relevant provisions of the Combined Transport Strategy Document of Turkey. Ensuring coordination among national, provincial, and urban plans as per the Eleventh Development Plan. Strengthening the enforcement of urban and provincial master plans. Introducing integrated traffic management systems and expanding electronic and automated traffic monitoring. Improving road infrastructure, signalling and marking to increase safety in line with the Regulation on 	<ul style="list-style-type: none"> Conductive legislation at national level. Measures identified in the 2019 Programme of the Presidency: <ul style="list-style-type: none"> Halving road casualties. Developing an inventory of superstructure and infrastructure for improved road maintenance. Raising awareness on road safety. Establishing a system for monitoring and evaluation of land development plans. Construction of urban cycling routes. Publishing the National Transport Master Plan. Integrated transport planning at national, provincial, and local level. Availability of directly relevant objectives in major sectoral policy documents and strategic plans of line ministries. Varying levels of awareness on national policy objectives at local level.

³⁶ Supreme Council for Regional Development, 2015.

³⁷ Republic of Turkey, 2011.

³⁸ Supreme Planning Council, 2010.

⁴³ Regulation of the Ministry of Environment and Urbanisation, 2015a.

General objectives of transport policies Roadmap to a single European transport area: Towards a competitive and resource-efficient transport system				
Key points for LGs in relevant legal texts of the EU Acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
	<p>Law No. 5355 on Unions of Local authorities:</p> <ul style="list-style-type: none"> • Co-operation among local authorities for provision of infrastructure and protection of the environment • Provision of road infrastructure in villages 	<p>plan decisions to increase pedestrian and cycling routes and effectively implementing these decisions.</p> <ul style="list-style-type: none"> • Making necessary arrangements to increase the efficiency of urban transport and traffic services. • Increasing the service quality and technology level of urban transport systems. Making the urban transport systems more sensitive to environment. • Introducing information technologies to urban transport. <p>Highway Traffic Safety Strategy and Action Plan:³⁹</p> <ul style="list-style-type: none"> • Incentivising pedestrian and bicycle transport to reduce emissions. • Basic traffic safety training for school children. • Expanding electronic traffic monitoring systems established by municipalities. <p>SP of MTI for 2017-2021:⁴⁰</p> <ul style="list-style-type: none"> • Identification of a calculation model for measuring greenhouse gas emissions from transport and developing the relevant tracking software. 	<p>Safety Management of Road Infrastructure.⁴⁴</p> <ul style="list-style-type: none"> • Setting up emission inventory in municipalities and combatting transport-based air pollution in cities in accordance with the Regulation on Procedures and Principles for Increasing Energy Efficiency in Transport.⁴⁵ • Tracking and reducing air pollution caused by transport as per Law No. 2872 on Environment and Regulation on Air Quality Assessment and Management.⁴⁶ • Introducing regulations relevant to 'user pays' and 'polluter pays' principles. 	<ul style="list-style-type: none"> • Need for setting of concrete measurable targets at local level with time and action plans. • Preparation process of new strategic plans of local authorities for 2019-2024. • Improved vertical and horizontal collaboration among: <ul style="list-style-type: none"> • MTI • MEU • Mol • DG Highways • Local authorities • Unions of local authorities

³⁹ Republic of Turkey, 2012a.

⁴⁰ Republic of Turkey, 2016b.

⁴⁴ Regulation of the Directorate-General of Highways, 2018.

⁴⁵ Regulation of the Ministry of Transport and Infrastructure, 2019.

⁴⁶ Regulation of the [Former] Ministry of Environment and Forestry, 2008.

General objectives of transport policies Roadmap to a single European transport area: Towards a competitive and resource-efficient transport system				
Key points for LGs in relevant legal texts of the EU Acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
		<p>SP of MEU for 2018-2022:⁴¹</p> <ul style="list-style-type: none"> • Overall target: reducing emissions by 21 percent in 10 to 13 years. • Setting up an emission inventory for metropolitan areas and an emission tracking system for cities. <p>SP of MENR for 2019-2023:⁴²</p> <ul style="list-style-type: none"> • Identifying co-operation areas among industry, housing, and transport sectors for achieving energy efficiency. 		

⁴¹ Republic of Turkey, 2017b.

⁴² Republic of Turkey, 2017d.

6.3.2 Road transport

The road transport topic of the EU *acquis* on transport policy is one of the four modal categories within which the Europe-wide policies and legislation are being formulated. The other topics based on the different modes of transport covered in Chapter 14 are rail, water, and air transport.

The provisions of the EU *acquis* on road transport are grouped under the following four headings, which in total include 24 sub-topics (please see Appendix 1 for more details):

- Carriage of goods (includes 5 sub-topics)
- Carriage of passengers (includes 3 sub-topics)
- Employment and working conditions (includes 4 sub-topics)
- Road safety (includes 12 sub-topics)

Taking into account the mandates of the local authorities in Turkey, two sub-topics within the two different headings of the road transport topic of the EU *acquis* are addressed in this analysis. The first is the EU rules on driving times, breaks and rest periods under the employment and working conditions heading. Summary information on this sub-topic is provided in Table 10 presented below.

Table 10: Aim of the EU rules on driving times, breaks and rest periods

Employment and working conditions			
EU rules on driving times, breaks and rest periods			
Year	Ref.	Type of act	Aim
2002	2002/15/EC dated 11.3.2002 Official Journal (OJ) L 80 of 23.3.2002 pp. 35-39	Directive	Setting out minimum rules for the organisation of working time for drivers supplementing the provisions of Regulation (EC) 561/2006, which lays down common rules on drivers' driving times and rest periods.
2006	Regulation (EC) 561/2006 OJ L 102 of 11.4.2006	Regulation	For drivers of lorries and busses, lays down rules on: <ul style="list-style-type: none"> • Driving times • Breaks • Rest periods Applies to: <ul style="list-style-type: none"> • Carriage of goods by road by vehicles exceeding 3,5 tonnes. • Carriage of passengers by road by vehicles carrying more than 9 people including the driver.

The second sub-topic is the policy orientations on road safety between 2011 and 2020 under the road safety heading. The European policy orientations on road safety for the years 2011-2020 is EU's main policy instrument, which lays out the general framework and the objectives for the national and local levels concerning road safety. Summary information on this sub-topic is provided in

Table 11 presented below.

Table 11: Aim of the policy orientations on road safety 2011-2020

Road safety			
Policy orientations on road safety 2011-2020			
Year	Ref.	Type of act	Aim
2010	COM(2010) 389 final dated 20.7.2010	Communication	<p>Providing general framework to improve road safety. For this purpose:</p> <ul style="list-style-type: none"> • Exchanging best practices across the EU. • Adopting a strategy for first aid and post-injury services to reduce the number and impact of road injuries. • Improving safety of vulnerable road users. <p>3 main principles:</p> <ul style="list-style-type: none"> • Striving for the highest road safety standards throughout Europe by encouraging EU citizens to take primary responsibility for their own safety and the safety of others on EU roads, and by focusing on improving the safety of more vulnerable road users. • An integrated approach to road safety through co-operation with other EU policy areas such as energy, environment, education, innovation and technology, and justice. • Subsidiarity, proportionality, and shared responsibility through the concept of shared responsibility, commitment and practical actions at all levels from EU countries and their authorities to regional and local bodies. <p>Target: Halving the overall number of road deaths in the EU between 2010 and 2020.</p> <p>Additional information: Celex number of COM (2018) 293 final is 52018DC293 and it is the third package of "Europe on the Move" measures. European Commission lays down a new approach to road safety in this document and presents a medium-term Strategic Action Plan as its attachment. How these new policies are going to be put into action is detailed in "EU Road Safety Policy Framework 2021-2030 - Next steps towards "Vision Zero" (SWD (2019) 283 final).</p>
2018 ⁴⁷	Annex to the COM(2018) 293 final dated 17.5.2018	Preparatory Document: Annex to Communication	<p>Europe on the Move – Sustainable Mobility for Europe: safe, connected and clean Strategic Action Plan on Road Safety</p> <ul style="list-style-type: none"> • Key actions for the Commission to focus on: <ul style="list-style-type: none"> ○ Governance ○ Financial support ○ Safe roads and roadsides ○ Safe vehicles ○ Safe road use ○ Emergency response ○ Emerging challenges ○ Improving road safety outside the EU
2019 ⁴⁸	SWD(2019) 283 final dated 19.6.2019 [Not available in EUR-LEX]	Preparatory Document: Staff Working Document	<p>Identifying next steps towards "Vision Zero"</p> <ul style="list-style-type: none"> • The safe system approach • Intervention areas <ul style="list-style-type: none"> ○ Infrastructure ○ Safe vehicles ○ Safe road use ○ Sober driving ○ Preventing driving whilst distracted ○ Use of safety belts, child restraint systems and protective equipment

⁴⁷ Listed for informative purposes only and not included in the analysis due to preparatory nature.

⁴⁸ Listed for informative purposes only and not included in the analysis due to preparatory nature.

Road safety			
Policy orientations on road safety 2011-2020			
Year	Ref.	Type of act	Aim
			<ul style="list-style-type: none"> ○ New mobility patterns and demographic change ○ Fast and effective emergency response ○ Road safety outside the EU • Monitoring and review

As regards the European road safety policy orientations, special emphasis is made on the need for the national and local levels to prepare their own complimentary strategies in line with these EU level objectives. In addition, the need for systematically compiling the necessary information and data on road safety to be able to assess the existing situation and track progress is pointed out as a key requirement.

Table 12: Analysis of the EU rules on driving times, breaks and rest periods

Employment and working conditions EU rules on driving times, breaks and rest periods				
Key points for LGS in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>Directive 2002/15/EC</p> <p>Definition of working time:</p> <ul style="list-style-type: none"> • Driving • Loading and unloading • Helping passengers get on and off the vehicle • Cleaning and technical maintenance • All other work related to the safety of the vehicle, passengers or cargo, as well as the carrying out of certain legal obligations directly related to a specific transport operation • Any other time when the driver is considered to be on duty • Maximum working week is set at 48 hours, which can be extended to 60 hours as long as the average of 48 hours is not exceeded over a 4-month period. • Drivers must not work more than 6 hours without a break. • Breaks must not last less than 30 minutes when a driver works 6 to 9 hours a day. • Drivers must take daily and weekly rest periods 	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> • Purchasing, operation, maintenance, and repair of vehicles of the public institutions <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> • Transport planning and coordination • Urban transport and traffic • Public mass transit • Licencing mass transit vehicles • Traffic regulation • Operating or authorizing the operation of buses <p>Regulation on Municipal Police:⁴⁹</p> <ul style="list-style-type: none"> • Inspecting all sorts of public transit vehicles and their routes <p>Regulation on the Coordination Centres of Metropolitan Municipalities:⁵⁰</p> <ul style="list-style-type: none"> • Taking necessary measures for ensuring traffic regulation and safety within the metropolitan municipalities 	<p>Comprehensive definition of working time in road transport is not available. Existing provisions focus mostly on driving time.</p> <p>EU rules on maximum working week is in line with the provisions of the Law No. 657 on Civil Servants (40 hours) and with provisions of the Law No. 4857 on Labour (45 hours).</p> <p>EU rules limit night shift to 10 hours whereas Law No. 4857 on Labour limits night shift to 11 hours.</p> <p>Law No. 2918 on Road Traffic:</p> <ul style="list-style-type: none"> • Municipalities shall establish or have established a specific unit for managing traffic. • Local authorities shall take part in provincial or district traffic commissions. • Co-operation shall be established with municipalities and other relevant institutions for the application of the Law. 	<ul style="list-style-type: none"> • Introducing a detailed definition of working time for drivers employed by local authorities. • In line with the EU rules on driving times, breaks and rest periods, identifying general rules suitable for drivers employed by local authorities both for passenger transport and for goods transport. • Including the general rules on driving times, breaks, and rest periods into the own traffic and public transit regulations of municipalities. • Ensuring local authority-wide application of the provisions set out in Law No. 2918 and the relevant regulations, particularly the Regulation on Road Traffic. • Setting up regular controls for the full application of the existing provisions on the working conditions of the drivers employed by local authorities. 	<ul style="list-style-type: none"> • Conductive provisions in the Regulation on Municipal Police and the Regulation on Coordination Centres of Metropolitan Municipalities for more clearly defining working time of drivers employed by local authorities and for introducing general rules for driving times, breaks, and rest periods. • Enhancing co-operation with Mol and MTI for improvements in local authority-wide full implementation. • In co-operation with the Federation of Drivers and Motorists of Turkey, carrying out capacity building activities for drivers employed by local authorities.

⁴⁹ Regulation of the Ministry of Environment and Urbanisation, 2007.

⁵⁰ Regulation of the Ministry of Interior, 2006.

Employment and working conditions EU rules on driving times, breaks and rest periods				
Key points for LGs in relevant legal texts of the EU Acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<ul style="list-style-type: none"> Where a night shift is worked, a maximum of 10 hours can be worked in any 24-hour period. 	<ul style="list-style-type: none"> Authorising the passenger and freight vehicles to be operated for commercial purposes 			
<p>Regulation (EC) 561/2006</p> <ul style="list-style-type: none"> Drivers must be at least at the age of 18. Maximum amount of daily driving time of 9 hours, which can be extended to 10 hours no more than twice a week. Maximum amount of weekly driving time of 56 hours. Maximum total accumulated driving time during any two consecutive weeks of 90 hours. After driving for a period of 4,5 hours, a driver must take an uninterrupted break of not less than 45 minutes, unless he takes a rest period. Minimum daily rest of 11 hours, which can be reduced to 9 hours no more than 3 times a week. Regular weekly rest period of minimum 45 hours and a reduced weekly rest period of a minimum of 24 hours. Obligation to install a digital tachograph in new vehicles having a mass of more than 3,5 tonnes (in goods transport) and carrying more 	<p>Same as above.</p>	<p>Regulation on Road Traffic:⁵¹</p> <ul style="list-style-type: none"> With the exception of categories M, A1, and B1, all drivers must be at least at the age of 18. Maximum amount of total driving time in 24 hours is 9 hours with maximum continuous driving time of 4,5 hours. After a maximum 6 day of driving, drivers shall take 1 full day of resting [equivalent to maximum amount of weekly driving time of 54 hours]. Minimum resting time after 4,5 hours of driving is 45 minutes, which can be used as 15-minute breaks within the 4,5 hours of driving. Daily rest in 24 hours is 11 consecutive hours, which can be divided into two or three periods one of which is at least 8 hours. In such a case, the total daily rest is increased to 12 hours. Daily rest can be reduced to 9 hours no more than 3 times a week. Vocational Qualification Certificates is compulsory for drivers. Controls shall cover at least 1 percent of the annual working time of the drivers. At least 15 percent of the controls shall be roadside controls and 25 percent of the controls shall be on site. 	<ul style="list-style-type: none"> Identifying driving time, break and rest period rules for different categories of drivers employed by local authorities, in particular for those working in public transit. Ensuring that the provisions of the Regulation on Road Traffic are fully applied to all sorts of public transit both for passenger and goods at the local level. Systematising controls on necessary qualifications, training, driving times, breaks, and rest periods. Making digital tachograph obligatory for all vehicles of local authorities. Reconsidering the legal exemptions indicated for municipalities. In accordance with the relevant national and international standards, regulating in detail the areas that are left to the discretion of local authorities by the relevant legislation. 	<ul style="list-style-type: none"> Improving effective participation of local authorities in provincial and district traffic commissions. Improving effective operation of transport coordination centres within metropolitan municipalities. Authorising transport coordination centres of metropolitan municipalities with monitoring full implementation of the existing legal provisions for the transport activities carried out by local authorities. As regards road transport at the local level, improving information exchange and co-operation among: <ul style="list-style-type: none"> MTI Mol UMT Ministry of National Education Ministry of Health Federation of Drivers and Motorists of Turkey

⁵¹ Regulation of the Ministry of Interior, 1997.

Employment and working conditions EU rules on driving times, breaks and rest periods				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>than 9 persons including the driver (in passenger transport).</p>	<p>Transport (Official Journal Date: 21.5.2010 No. 27587).</p>	<p>Law No. 2918 on Road Traffic:</p> <ul style="list-style-type: none"> Municipal vehicles are exempt from the obligations concerning tachograph. <p>Law No. 4925 on Road Transport:</p> <ul style="list-style-type: none"> Automobiles owned by municipalities are exempt from the Law. Transport within municipal boundaries may be delegated to municipalities. <p>Regulation on Road Transport:⁵²</p> <ul style="list-style-type: none"> Non-commercial transport carried out via public vehicles is exempt from the Regulation. Those authorised for road transport shall abide by the working and resting times of drivers. Drivers and their employers shall abide by the provisions of the European Agreement Concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR) adopted by Turkey in 1999, the Law No. 2918 on Road Traffic, and the Regulation on Road Traffic. <p>Regulation on Vocational Qualification Training for Road Transport Activities:⁵³</p> <ul style="list-style-type: none"> Determining the necessary principles and procedures for obtaining the necessary vocational qualifications for road transport. 		

⁵² Regulation of the Ministry of Transport and Infrastructure, 2018.

⁵³ Regulation of the Ministry of Transport and Infrastructure, 2004.

Table 13: Analysis of the policy orientations on road safety 2011-2020

Road safety Policy orientations on road safety 2011-2020: towards a European road safety area				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>Objectives:</p> <ul style="list-style-type: none"> • Improve education and training of road users. • Increase enforcement of road rules. • Safer road infrastructure. • Safer vehicles. • Promote the use of modern technology to increase road safety. • Improve emergency and post-injury services. • Protect vulnerable road users. 	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> • Provincial planning and coordination • Road infrastructure and maintenance • Emergency aid and rescue • Training <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> • Strategic planning and investment planning • Transport planning and coordination • Infrastructure coordination • Road construction and maintenance • Urban transport and traffic management • Public mass transit • Licencing mass transit vehicles • Parking • Geographical information systems • Emergency aid and rescue • Training <p>Law No. 5355 on Unions of Local authorities:</p>	<p>Highway Traffic Safety Strategy & Action Plan (2012):</p> <ul style="list-style-type: none"> • Ensuring proper education and training of traffic officials and the public. • Ensuring compliance with national and international standards in planning, design, and implementation of road infrastructure projects. • Intelligent transport systems will be introduced in traffic management. • In collaboration with local authorities, automated traffic monitoring will be expanded. • SPAs and municipalities will establish traffic training parks for children. • Protection of pedestrians will be ensured in co-operation with local authorities. • Traffic safety of disadvantaged groups will be ensured. <p>Law No. 2918 on Road Traffic:</p> <ul style="list-style-type: none"> • Municipalities shall establish a traffic unit and ensure safety of roads under their responsibility. 	<ul style="list-style-type: none"> • In collaboration with UMT and UP, revising the Highway Traffic Safety Strategy and Action Plan in accordance with the Eleventh Development Plan as well as with current EU strategy and priorities. • Identifying standards and criteria for compliance of local authorities with the objectives of the plan. • Strengthening the enforcement of road infrastructure standards. • Increasing general public awareness at local level about road safety via specialised training facilities for adults as well as for children. • Ensuring all public vehicles owned by local authorities fully comply with the roadworthiness standards of the EU. • Collecting and analysing disaggregated data on road safety to prioritise maintenance and improvement operations. • Enhancing the capacity of Investment Monitoring and Coordination Directorates (YIKOBs) in relation to road safety emergency services. • Regulating close co-operation with and support to traffic police through protocols. 	<ul style="list-style-type: none"> • Communicating the strategic policy orientations across all local authorities. • Assessment of existing situation on road safety at local level. • Monitoring and evaluation of the implementation of road safety policies. • Implementation of the Regulation on Voluntary Participation in the Services of SPAs and Municipalities (specific reference to traffic). • Benefiting from citizens' assemblies and neighbourhood administrations for raising public awareness on road safety. • Improving effective participation in provincial and district traffic commissions. • Enhancing co-operation with the Directorate-General for Highways. • Determining transfer possibilities from central government funds to local authorities for further road safety services to be conducted by local authorities. • Expanding the scope of the Regulation on Road Infrastructure Safety Management⁵⁷ (in line with 2008/96/EC) to include road safety responsibilities of local authorities.

⁵⁷ Regulation of the Directorate-General for Highways, 2018.

Road safety Policy orientations on road safety 2011-2020: towards a European road safety area				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
	<ul style="list-style-type: none"> Co-operation among local authorities for provision of infrastructure and protection of the environment Provision of road infrastructure in villages <p>Regulation on Municipal Police:⁵⁴</p> <ul style="list-style-type: none"> Inspecting highways, roads, streets, squares, and the like Inspecting all sorts of public transit vehicles and their routes <p>Regulation on the Coordination Centres of Metropolitan Municipalities:⁵⁵</p> <ul style="list-style-type: none"> Taking necessary measures for ensuring traffic regulation and safety within the metropolitan municipalities Authorising the passenger and freight vehicles to be operated for commercial purposes Regulating the use of roads within the metropolitan boundaries and taking decision on road signs and signalling 	<ul style="list-style-type: none"> Municipalities shall establish or have established traffic training facilities for children. <p>Regulation on Road Traffic:⁵⁶</p> <ul style="list-style-type: none"> Establishing traffic training parks for children. Setting up protocols between traffic police and municipal traffic units for enhanced co-operation and coordination. 30 percent of the traffic fines reported via the electronic surveillance systems established by the municipality shall be transferred to the municipality as service fee. 	<ul style="list-style-type: none"> Improving urban transport planning capacity through setting up participatory consultative mechanisms involving all relevant stakeholders such as representatives of DG Highways, chambers of engineers, architects, and city planners. 	

⁵⁴ Regulation of the Ministry of Environment and Urbanisation, 2007.

⁵⁵ Regulation of the Ministry of Interior, 2006.

⁵⁶ Regulation of the Ministry of Interior, 1997.

6.3.3 Transport, energy, and the environment

Energy and environment are two key sectors closely interrelated with transport policy. They have direct influence on the functioning of all modes of transport and they are directly affected by the operation of all transport networks and vehicles. For this reason, a specific topic of Chapter 14 is addressing this key policy intersection among transport, energy, and the environment.

Majority of the EU *acquis* within the scope of this particular topic is focusing on technical production or adaptation standards for vehicles and prevention of marine pollution caused by ships. From the perspective of the mandates of local authorities in Turkey, the directive on promoting clean and energy-efficient road transport vehicles (2009/33/EC) is the most relevant legal act that focuses on the vehicles of public authorities. Summary information on this sub-topic is provided in Table 14 presented below.

Table 14: Aim of provisions concerning clean and energy-efficient road transport vehicles

Protection of the environment			
Clean and energy-efficient road transport vehicles			
Year	Ref.	Type of act	Aim
2009	2009/33/EC dated 23.3.2009 OJ L 120 of 15.5.2009 pp. 5-12	Directive	<p>In order to promote and stimulate the development of a market for clean and energy-efficient vehicles, public authorities and certain other public transport operators are required to take into account the impact of these vehicles during their operational lifetime in terms of:</p> <ul style="list-style-type: none"> • energy consumption; • CO₂ emissions; and • Other pollutant emissions. <p>Applies to contracts for the purchase of road transport vehicles entered into by:</p> <ul style="list-style-type: none"> • contracting authorities and contracting entities, • operators of public service obligations under a public service contract.

The implementation of the directive on promoting clean and energy-efficient road transport vehicles is supported by various initiatives and detailed studies such as:

- the Guidelines on Green Public Procurement,
- the European Green Vehicle Initiative, and
- the European Clean Bus Deployment Initiative.

In particular, the European Clean Bus⁵⁸ deployment initiative carries special importance for local authorities as it includes signing a public declaration and additional complimentary measures for transitioning to using low-emission busses for public transport in urban areas.

⁵⁸ Further details available at: https://ec.europa.eu/transport/themes/urban/cleanbus_en.

Table 15: Analysis of provisions concerning clean and energy-efficient road transport vehicles

Protection of the environment Clean and energy-efficient road transport vehicles				
Key points for LCs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>Purchase of clean and energy-efficient road transport vehicles</p> <ul style="list-style-type: none"> Operational lifetime energy and environmental impacts of: <ul style="list-style-type: none"> energy consumption, emissions of CO₂ and emissions of NO_x, non-methane hydrocarbons and particulate matter are taken into account. To meet this requirement: <ul style="list-style-type: none"> setting technical specifications for energy and environmental performance in the documentation they draw up when the vehicle is purchased, or including energy and environmental impacts in the purchasing decision. <p>Methodology for the calculation of operational lifetime costs:</p> <ul style="list-style-type: none"> fuel consumption per kilometre is calculated in units of energy consumption per kilometre. the calculation uses a single monetary value per unit of energy. 	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> Purchase, operation, maintenance, and repair of vehicles for the SPA and on behalf of public institutions. <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> Spatial planning, and planning and coordination of land development Transport planning and coordination Infrastructure coordination Urban transport and traffic Public mass transit Protection of the environment based on the principles of sustainable development Avoiding environmental pollution Licensing mass transit vehicles Determining the requirements of public transit vehicles <p>Law No. 5355 on Unions of Local authorities:</p>	<p>KENTGES:</p> <ul style="list-style-type: none"> Making public transit systems environmentally sensitive. <p>Law No. 5627 on Energy Efficiency:</p> <ul style="list-style-type: none"> Increasing energy efficiency in transport. <p>Regulation on Road Transport:⁶⁰</p> <ul style="list-style-type: none"> Transport activities shall be carried out with minimum impact on the environment. <p>Regulation on Procedures and Principles for Increasing Energy Efficiency in Transport:⁶¹</p> <ul style="list-style-type: none"> Necessary regulatory measures shall be taken by the MTI in co-operation with other ministries for terminating the operation of transport vehicles that have completed their economic lifetime in terms of fuel consumption and for renewing the fleet of vehicles with high energy efficiency, low emission, new technology vehicles. Municipalities shall take measures to reduce the use of private and commercial vehicles in city centres and to increase effective and efficient use of public transit. 	<ul style="list-style-type: none"> Revising the Law No. 237 on Vehicles to indicate specific reference to clean and energy-efficient road transport. Designing implementing measures and action plans with <u>specific national</u> and regional targets for local authorities in accordance with the provisions of the Regulation on Procedures and Principles for Increasing Energy Efficiency in Transport that point out to development of guidebooks for this purpose. Preparing <u>urban transport master plans</u> in line with the provisions of the Regulation on Procedures and Principles for Increasing Energy Efficiency in Transport. Preparing more detailed urban transport implementation plans aimed at shorter time intervals and ensuring that such plans are prepared, implemented and monitored in accordance with good governance principles. Adopting a methodology for the calculation of <u>operational lifetime</u> costs in line with the methodology applied in the EU. 	<ul style="list-style-type: none"> Compliance of the Type Approval Regulation of Motor Vehicles and Trailers (Official Journal Date: 28.6.2009 No. 27272) with the EU acquis (2007/46/EC). Availability of directly relevant objectives in Energy Efficiency Strategy Document 2012-2023. The procurement procedures of the State Supply Office offer possibilities to integrate clean and energy-efficient road transport vehicles as a purchasing criterion for public vehicles. Contribution of UMT, UP, and regional unions of local authorities to the development of guidebooks for the preparation of urban transport master plans. Updating and disseminating the UMT Guidebook for Transport Planning Activities and Preparing Transport Master Plan (Union of Municipalities of Turkey, 2014). Establishing guidance mechanisms within UMT and regional unions to support municipalities in the implementation and monitoring of the urban transport master plans. Economic incentive mechanisms might be necessary for local authorities to comply with the methodology

⁶⁰ Regulation of the Ministry of Transport and Infrastructure, 2018.

⁶¹ Regulation of the Ministry of Transport and Infrastructure, 2019.

Protection of the environment Clean and energy-efficient road transport vehicles				
Key points for ICGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<ul style="list-style-type: none"> the operational lifetime cost of the energy consumption of a vehicle is calculated by multiplying the mileage already performed by energy consumption, and then by the cost per unit of energy. the cost of CO₂ emissions is calculated by multiplying the mileage already performed by CO₂ emissions in kilograms per kilometre, and then by the cost per kilogram. The cost of pollutant emissions is obtained by adding the costs related to emissions NO_x, non-methane hydrocarbons and particulate matter. 	<ul style="list-style-type: none"> Purchasing vehicles for the delivery of services <p>Regulation on the Coordination Centres of Metropolitan Municipalities:⁵⁹</p> <ul style="list-style-type: none"> Taking necessary measures for ensuring traffic regulation and safety within the metropolitan municipalities 	<ul style="list-style-type: none"> In co-operation with MTI and municipalities, infrastructural deficiencies causing high fuel consumption shall be eliminated. In co-operation with local authorities, measures shall be taken to incentivise the use of public transit by public officials. Metropolitan municipalities and municipalities with population more than 100,000 shall prepare urban transport master plans with a 15-year perspective in compliance with the National Transport Master Plan. Urban transport master plans shall be in compliance with local clean air action plans. Municipalities may identify certain urban areas as low emission areas. Vehicles with alternative fuels shall be prioritized for road haulage. Vehicles with high energy efficiency and environmentally friendly alternative fuels shall be prioritized for public transit. Electric motor public transit vehicles with regenerative braking energy shall be preferred. Detailed data on range, fuel consumption, emissions, etc. shall be collected from public transit operations. High efficiency tires shall be used for public transit vehicles. 	<ul style="list-style-type: none"> Strategic planning capacity that has been developed in the municipalities in the past ten years can provide technical input for ensuring compliance among the different plans at the local level ranging from regional development plans, environmental plans, spatial plans, strategic plans, urban transport plans, and clean air plans. Developing detailed criteria for low emission areas. Developing detailed criteria for environmentally friendly public transit vehicles (electric buses and buses operating with alternative fuels). Improving data collection and analysis capacity of local authorities on public transit operations. Integrating clean and energy-efficient road transport principles into the intelligent transport systems to be established by local authorities. In order to ensure accurate, up-to-date, and comparable data on public transit vehicles, technical training modules can be developed for relevant municipal staff. UP can develop technical capacity for detailed assessments on clean and energy-efficient public transit. 	<p>concerning operational lifetime requirements.</p> <ul style="list-style-type: none"> UMT's training academy and UP's VIBEM can play an important role for developing technical capacity on data collection and reporting on local public transit. UP can directly co-operate with MTI and MENR for the assessment of provincial public transit systems and can provide guidance and recommendations to the local authorities for improvements.

⁵⁹ Regulation of the Ministry of Interior, 2006.

Protection of the environment Clean and energy-efficient road transport vehicles				
Key points for LCGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
		<ul style="list-style-type: none"> • Clean and energy-efficient applications of intelligent transport systems shall be incentivised. • Establishment of intelligent transport systems ensuring tracking of fuel consumption and air pollution shall be promoted. • Municipalities shall report the vehicle numbers, passenger numbers, and fuel consumption data of taxis, public buses, minibuses, and other vehicles to the MENR in March of every year. • MTI and MENR shall carry out a comprehensive assessment of public transit in provinces and recommends solutions for improvements. 		

6.3.4 Mobility and passenger rights

Ensuring sustainable mobility in urban areas and protecting the rights of the passengers all across the EU are the two main objectives within the scope of the mobility and passenger rights topic of the EU *acquis* on transport policy.

The first dimension focusing on sustainability in urban areas is closely connected to the transport, energy, and the environment topic mentioned in Section 6.3.3. The directive on promoting clean and energy-efficient road transport vehicles (2009/33/EC), which is one of the fundamental bases of environmental protection in the EU *acquis* on transport policy also applies to the sustainable urban mobility sub-topic. Summary information on the EU *acquis* on urban mobility is provided in Table 16 presented below.

Table 16: Aim of urban mobility in the EU

Sustainable mobility Urban mobility in the EU			
Year	Ref.	Type of act	Aim
2009	2009/33/EC dated 23.3.2009 OJ L 120 of 15.5.2009 pp. 5-12	Directive	Please see Section 6.3.3.
2009	COM(2009) 490 final	Communication	Action Plan Urban Mobility <ul style="list-style-type: none"> • Ensuring urban transport in the EU is environmentally sustainable, competitive, and meets society's needs. • Measures were to be taken gradually between 2009 and 2012 by local, regional, and national authorities.

The second dimension focusing on passenger rights includes provisions not only based on the different modes of transport such as passengers travelling by road, rail, air, and water but also concerning the rights of passengers with reduced mobility. In principle, these rights are in complementary nature across all different modes. As road transport is the dominant mode of transport at the local level, the rights of the bus and coach passengers are taken into account in this analysis. Due to the fact that the related regulation makes a distinction between travel within distances of 250 kilometres or more and travel within shorter distances, the provisions for the latter that concern local authorities more are highlighted here. Summary information on this sub-topic is provided in Table 17 presented below.

Table 17: Aim of provisions concerning bus and coach passengers' rights

Passenger rights Bus and coach passengers' rights			
Year	Ref.	Type of act	Aim
2011	Regulation (EU) No. 181/2011 OJ L 55 of 28.2.2011 pp. 1-12	Regulation	Concerning the rights of passengers, sets down rules for bus and coach transport regarding ordinary bus and coach services carrying passengers along specified routes with pre-determined pick-up and stopping points. The rights of passengers include: <ul style="list-style-type: none"> • Right to information • Right to compensation in the case of delay or cancellation • Rights of citizens with reduced mobility

Table 18: Analysis of urban mobility in the EU

Sustainable mobility Urban mobility in the EU				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<ul style="list-style-type: none"> Promoting integrated policies: urban transport management should be interlinked to other policies such as environmental protection, land-use planning, and housing. Focusing on citizens: the public should enjoy reliability, information, safety and ease of access for all forms of urban transport. Greening urban transport: the EU will continue to support the development of, and markets for, new, clean vehicle technologies and alternative fuels. Strengthening funding: while most investment is provided by local, regional, and national authorities, the European Commission will help them explore opportunities for EU financing. Sharing experience and knowledge: the Commission will assist all those involved in urban transport to make best use of existing experience and support the exchange of information. Optimising urban mobility: the Commission will help local authorities to optimise the efficiency of their urban logistics and to develop intelligent transport systems. 	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> Provincial planning and coordination Road infrastructure and maintenance <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> Strategic planning and investment planning Spatial planning, and planning and coordination of land development Transport planning and coordination Infrastructure coordination Traffic management Public transit Licensing mass transit vehicles Identifying the numbers of taxis, public transit vehicles, and the like Identifying ticket fares, routes, stops, and parking places Establishing a special unit for providing services and support to persons with disabilities 	<p>National Transport and Communication Strategy for 2023:⁶²</p> <ul style="list-style-type: none"> Establishing an Urban Transport Administration that is as autonomous as possible and that ensures centralised management of urban transport system in large cities. Developing technical and design criteria and standards for urban public transit vehicles, stops, and routes. Ensuring participatory decision making for urban transport investments. Ensuring coordination among local authorities and other relevant public institutions. Creating financing models for transport investments and ensuring co-operation with private sector. Creating pedestrian areas in historical and cultural centres and ensuring comfort and security of vulnerable groups. Developing environment-friendly vehicles and promoting the use of green and energy-efficient vehicles in urban traffic. 	<ul style="list-style-type: none"> Disseminating detailed information to the local level on the higher-level policies and relevant legislation by improving multi-level governance⁶⁴ practices. Ensuring compliance of municipal strategic plans and spatial plans with the goals, objectives, and priorities of higher-level policy documents and relevant legislation. Identifying objective targets with necessary time frames for monitoring concrete policy objectives. Determining detailed frameworks on public consultation and citizen participation in designing and delivering urban transport policies. Strengthening the role of citizens' assemblies in the development, monitoring, and evaluation of urban mobility policies. Designing detailed central and local financing mechanisms to incentivise greening of urban transport. With the support of UMT and UP, improving horizontal exchange of expertise among local authorities in the field of urban mobility. 	<ul style="list-style-type: none"> Availability of conducive secondary legislation on citizens' assemblies and voluntary participation in local authority services. Improvement possibilities for more systematized, open, and constructive horizontal collaboration among provincial and district branches of the central government and local authorities with support from the EU units within governorates and deputy governors in charge of EU affairs. Stronger coherence and complementarity within metropolitan areas between the metropolitan municipality and metropolitan district municipalities. Direct involvement of UMT and UP into the policy making processes on mobility at the central government level. Improving data availability and transparency on urban mobility. <p>Update from the Ministry of Transport and Infrastructure:</p> <ul style="list-style-type: none"> Sustainable Urban Mobility Plans in selected cities are envisaged to be prepared within the context of the

⁶² Republic of Turkey, 2011.

⁶⁴ For more details on the definition, objectives, and practices of multi-level governance, please see: <https://portal.cor.europa.eu/migcharter/Pages/default.aspx>.

Sustainable mobility Urban mobility in the EU				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
	<p>Law No. 5355 on Unions of Local authorities:</p> <ul style="list-style-type: none"> Co-operation among local authorities for provision of infrastructure and protection of the environment 	<ul style="list-style-type: none"> Digitalising all transport systems and integrating them into information technologies. <p>KENTGES:</p> <ul style="list-style-type: none"> Undertaking legislative arrangements to ensure the coherence and integrity of urban transport plans with spatial plans. Ensuring preparation of urban transport plans based on environmental, technical, economic, and social criteria. Increasing the effectiveness of urban traffic and transport services. Undertaking necessary arrangements to ensure that the design, maintenance and monitoring of transport systems and major transport facilities are made toward increasing their resilience to disasters. Ensuring effective use of information systems in urban transport. <p>Regulation on Procedures and Principles for Increasing Energy Efficiency in Transport.⁶³</p> <ul style="list-style-type: none"> Comprehensive definition of Urban Transport Master Plan. Metropolitan municipalities, metropolitan district municipalities and municipalities with more than 100.000 population prepare urban transport master plans for a 15-year period. 	<ul style="list-style-type: none"> Putting specific focus on open, useful, and reusable local authority data as the basis for more comprehensive and attainable policy objectives. 	<p>Sectoral Operational Programme for Transport.</p>

⁶³ Regulation of the Ministry of Transport and Infrastructure, 2019.

Sustainable mobility Urban mobility in the EU				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
		<ul style="list-style-type: none"> • MTI shall issue a guideline for preparation of urban transport master plans. • Urban transport master plans shall be prepared in compliance and coordination with sustainable transport policies, urban plans of cities, and clean air action plans. • Incentives for replacing highly polluting old technology vehicles with new, less polluting and energy efficient vehicles. • Municipalities shall take measures to reduce motor vehicles in city centres and increase the use efficient and effective public transit. • MTI and municipalities shall improve infrastructure that is causing high fuel consumption. • Public institutions encourage employees to use public mass transit. • Working hours can be planned, and flexible and remote working possibilities can be introduced to reduce traffic and energy consumption. • Data collection, calculation and modelling for assessing the fuel consumption and emissions related to infrastructure. 		

Table 19: Analysis of provisions concerning bus and coach passengers' rights

Passenger rights Bus and coach passengers' rights				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>For distances less than 250 kilometres:</p> <ul style="list-style-type: none"> • Non-discrimination based on nationality with respect to prices and contract conditions for passengers. • Non-discriminatory treatment of disabled persons or persons with reduced mobility and financial compensation for loss or damage of their mobility equipment in case of accident. • Minimum rules on travel information for all passengers before and during their journey and general information about their rights in terminals and online. • A complaint handling mechanism established by carriers and available to all passengers. 	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> • Operation and maintenance of public vehicles <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> • Business licencing • Transport planning and coordination • Traffic management • Public transit • Licencing mass transit vehicles • Identifying the numbers of taxis, public transit vehicles, and the like • Identifying ticket fares, routes, stops, and parking places • Establishing a special unit for providing services and support to persons with disabilities • Adopting methods to properly serve to persons with disabilities, the elderly, and persons with low income 	<p>Regulation on Road Transport:⁶⁵</p> <ul style="list-style-type: none"> • Providing flawless service to the users is the obligation of the certified service provider. Flawless service is service users' right. • Service users' rights are protected under Law No. 6502 on Consumer Protection. • Insurance of passengers is compulsory for all service providers. • Fare prices shall be set with the approval of MTI and shall not be increased. Discounts are allowed up to 30 percent and special prices are subject to the approval of MTI. • Information on prices and travel information shall be made publicly available in the offices of the services provider. • Travel information may also be published online on the official internet pages determined by MTI. • Administrative fines and sanctions shall be applied to service providers not in compliance with the provisions of the Regulation, which may lead to the termination of their service provision certificate. 	<ul style="list-style-type: none"> • Specific national regulations on urban mass transit provided by local authorities can be developed. • Based on the national regulations setting out the general framework on urban mass transit, municipalities can issue their own detailed regulations on passenger rights with objective and measurable criteria. • The issue of <u>non-discrimination</u>, especially in <u>touristic areas</u> needs to be addressed accordingly. • The municipal units for providing services and support to persons with disabilities can actively <u>monitor and disseminate</u> information on rights of passengers using public mass transit. • <u>Assessing</u> the efficiency and effectiveness of complaint handling mechanisms used by municipalities and designing improvements to enhance the user experiences of all passengers. • Raising public awareness on rights of citizens' using public mass transit. • Standardising and integrating <u>online</u> applications developed by municipalities for urban mass transit. 	<ul style="list-style-type: none"> • Existing secondary legislation in Turkey on air passengers' rights can provide a basis for more detailed regulations on bus and coach passengers' rights. • Citizens' assemblies can monitor and support the implementation of the Regulation on Road Transport in the context of urban mass transit. • In co-operation with UMT and UP, comprehensive capacity development programmes on passenger rights can be designed for the staff involved in the operation of urban mass transit, especially for drivers. • Integration of information technology infrastructures for reliable information dissemination to users of urban mass transit.

⁶⁵ Regulation of the Ministry of Transport and Infrastructure, 2018.

6.3.5 Intelligent transport and navigation by satellite

One of the main objectives of the EU transport policy is utilising innovative information technologies for achieving better transport services across Europe. To this end, the EU is primarily focusing on intelligent transportation systems and satellite navigation technologies. Its flagship programme in this field is the eCall, which is an in-vehicle emergency call system that automatically dials 112 in the event of a serious road accident and communicates the vehicle's location to the emergency services. The EU programme for space surveillance and tracking support, which aims to protect satellites from space debris is also within the scope of this particular topic of the EU *acquis* on transport policy.

A key legal instrument of the EU for promoting the utilisation of intelligent transport systems is the directive that lays out the rules on the deployment of intelligent transport systems in the field of road transport and for interfaces with other modes of transport (2010/40/EU). For the purposes of this directive, intelligent transport systems are defined as:

[..] systems in which information and communication technologies are applied in road transport, including infrastructure, vehicles and users, traffic management, and mobility management.

The implementation measures of the directive 2010/40/EU are elaborated in the following five separate delegated acts (Commission delegated regulations):

- Harmonised provision for an interoperable EU-wide eCall.
- Data and procedures for the provision, where possible, of road safety-related minimum universal traffic information free of charge to users.
- Provision of information services for safe and secure parking places for trucks and commercial vehicles.
- Provision of EU-wide real-time traffic information services.
- Provision of EU-wide multimodal travel information services.

In addition to the directive itself, the last two of these delegated acts are also directly relevant for local authorities in Turkey. Summary information on this sub-topic is provided in Table 20 presented below.

Table 20: Aim of the deployment of intelligent transport systems in Europe

Intelligent transport systems			
The deployment of intelligent transport systems in Europe			
Year	Ref.	Type of act	Aim
2010	2010/40/EU dated 7.7.2010 OJ L 207 of 6.8.2010 pp. 1-13	Directive	Encouraging the development of innovative transport technologies to create intelligent transport systems by introducing common EU standards and specifications that ensure interoperability and efficiency. Priority areas are: <ul style="list-style-type: none"> • Optimal use of road, traffic, and travel data to allow road users to plan trips. • Continuity of intelligent traffic and freight management systems. • Intelligent road safety and security applications (for example, alerts of risks of reduced visibility, or of people, animals, and debris on the road). • Linking vehicles with the transport infrastructure (i.e. equipping vehicles to allow for exchange of data or information).
2015	2015/962 dated 18.12.2014 OJ L 157 of 23.6.2015 pp. 21-31	Commission Delegated Regulation	<u>Provision of EU-wide real-time traffic information services</u> Establishing the specifications necessary in order to ensure the accessibility, exchange, re-use, and update of road and traffic data by road authorities, road operators, and service providers for the provision of EU-wide real time traffic information services.

Intelligent transport systems
The deployment of intelligent transport systems in Europe

Year	Ref.	Type of act	Aim
2017	2017/1926 dated 31.5.2017 OJ L 272 of 21.10.2017 pp. 1-13	Commission Delegated Regulation	<u>Provision of EU-wide multimodal travel information services</u> Establishing the necessary specifications in order to ensure that EU-wide multimodal travel information services are accurate and available across borders to intelligent transport systems users.

Table 21: Analysis of the deployment of intelligent transport systems in Europe

Intelligent transport systems The deployment of intelligent transport systems in Europe				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>EU-wide real-time traffic information services</p> <ul style="list-style-type: none"> Road authorities and road operators shall provide the static road data they collect and update in a standardised format. Road authorities and road operators shall provide the dynamic road status data they collect and update in a standardised format. Road authorities and road operators shall provide the traffic data they collect and update in a standardised format. <p>EU-wide multimodal travel information services</p> <ul style="list-style-type: none"> Transport authorities, transport operators, infrastructure managers or transport on demand service providers shall provide the static travel and traffic data and historic traffic data of different modes. Application programming interfaces that provide access to static travel and traffic data shall be publicly accessible allowing users and end-users to register to obtain access. 	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> Road infrastructure and maintenance Provincial planning and coordination <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> Strategic planning and investment planning Spatial planning, and planning and coordination of land development Transport planning and coordination Infrastructure coordination Traffic management Public transit Licensing mass transit vehicles Identifying the numbers of taxis, public transit vehicles, and the like Identifying ticket fares and routes Setting up geographical and urban information systems Setting up e-municipality systems 	<p>Highway Traffic Safety Strategy and Action Plan:⁶⁶</p> <ul style="list-style-type: none"> Making maximum use of intelligent transport systems in traffic management. Promoting co-operation among universities and industry organisations for the domestic manufacturing of technologies supporting intelligent transports. Establishment of 18 traffic management centres for the dissemination of intelligent transport systems. <p>National Intelligent Transport Systems Strategy Document (2014-2023):⁶⁷</p> <ul style="list-style-type: none"> Establishing a national intelligent transport systems architecture. Awareness raising on and incentivising the use of intelligent transport systems. Increasing number of qualified personnel in the field of intelligent transport systems. Increasing the application of intelligent transport systems in public mass transit. Developing passenger information systems. 	<ul style="list-style-type: none"> Directly involving UMT and UP in the development and design of the national intelligent transport system architecture. Ensuring <u>standardisation</u> of systems and data formats with the EU-wide traffic information services. Developing technical capacity at the local level (via municipalities, SPAs and YIKOBs) for the provision of standardised data and information into the national intelligent transport systems architecture. Conducting assessments on the existing systems of intelligent transport at the local level for identifying potential areas of improvement. Streamlining <u>data sharing and transparency</u> among local authorities and across different levels of government. Using effective <u>communication strategies</u> for demonstrating the contribution of intelligent transport systems to cleaner transport and improved traffic management at the local level and for the promotion of wider use. 	<ul style="list-style-type: none"> Full-fledged national strategy available for integration into strategic plans and programmes of local authorities. UMT's municipal academy and UPs training centre (VIBEM) can introduce modules on the deployment of intelligent transport systems. Establishing co-operation with universities, private sector, local authorities, YIKOBs and other public institutions for the development of necessary technologies for intelligent transport systems (with possible EU level support from networks such as CIVITAS). Direct involvement of users (citizens and all relevant stakeholders) in all stages of the development of intelligent transport systems. <p>Update from the Ministry of Transport and Infrastructure:</p> <ul style="list-style-type: none"> Few intelligent transport system projects are planned to be financed under the Sectoral Operational Programme for Transport.

66 Republic of Turkey, 2012a.

67 Republic of Turkey, 2014b.

Intelligent transport systems The deployment of intelligent transport systems in Europe				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
	<p>Law No. 5355 on Unions of Local authorities:</p> <ul style="list-style-type: none"> Co-operation among local authorities for provision of infrastructure and protection of the environment 	<ul style="list-style-type: none"> Promoting fleet management applications. Improving accessibility of public mass transit via intelligent transport systems. Promoting energy efficiency, environmental protection, and reduction of emissions via intelligent transport systems. <p>Regulation on Procedures and Principles for Increasing Energy Efficiency in Transport.⁶⁸</p> <ul style="list-style-type: none"> Definition of intelligent transport systems and intelligent transport system architecture. Policies, strategies, and principles for intelligent transport systems shall be identified by MTI. Electronic routing system to direct drivers to the best possible route for reducing driving time, air and noise pollution, fuel consumption, and for improving human psychology. 		

⁶⁸ Regulation of the Ministry of Transport and Infrastructure, 2019.

6.4 Main transport policy highlights for local authorities in turkey

In order to provide support to the process of accession to the EU, local authorities in Turkey may focus their policies on transport on the following topics presented in Table 22 below.

Table 22: Main transport policy highlights for local authorities in Turkey

Main issue	Policy highlights
Sustainable transport	Prioritising sustainable urban mobility
	Climate change – clean transport
	Reducing dependence on imported oil
Increased safety by better planning	Modal shift or integration
	Integrated transport planning – improved inter-connections
	Road safety vision zero
Awareness	Education, training and enforcement
	Passenger rights and accessibility
	Implementation of existing policy documents
Smart infrastructure	Intelligent transport systems
	Collecting and generating data on transport
Experience sharing	Town twinning in the field of transport
	Involvement in the CIVITAS initiative
	Co-operation and collaboration with transport research institutes

Harmonisation of the relevant legislation in Turkey with the following legal instruments of the EU (6) will contribute to further progress in the field of transport and it will also lead the local authorities to build their capacities towards necessary improvements in policy and practice.



Figure 5: Possible legal instruments for harmonisation with the EU acquis in the field of transport policy

The legislation and policies in Turkey in relation to the selected sub-topics of Chapter 14 are summarised in Table 23 below as reference for local authorities in prioritising local level policies and services.

Table 23: Existing legislation and policies in Turkey in relation to the selected sub-topics of Chapter 14

Selected main topics of Chapter 14	Selected sub-topics of Chapter 14		Priority focus areas for local authorities
	Heading	Existing legislation and policies in Turkey	
<ul style="list-style-type: none"> Bodies and objectives 	General objectives of transport policies	<ul style="list-style-type: none"> Eleventh Development Plan for 2019-2023 Regional Development National Strategy (2014-2023) National Transport and Communication Strategy for 2023 KENTGES Highway Traffic Safety Strategy and Action Plan Combined Transport Strategy Document of Turkey Strategic Plan of MTI Strategic Plan of MEU 2019 Programme of the Presidency Law No. 3194 on Land Development Law No. 2872 on Environment Regulation on the Design and Construction of Bicycle Routes, Bicycle Stations, and Bicycle Parking on Urban Roads Regulation on Air Quality Assessment and Management (in line with EU Directives No. 96/62/EC, 99/30/EC, 2000/69/EC, 2002/3/EC, and 2004/107/EC) Regulation on Procedures and Principles for Increasing Energy Efficiency in Transport Regulation on Safety Management of Road Infrastructure (in line with EU Directive No. 2008/96/EC) Regulation on Tachograph Appliances Used in Vehicles Carrying Out International Road Transport (in line with EC 561/2006) 	<ul style="list-style-type: none"> Reducing car dependency through improvements in land development planning and public mass transit. Measuring and monitoring emissions. Integrated transport planning based on multimodal transit. Setting up transport information management systems. Improving road safety.
<ul style="list-style-type: none"> Road transport 	Employment and working conditions	<ul style="list-style-type: none"> Law No. 2918 on Road Traffic Law No. 4925 on Road Transport Regulation on Road Traffic Regulation on Road Transport Regulation on Vocational Qualification Training for Road Transport Activities Regulation on Coordination Centres of Metropolitan Municipalities 	<ul style="list-style-type: none"> Defining in detail the working time for drivers employed by local authorities. Identifying general rules on driving times, breaks, and rest periods for drivers employed by local authorities. Ensuring full implementation of existing provisions for local authorities by systematising controls. Reconsidering legal exemptions for municipalities. Improving technical capacity of drivers employed by local authorities

Selected main topics of Chapter 14	Selected sub-topics of Chapter 14		Priority focus areas for local authorities
	Heading	Existing legislation and policies in Turkey	
	Road safety	<ul style="list-style-type: none"> • Eleventh Development Plan for 2019-2023 • KENTGES • Highway Traffic Safety Strategy and Action Plan • Law No. 2918 on Road Traffic • Law No. 4925 on Road Transport • Regulation on Road Traffic • Regulation on Road Transport • Regulation on Road Infrastructure Safety Management (in line with 2008/96/EC) 	<ul style="list-style-type: none"> • Strengthening the enforcement of road infrastructure standards. • Increasing general public awareness on road safety for adults and for children. • Improving urban transport planning.
<ul style="list-style-type: none"> • Transport, energy, and the environment 	Protection of the environment	<ul style="list-style-type: none"> • Eleventh Development Plan for 2019-2023 • KENTGES • Law No. 5627 on Energy Efficiency • Regulation on Road Transport • Regulation on Procedures and Principles for Increasing Energy Efficiency in Transport • Type Approval Regulation of Motor Vehicles and Trailers (in line with 2007/46/EC) 	<ul style="list-style-type: none"> • Reviewing the state of energy-efficiency of the fleet of vehicles operated by local authorities. • Preparing urban transport master plans. • Developing detailed criteria for low emission areas. • Developing detailed criteria for environmentally friendly public transit vehicles. • Collecting and analysing detailed data on public transit operations.
<ul style="list-style-type: none"> • Mobility and passenger rights 	Sustainable mobility	<ul style="list-style-type: none"> • Eleventh Development Plan for 2019-2023 • National Transport and Communication Strategy for 2023 • KENTGES • Regulation on Procedures and Principles for Increasing Energy Efficiency in Transport 	<ul style="list-style-type: none"> • Ensuring policy dissemination across levels of government. • Increasing compliance and complementary of the strategic plans and the spatial plans of local authorities with national, regional, and local level policies of the central government. • Identifying objective criteria with necessary time frames for relevant policies. • Enhancing and implementing structured methods of public consultation for urban mobility policies by strengthening citizens' assemblies. • Designing financial incentive mechanisms for greening urban transport. • Improving horizontal exchange of experience among local authorities. • Improving data transparency on urban mobility.

Selected main topics of Chapter 14	Selected sub-topics of Chapter 14		Priority focus areas for local authorities
	Heading	Existing legislation and policies in Turkey	
	Passenger rights	<ul style="list-style-type: none"> Regulation on Road Transport 	<ul style="list-style-type: none"> Regulating in detail the rights of bus and coach passengers, especially in urban mass transit systems. Focusing on non-discrimination, particularly in touristic areas. Systematised monitoring and information sharing on the rights of passengers with disabilities. Assessing the efficiency and effectiveness of complaint handling mechanisms of municipalities. Raising public awareness on passenger rights in public mass transit. Integrating online urban mass transit applications of municipalities.
<ul style="list-style-type: none"> Intelligent transport and navigation by satellite 	Intelligent transport systems	<ul style="list-style-type: none"> Eleventh Development Plan for 2019-2023 Highway Traffic Safety Strategy and Action Plan National Intelligent Transport Systems Strategy Document (2014-2023) Regulation on Procedures and Principles for Increasing Energy Efficiency in Transport 	<ul style="list-style-type: none"> Involving UMT and UP in the development of the intelligent transport systems architecture. Standardisation in line with EU-wide systems. Developing technical capacity on intelligent transport systems at the local level. Assessing the existing operation of intelligent transport systems in Turkey. Streamlining data sharing and transparency on transport systems. Effectively communicating the benefits of intelligent transport systems.

7 ANALYSIS IN RELATION TO CHAPTER 15: ENERGY

This chapter presents a brief description of the EU *acquis* on energy and the selected topics for analysis, summarises the current state of alignment in Turkey with respect to the relevant topics of the EU *acquis*, analyses the implementation of the selected EU *acquis* topics at the local level, and points out to the main energy highlights for local authorities in Turkey.

7.1 Brief description of the European Union *acquis* on energy and the selected topics for analysis

Energy, Chapter 15 of the EU *acquis*, is such a critical and complex policy field that it is actually the underlying reason for the very existence of what is today known as the EU. Back in 9 May 1950, the proposal for the establishment of the European Coal and Steel Community initiated the European integration and the date is currently being celebrated as Europe Day to mark the birth date of the EU. Therefore, energy constitutes the cornerstone of harmonisation at the supranational level in Europe.

As a key sector under the shared competences of the EU and the member states, energy is the enabler of almost all essential daily activities of living, production, communication, and services. However, it can also be a major source of pollution and other environmental problems when not planned and managed properly. In this sense, it is intrinsically connected to the other two chapters of the EU *acquis* analysed in this report, which are transport, and environment and climate change.

The crucial importance of energy for the EU is not only due to its role as a key sector but also due to the fact that the EU is mostly dependent on energy imports, which add up to very high costs (350 billion euros per year) that keep on increasing each year (European Commission, 2014b). That is why, the gist of the EU *acquis* on energy is energy efficiency to reduce the amount of imported energy and resource diversification in favour of low-carbon energy sources to protect the environment. Both objectives require coordinated action among the EU member states as well as large scale and interconnected energy infrastructures across the continent.

The EU *acquis* on energy is legally based on Article 194 of the Treaty on the Functioning of the European Union.⁶⁹ The article states that:

In the context of the establishment and functioning of the internal market and with regard for the need to preserve and improve the environment, Union policy on energy shall aim, in a spirit of solidarity between Member States, to:

- (a) ensure the functioning of the energy market;
- (b) ensure security of energy supply in the Union;
- (c) promote energy efficiency and energy saving and the development of new and renewable forms of energy; and
- (d) promote the interconnection of energy networks.

DG ENER is the European Commission's Directorate-General responsible for the EU policies on energy. It is carrying out its work within the scope of the following themes⁷⁰ in order to achieve the abovementioned objectives:

- Energy strategy and energy union
- Markets and consumers
- Energy security
- Renewable energy
- Energy efficiency
- Oil, gas, and coal

⁶⁹ Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT>.

⁷⁰ Available at: <https://ec.europa.eu/energy/en/topics>.

- Nuclear energy
- Infrastructure
- International Co-operation
- Research, technology, and innovation

In connection with the energy themes covered by the DG ENER, the EU *acquis* on energy currently covers 8 main topics as defined by the EUR-Lex database.⁷¹ These are:

- European energy policy
- Internal energy market
- Energy efficiency
- Renewable energy
- Nuclear energy
- Security of supply, external dimension and enlargement
- Internal energy market (electricity)
- European statistics

Each one of these main topics includes specific headings and sub-topics in relation to the particular topic addressed. At present, there are 55 sub-topics that are grouped under 22 specific headings in relation to energy (please see Appendix 2). For the purposes of the present analysis, the following three main topics and six sub-topics (Table 24) that are closely relevant for local authorities in Turkey are reviewed:

Table 24: Selected topics of the EU *acquis* on energy that are relevant for the local level in Turkey

Selected main topics of Chapter 15	Selected sub-topics of Chapter 15	
	Heading	Scope
• European energy policy	A policy for energy	Energy Roadmap 2050: Moving toward competitive, sustainable, and secure energy for Europe
• Energy efficiency	Policy orientations	Energy efficiency
	Delivering energy efficiency	Energy performance of buildings
		Electric and gas-powered vehicles – recharging/refuelling stations
• Renewable energy	Policy orientations	Promotion of the use of energy from renewable resources
	Heating and cooling	Encouraging the use of biomass as an alternative source of energy

7.2 Current state of alignment in Turkey with respect to the selected European Union *acquis* on energy

Subsequent to the initiation of the accession negotiations with Turkey in 2005, the screening process on Chapter 15: Energy was completed in 2006 however, the screening report including the opening benchmarks has not yet been officially communicated to Turkey. This chapter is among the six chapters on which a unilateral precondition was introduced by the Greek Cypriot Administration of Southern Cyprus in 2009. Therefore, accession negotiations on energy have not been opened to date.

Allocations of EU financial assistance to Turkey on energy together with environment and climate action within the scope of IPA II covering the years 2014-2020 amount to a total of 438 million euros.

The latest progress report on Turkey (Turkey 2019 Report: European Commission, 2019d) assesses the current state of alignment in Turkey with respect to the EU *acquis* on energy as moderate and points out that good progress has been achieved in the period between 2016 and 2019.

⁷¹ Available at: https://eur-lex.europa.eu/summary/chapter/energy.html?root_default=SUM_1_CODED=18.

As regards the selected three EU *acquis* topics for this analysis, the following statements and recommendations presented in Table 25 are included in the Turkey 2019 Report of the European Commission (pp. 78-81):

Table 25: Assessments of the Turkey 2019 Report on the selected EU *acquis* topics of Chapter 15: Energy

Selected main topics of Chapter 15	Assessments of the Turkey 2019 Report	
	Statements	Recommendations
<ul style="list-style-type: none"> European energy policy 	<ul style="list-style-type: none"> Very good progress has been made on security of supply. In the internal energy market, some progress has been made on pending improvements in transparent, cost-effective and non-discriminatory pricing mechanism for electricity and gas. 	-
<ul style="list-style-type: none"> Energy efficiency 	<ul style="list-style-type: none"> Progress on energy efficiency has been good in terms of adopted legislation, and moderate in terms of actual implementation. National Energy Efficiency Action Plan (NEEAP) was adopted in 2018. 	<p>Turkey should roll out the implementation of NEEAP, in particular the envisaged national energy efficiency financing system.</p> <p>Although NEEAP is broadly aligned with the EU Energy Efficiency Directive 2012/27/EU, the 2007 Energy Efficiency Law needs to be revised in order to avoid overlaps and account for institutional changes.</p> <p>Turkey needs to align with the 2010 Energy Performance of Buildings Directive.</p> <p>Better coordination by involving and regularly consulting relevant stakeholders in the design, monitoring and evaluation of energy efficiency policies and measures will help ensure their feasibility and increase the rate of compliance.⁷²</p>
<ul style="list-style-type: none"> Renewable energy 	<ul style="list-style-type: none"> Turkey's progress in the renewable energy sector has been good. Three large tenders in photovoltaics and onshore and offshore wind energy generation were launched based on a model applying a fixed feed-in tariff and guaranteed investment in domestic manufacturing and R&D for a fixed period of time. 	-

⁷² Based on supplementary information provided by the Ministry of Energy and Natural Resources, on December 7, 2019 in the Official Gazette numbered as 30971, it was published that the Board of NEEAP Monitoring and Guidance was established with a Presidential Circular. The chairman of the Board will be the Deputy Minister of MENR and it consists of high level representation having authorized to decide about their ministries or establishments. It meets at least once a year and consists of 9 ministries, EMRA, UTM, The Union of Chambers and Commodity Exchanges of Turkey (TOBB) and 2 Presidential attendance from Head of Department of Strategy and Budget and the Presidential Board of Economy Politics. It makes coordination, evaluation, collaboration, and defines national EE strategies, prepares action plans and programs, monitors the realization levels including NEEAP, coordinates for effective application; monitors, changes, updates its results; and it establishes sub committees, advisory and working groups when necessary and invites representatives of universities, public institutions, private sector and professional associations when needed.

The Revised Indicative Strategy Paper for Turkey (2014-2020) (European Commission, 2018b) prepared by the European Commission includes the following policy highlights concerning the alignment of Turkey with the selected topics of the energy policy within the scope of the EU *acquis*:

- Turkey has one of the fastest growing demands for energy in Europe. It has a young and increasingly urban population whose energy consumption is still comparatively low. Therefore, the main energy policy concern continues to be to develop domestic energy supplies so that Turkey can decrease its reliance on energy imports and meets the needs of its growing economy.
- Turkey's energy objectives and policies are consistent with the EU 2020 strategy's targets for resource efficiency. More efficient use of energy and of renewables are expected to be promoted following the EU 2020 strategy targets.

In connection with these policy highlights, the Revised Indicative Strategy Paper for Turkey (2014-2020) points out to the following actions for the short-term in relation to the selected EU *acquis* topics on energy:

- Market integration and development of infrastructures.
- Promotion of the renewable energy and energy efficiency.

The Pre-accession Economic Reform Programme (2019-2021) of Turkey (Republic of Turkey, 2019a) formulates the current structural reforms on the agenda in the process of accession to the EU. Relevant structural reforms in energy are indicated as:

[...] Turkey aims to increase the share of domestic and renewable energy in the total power generation. Large-scale Renewable Energy Resources Zone (YEKA⁷³) has been introduced for this purpose. With the large-scale renewable energy resource zones model, renewable energy resources will be utilised more effectively and efficiently in the public and private property, renewable energy equipment will be manufactured locally, the technology transfer will be realised.

[...] Development of financial mechanisms regarding energy efficiency aimed to increase energy efficiency with new financial models. Thus, it is expected that the reduction of unit energy input costs and improvement in the price-based competition environment for the final products will be achieved.

European Commission's assessment of Turkey's current economic reform programme (European Commission, 2019b) underlines the most recent developments and needs in the transport sector as follows:

- Turkey's energy sector is heavily reliant on imports of fossil fuels⁷⁴.
- The large increase in energy costs [...] has reduced the competitiveness of Turkish manufacturers and the local-content requirements⁷⁵ do not provide a level playing field in procurement.
- As a country dependent upon energy imports, energy efficiency is a priority. The national energy efficiency action plan has been approved and is under implementation.

⁷³ YEKA stands for *Yenilenebilir Enerji Kaynak Alanı*.

⁷⁴ Based on supplementary information provided by the Ministry of Energy and Natural Resources, Turkey is highly dependent on energy imports especially on gas and oil. The import dependency in total energy supply was 72% in 2018. Energy imports constitute a significant portion in budgetary deficit of the country. For that reason, one of the main policy component National Energy and Mining Policy is to reduce energy import by using domestic resources (renewables and domestic coal) as much as possible and also conduct hydrocarbon exploration activities. On the other hand, import dependence is not only considered from budgetary perspective but also from security of supply perspective as well. The goal is to benefit from Turkey's own energy resources to reduce import dependence and to use imported resources by taking into account energy needs of the country.

⁷⁵ Based on supplementary information provided by the Ministry of Energy and Natural Resources, local content requirement is additional bonuses to Renewable Energy Support Mechanism which is called YEKDEM. Local content bonus is not compulsory for licensed power plants except YEKAs. In addition to this, local content bonus is not applied to unlicensed power plants.

The Eleventh Development Plan for the years 2019-2023 (Republic of Turkey, 2019c) sets out the following national goals and objectives in relation to the energy topics analysed in this report:

- Competitive production and efficiency
 - Supporting energy efficiency projects with competitions in order to promote and disseminate exemplary energy efficiency applications, establishing the relevant legislative and technical infrastructure.
 - Establishing a heat market legislation in order to promote energy efficient regional heating and cooling systems countrywide.
 - Supporting projects with efficiency increasing potentials.
 - Implementing new investment models in the field of renewable energy including use of domestic equipment, R&D, technology transfer, and public procurement.
 - Supporting the use of new generation and domestically manufactured lighting equipment for exterior lighting by municipalities.
 - Increasing electric production from renewable resources (from 32,5 percent of the total electric production in 2018 to 38,8 percent in 2023) and making necessary investments for integrating it into the electric network.
 - Increasing the use of renewable resources in electricity production via models like YEKA.
 - Promoting more efficient and energy self-sufficient buildings.
 - Promoting energy efficiency in existing buildings.
 - Establishing a National Green Building certificate system.
 - Promoting the use of licence-free solar energy and wind energy for personal use.
 - Implementing energy efficiency project in public buildings.
- Liveable cities, sustainable environment
 - Developing energy standards for housing production.
 -

7.3 Analysis of the implementation of the selected European Union *acquis* topics on energy at local level

This sub-section presents the analysis of the implementation of the selected three EU *acquis* topics on energy at local level. The analysed topics, as being directly relevant for local authorities are European energy policy, energy efficiency, and renewable energy.

In accordance with the methodology of the analysis, the six dimensions of each of these three specific topics analysed are; aim, key points in relevant legal texts of the EU *acquis*, relevant mandates of local authorities in Turkey, assessment of compliance with key points, major channels of improvement, and challenges and opportunities for full alignment.

7.3.1 European energy policy

One of the key energy strategies of the EU was issued in 2010 as Energy 2020: A strategy for competitive, sustainable, and secure energy (COM(2010) 639 final⁷⁶). The aims of this strategy are:

- to reduce greenhouse gas emissions by at least 20 percent,
- to increase the share of renewable energy to at least 20 percent of consumption,
- to achieve energy savings of 20 percent or more, and
- to achieve a 10 percent share of renewable energy in the transport sector of all EU members.

⁷⁶ Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legissum:en0024>.

To be able to attain these aims, the following five priorities are identified:

- Investing into efficient buildings, products, and transport. Promoting energy labelling, renovation in public buildings, and eco-design requirements.
- Constructing necessary energy transmission lines.
- Protecting consumer rights and ensuring high safety standards in energy.
- Implementing the Strategic Energy Technology Plan that focuses low-carbon technologies including solar power, smart grids, and carbon capture and storage.
- Pursuing good relations with the EU's external energy suppliers and transit countries.

Energy Roadmap 2050 is the follow-up of this key strategy and asserts further commitment for reducing EU's greenhouse gas emissions by 2050 to levels that are 85 to 90 percent below the levels in 1990. Summary information on the aim of the roadmap is provided in Table 26 presented below.

Table 26: Aim of Energy Roadmap 2050

A policy for energy			
Energy Roadmap 2050: Moving toward competitive, sustainable, and secure energy for Europe			
Year	Ref.	Type of act	Aim
2011	COM(2011) 885 final dated 15.12.2011	Communication	<ul style="list-style-type: none"> • Examines various scenarios for achieving a competitive low carbon economy by 2050 while ensuring security of energy supply. • Demonstrates that whichever scenario is chosen, the decarbonisation aims are feasible.

An important European initiative that supports the EU energy policy at the local level is Energy Cities: the European association of local authorities in energy transition.⁷⁷ Energy Cities represents over 1000 local authorities from 30 countries. At present, 6 municipalities from Turkey⁷⁸ are members of Energy Cities and have access to a wide range of resources aimed at energy transition at the local level and best practices from other members.

⁷⁷ Available at: http://www.energy-cities.eu/spip.php?page=index_en.

⁷⁸ Current members of Energy Cities from Turkey are Bornova Municipality, Büyükçekmece Municipality, Gaziantep Metropolitan Municipality, Karşıyaka Municipality, Nilüfer Municipality, and Seferihisar Municipality.

Table 27: Analysis of Energy Roadmap 2050

A policy for energy Energy Roadmap 2050: Moving toward competitive, sustainable, and secure energy for Europe				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<ul style="list-style-type: none"> • Prime focus of the energy policy should be on energy efficiency, especially in new and old buildings, transport, products, and appliances. • Renewables have the potential to provide some 30 percent of total EU energy consumption by 2030. • Substituting gas for coal and oil can reduce emissions with existing technologies until at least 2030 or even 2035. • New energy infrastructure, for electric vehicles for example, and storage facilities are needed inside the EU and in neighbouring countries. • Concrete milestones must be set for achievable goals and to give guidance to investors as the EU takes the next step by defining its 2030 policy framework. 	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> • Delivering services for industry and trade • Provincial planning and coordination • Carrying out infrastructure investments on behalf of central government • Construction of public buildings • Licencing of businesses • Licencing of buildings <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> • Strategic planning and investment planning • Spatial planning, and planning and coordination of land development • Business licencing • Building construction and occupancy licences • Transport planning and coordination • Infrastructure coordination 	<p>Energy Efficiency Strategy Document (2012-2023):⁷⁹</p> <ul style="list-style-type: none"> • Reducing energy consumption of Turkey per gross domestic product (GDP) by 20 percent in 2023 in reference to that of in the year 2011. • Reducing energy use and carbon emissions of buildings, promoting sustainable and environment friendly buildings using renewable energy resources. • Increasing the share of public mass transit in cities and preventing energy inefficiencies in urban transport. • Using energy efficiently and effectively in the public sector. • Incentivising investments increasing energy efficiency. • Transforming coal-based energy plants. • Raising public awareness on efficiency. <p>SP of MENR for 2019-2023:⁸⁰</p> <ul style="list-style-type: none"> • In order to increase energy efficiency, working in a coordinated 	<ul style="list-style-type: none"> • Updating the energy efficiency strategy document with longer term targets. • Developing a multi-level roadmap for energy in co-operation with MENR, MTI, MEU, UMT, and UP. • Establishing of broad public consultation mechanisms for policy development, implementation and monitoring in the field of energy to ensure a participatory, transparent, and accountable governance process. • Increasing policy knowledge and technical capacity at local authorities for better ownership across the country. • Providing guidance and supervision to local authorities through the provincial directorates of MENR for the development of concrete localised milestones on sustainable and secure energy. • Ensuring that the strategic plans and spatial plans of local authorities reflect monitor, and assess the national goals set for energy. 	<ul style="list-style-type: none"> • Communicating the energy targets and the underlying rationale behind them to all levels and units of public administration. • Ensuring co-operation and coordination between local authorities and the provincial directorates of MENR and MEU⁸¹. • For determining realistic and attainable targets that are suitable to the existing conditions and constraints at the local level, identifying the necessary technical capacity at municipalities⁸². • Involving regional unions of local authorities for disseminating technical expertise for policy making and target setting at the local level (with possible EU level support from networks such as Energy Cities).

⁷⁹ Supreme Planning Council, 2012.

⁸⁰ Republic of Turkey, 2017d.

⁸¹ Based on supplementary information provided by the Ministry of Energy and Natural Resources; there are ongoing IPA projects within this framework.

⁸² Based on supplementary information provided by the Ministry of Energy and Natural Resources; the scope of the IPA Projects are purchase of water pumps for six municipalities, purchase of electrical bus for one municipality, organization of energy efficiency audits for 40 municipalities and organization of trainings for selected staff of municipalities.

A policy for energy Energy Roadmap 2050: Moving toward competitive, sustainable, and secure energy for Europe				
Key points for LGs in relevant legal texts of the EU Acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
	<ul style="list-style-type: none"> Setting up, having set up, operating, and having operated centralised heating systems <p>Law No. 5355 on Unions of Local authorities:</p> <ul style="list-style-type: none"> Co-operation among local authorities for provision of infrastructure and protection of the environment. 	<p>manner with public institutions and civil society organisations.</p> <ul style="list-style-type: none"> Conducting activities in relation to the 26 actions that are under the responsibility of MENR within the context of National Energy Efficiency Action Plan. Utilising the opportunities presented by the EU and other international organisations in terms of modelling and financing. 		

7.3.2 Energy efficiency

Energy efficiency is defined by the EU as “the ratio of performance, services, goods or energy produced, for the amount of energy used”.⁸³ As pointed out in Section 7.1, the EU promotes energy efficiency at all levels of government for three main reasons:

- Lowering energy bills for its citizens.
- Reducing reliance on external suppliers.
- Protecting the environment.

In order to improve energy efficiency, a series of policies and programmes are constantly being introduced by the EU and the implementation of these are regularly monitored against predetermined indicators. At present, the time intervals set for progressive targets are 2020, 2030, and 2050. Some of these targets are:⁸⁴

- Annual reduction of 1,5 percent in national energy sales.
- Making energy efficient renovations to at least 3 percent of buildings owned and occupied by central governments per year.
- Mandatory energy efficiency certificates accompanying the sale and rental of buildings.
- Minimum energy efficiency standards and labelling for a variety of products such as boilers, household appliances, lighting and televisions.
- Preparation of National Energy Efficiency Action Plans every three years by EU countries.
- Planned rollout of close to 200 million smart meters for electricity by 2020.
- Large companies conducting energy audits at least every four years.
- Protecting the rights of consumers to receive easy and free access to data on real-time and historical energy consumption.

Energy efficiency is regulated by two specific EU directives, which are 2012/27/EU and 2018/2002. Summary information on the aim of this EU policy is provided in Table 28 presented below.

Table 28: Aim of provisions concerning energy efficiency

Policy orientations			
Energy efficiency			
Year	Ref.	Type of act	Aim
2012	2012/27/EU dated 25.10.2012 OJ L 315 of 14.11.2012 pp. 1-56	Directive	Adapting EU energy law in line with the 2030 energy efficiency and climate goals and contribute towards the Energy Union strategy to: <ul style="list-style-type: none"> • reduce the EU's dependence on imported energy, • cut emissions, • drive jobs and growth, • strengthen consumer rights, • alleviate energy poverty.

In addition to general policy measures on energy efficiency, the EU also targets more specific areas in order to ensure achieving better overall results with the implementation of these relevant measures. Energy efficiency in buildings is one of these specific areas for which distinctive measures are designed. The EU assesses that more than one third of the buildings in the EU are over 50 years old and about three quarters of the building stock is energy inefficient, which cause more than one third of the CO₂ emissions in the EU.⁸⁵ The annual rate of renovation of the building stock is between 0,4 and 1,2 percent.

⁸³ Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=legisum:4372644>.

⁸⁴ Available at: <https://ec.europa.eu/energy/en/topics/energy-efficiency>.

⁸⁵ Available at: <https://ec.europa.eu/energy/en/topics/energy-efficiency/energy-performance-of-buildings>.

Improving energy efficiency of buildings is not only expected to contribute to the general energy efficiency policies of the EU but it is also seen as a means to achieve positive externalities in areas such as increased wellbeing, making housing more affordable, creating jobs, and protecting the environment. Summary information on the related directive of the EU is provided in Table 29 presented below.

Table 29: Aim of provisions concerning energy performance of buildings

Delivering energy efficiency Energy performance of buildings			
Year	Ref.	Type of act	Aim
2010	2010/31/EU dated 19.5.2010 OJ L 153 of 18.6.2010 pp. 13-35	Directive	<ul style="list-style-type: none"> Improving the energy performance of buildings in the EU, taking into account various climatic and local conditions. Setting out minimum requirements and a common framework for calculating energy performance. Accelerating the cost-effective renovation of existing buildings and promoting smart technologies in buildings

Another specific area regulated by the EU to contribute to the energy efficiency objectives is concerning the deployment of the infrastructure necessary for the electric and gas-powered vehicles. It is clear that without the availability and full operation of such infrastructures, it will not be possible to achieve a successful transition to alternative fuels. Summary information on the related directive of the EU is provided in Table 30 below.

Table 30: Aim of provisions concerning electric and gas-powered vehicles – recharging/refuelling stations

Delivering energy efficiency Electric and gas-powered vehicles – recharging/refuelling stations			
Year	Ref.	Type of act	Aim
2014	2014/94/EU dated 22.10.2014 OJ L 307 of 28.10.2014 pp. 1-20	Directive	<ul style="list-style-type: none"> Establishing standard rules on rolling out the EU's alternative fuels infrastructure (i.e. electric car recharging stations or natural gas refuelling points) in the different EU countries. Laying down minimum requirements for building up this infrastructure, to be implemented as part of every EU country's national policy framework.

Table 31: Analysis of provisions concerning energy efficiency

Policy orientations Energy efficiency				
Key points for LGS in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>Improving energy efficiency by 20 percent by 2020 compared to 1990 levels with all EU countries setting national energy efficiency targets for all stages of the energy chain:</p> <ul style="list-style-type: none"> • Generation • Distribution • Consumption <p>Main objectives are:</p> <ul style="list-style-type: none"> • Meeting a 32,5 percent energy efficiency target. • Requiring utility companies to help their consumers use 0,8 percent less energy each year. • Transparent, publicly available national rules on the allocation of the cost of heating, cooling, and hot water services in multi-apartment and multi-purpose buildings where these services are shared. • Strengthening social aspects of energy efficiency by taking energy poverty into account in designing energy efficiency schemes and alternative measures. 	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> • Provincial planning and coordination • Environmental services • Licencing of businesses <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> • Strategic planning and investment planning • Business licencing • Transport planning and coordination • Infrastructure coordination • Setting up, having set up, operating, and having operated centralised heating systems <p>Law No. 5355 on Unions of Local authorities:</p> <ul style="list-style-type: none"> • Co-operation among local authorities for provision of infrastructure and protection of the environment. 	<p>KENTGES:</p> <ul style="list-style-type: none"> • Energy efficiency and environmental sustainability will be taken into consideration in the planning of settlements. • Energy efficient and climate sensitive settlement strategies will be developed. <p>Energy Efficiency Strategy Document (2012-2023).⁸⁶</p> <ul style="list-style-type: none"> • Reducing energy consumption of Turkey per gross domestic product (GDP) by 20 percent in 2023 in reference to that of in the year 2011. • Incentivising investments increasing energy efficiency. • Developing an "energy efficiency awareness index". <p>National Energy Efficiency Action Plan (2017-2023).⁸⁷</p> <ul style="list-style-type: none"> • Reducing cumulative primary energy consumption of Turkey by 23,9 mTOE within the period of 2017-2023. • Establishing energy management systems. • Developing financing mechanism for energy efficiency. 	<ul style="list-style-type: none"> • Organising in-service training programmes for local authority staff based on Law No. 5627 on Energy Efficiency. • Developing training and awareness raising programmes for the local community on energy efficiency. • Ensuring that municipal buildings and public offices at the local level comply with policy objectives and targets. • Focusing on assessments and studies for carefully assessing the existing situation of energy efficiency at the local level. • In line with the provisions of the National Energy Efficiency Action Plan aimed at municipalities, identifying opportunities and measures for increasing energy efficiency in the following fields: <ul style="list-style-type: none"> • Water supply • Waste water treatment • Waste collection • Waste recycling • Public mass transit • Within the scope of financial transfers to municipalities by the Bank of Provinces, designing financial incentive systems, prioritising energy efficiency. 	<ul style="list-style-type: none"> • Benefiting from the comprehensive regulatory tools at the national level to design local authority specific regulatory tools in line with the conditions and priorities of the local level. • Utilising the specialised energy efficiency consultancy capacity created at the Bank of Provinces for municipalities. • Establishing partnerships with universities, public institutions, private sector, and civil society for preparing detailed local studies on the existing situation of energy efficiency. • Benefiting from training modules within UMT's municipal academy and UP's VIBEM for raising awareness and technical capacity. • Making regulatory changes for incentivising central government transfers to municipalities based on energy efficiency. • Incentivising energy efficiency in projects carried out or coordinated by YIKOBs. • Setting up a transparent and publicly available system for tracking energy efficiency at the local level.

⁸⁶ Supreme Planning Council, 2012.⁸⁷ Republic of Turkey, 2017c.

Policy orientations Energy efficiency				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
		<ul style="list-style-type: none"> Developing regulatory and procedural standards for energy efficiency projects. Developing an energy efficiency database. Raising awareness and developing technical capacity on energy efficiency. Conducting energy efficiency assessments. Ensuring sustainable operation and procurement in the public sector. Developing a database for energy efficiency of buildings. Identifying energy saving targets for public buildings. Increasing energy efficiency in municipal services. Increasing energy efficiency in general lighting. Incentivising energy efficient vehicles in transport. Incentivising bicycle and pedestrian mobility in urban areas. <p>Monitoring Report of the National Energy Efficiency Action Plan:⁸⁸</p> <ul style="list-style-type: none"> Incentives provided for buildings having category A and B Energy Identity Certificates. Bank of Provinces became the authorised energy efficiency consultancy company for municipalities. Incentives provided for hybrid and electric vehicles. 	<ul style="list-style-type: none"> Following up with the provisions of the National Energy Efficiency Action Plan concerning: <ul style="list-style-type: none"> ISO 50001 certification of municipalities Establishment of <u>energy efficiency units</u> within municipalities Increasing energy efficiency of <u>street lighting</u> in urban areas. Increasing energy efficiency of <u>public mass transit</u> operations. 	

⁸⁸ Republic of Turkey, 2019e.

Key points for LGS in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
		<ul style="list-style-type: none"> Legal revisions conducted for the application of energy performance contracts in public sector. <p>Law No. 5627 on Energy Efficiency:</p> <ul style="list-style-type: none"> Integrating training and awareness raising on energy efficiency into the in-service training programmes of public authorities. <p>Regulation on Increasing the Efficiency of the Use of Energy Resources and Energy.⁸⁹</p> <ul style="list-style-type: none"> Each public institution reports the details of its energy consumption to the MENR until the end of March annually. Guidebook for Saving Targets and Application in Public Buildings determines the measures to be taken by public authorities to achieve a minimum of 15 percent energy savings by 2023. Outdoor lighting by municipalities shall follow the detailed instructions set out by the Regulation. Metropolitan municipalities shall coordinate with MENR for awareness raising activities. For the establishment of new settlements, municipalities shall take into account excess heat by thermal power plants for regional heating and cooling. In service training programmes shall be organised for raising awareness 		

⁸⁹ Regulation of the Ministry of Energy and Natural Resources, 2011.

Policy orientations				
Energy efficiency				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
		<p>and building capacity among public officials.</p> <p>Regulation on Procedures and Principles for Increasing Energy Efficiency in Transport:⁹⁰</p> <ul style="list-style-type: none"> Municipalities shall carry out activities to increase public awareness on energy efficiency in cities. Drivers of public transit vehicles operated by municipalities shall receive training and certificates on energy efficient driving techniques. 		

Table 32: Analysis of provisions concerning energy performance of buildings

Delivering energy efficiency				
Energy performance of buildings				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>EU countries must set optimal minimum energy performance requirements and these should be reviewed every 5 years to cover:</p> <ul style="list-style-type: none"> Space heating Space cooling Domestic hot water 	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> Provincial planning and coordination Construction of schools, public buildings, and housing for public officials 	<p>Energy Efficiency Strategy Document (2012-2023):⁹¹</p> <ul style="list-style-type: none"> Reducing energy use and carbon emissions of buildings, promoting sustainable and environment friendly buildings using renewable energy resources. 	<ul style="list-style-type: none"> Monitoring targets set by the national strategies for 2023. As part of the strategic plans of local authorities, setting milestones on energy efficient building stock for 2030, 2040, and 2050. 	<ul style="list-style-type: none"> Integrating smart automation to the relevant regulations concerning energy performance of buildings. Integrating a smart readiness indicator to the relevant regulations to be able to assess the capacity of the existing

⁹⁰ Regulation of the Ministry of Transport and Infrastructure, 2019.

⁹¹ Supreme Planning Council, 2012.

Delivering energy efficiency Energy performance of buildings				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<ul style="list-style-type: none"> Ventilation Built-in lighting Other technical building systems (technical equipment for space heating, space cooling, ventilation, domestic hot water, built-in lighting, building automation and control, on-site electricity generation, or a combination thereof, including those systems using energy from renewable sources, of a building or building unit). New buildings must meet the minimum standards. Buildings owned and occupied by public authorities should achieve nearly zero-energy status by 31 December 2018 and other new buildings by 31 December 2020. Existing buildings, when undergoing a major renovation, must upgrade their energy performance to meet the applicable requirements. EU countries must operate an energy performance certification system. The certificates: <ul style="list-style-type: none"> provide information for prospective purchasers or tenants of a building's energy rating. include recommendations for cost-effective improvements. must be referred to in all commercial media advertisements when 	<ul style="list-style-type: none"> Licensing of buildings <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> Infrastructure coordination Setting up, having set up, operating, and having operated centralised heating systems Licensing of buildings 	<ul style="list-style-type: none"> Converting at least one fourth of the building stock in 2010 into sustainable buildings by 2023. <p>National Energy Efficiency Action Plan (2017-2023):⁹²</p> <ul style="list-style-type: none"> Increasing the percentage of buildings having an energy identity certificate. Incentivising green buildings and settlements. Setting targets for zero-energy new public buildings. Incentivising energy efficiency in new buildings. Improving energy performance of existing public buildings. <p>Monitoring Report of the National Energy Efficiency Action Plan:⁹³</p> <ul style="list-style-type: none"> Buildings without energy identity certificates are not provided with building occupancy licences. <p>Law No. 5627 on Energy Efficiency:</p> <ul style="list-style-type: none"> Public buildings with a total construction area of 10 thousand square meters or with annual energy consumption of 250 tonne of oil equivalent (TOE) shall authorise 	<ul style="list-style-type: none"> Issuing regular local level data and information on the state of energy identity certificates of buildings. Designing detailed incentives in the licencing process of buildings to encourage sustainable urban development. Designing measures to achieve nearly zero-energy status for all local authority buildings. Delivering capacity building programmes to energy managers of public buildings within the local authority. Delivering capacity building programmes to local authority personnel to become green certificate experts. (The pertinent training programmes are required to be prepared in line with the Regulation on Green Certificate for Buildings and Settlements, issued by the Ministry of Environment and Urbanisation, General Directorate of Professional Services, Department of Energy Efficiency and Installation.) Establishing a tracking system for existing energy identity certificates of buildings. (Regarding the existing and new buildings having received Energy Identity Certificates under the BEP-TR system, their monitoring is also realised via the same system. The 	<ul style="list-style-type: none"> buildings to adapt to the energy optimisation processes. Involving UMT and UP to the Green Certificate Commission established at the MEU. Co-operating with private sector (real estate agents and other relevant stakeholders) to raise awareness and develop capacity on energy efficient buildings. Introducing financial incentive mechanisms for upgrading the energy efficiency level of the existing building stock. Revising the existing regulatory framework to include the 2018 amendments to the relevant EC Directive. Reforming the regulatory framework on spatial planning to support sustainable land development.

⁹² Republic of Turkey, 2017c.

⁹³ Republic of Turkey, 2019e.

Delivering energy efficiency Energy performance of buildings				
Key points for LGs in relevant legal texts of the EU acquires	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>premises are offered for sale or rent.</p> <ul style="list-style-type: none"> EU countries' national authorities must ensure schemes are in place to inspect heating and air-conditioning systems. <p>2018 amendments:</p> <ul style="list-style-type: none"> EU countries should draw up long-term renovation strategies to support the renovation of both residential and non-residential buildings into highly energy-efficient and decarbonised building stock by 2050 (with indicative milestones for 2030, 2040, and 2050). The scope of the inspection regime of heating and air-conditioning systems is expanded to include combined systems (with ventilation) and to account for the performance of the systems under typical operating conditions. The use of information and communication technologies and smart automation and control systems are encouraged to be used in buildings. The rollout of the infrastructure for electric vehicle recharging in buildings car parks is supported. 		<p>energy manager or procure energy management services⁹⁴.</p> <p>Regulation on Energy Performance of Buildings:⁹⁵</p> <ul style="list-style-type: none"> Buildings not complying with the requirements of this Regulation shall not be licenced. Buildings shall be provided with Energy Identity Certificates valid for 10 years. Duly certified staff of public institutions may issue Energy Identity Certificates. <p>Regulation on Green Certificate for Buildings and Settlements:⁹⁶</p> <ul style="list-style-type: none"> Voluntary mechanism to obtain a green certificate. Details of the criteria and process shall be presented in the relevant guidebook. Training of green certificate experts to assess and certify buildings and settlements. Information system shall be established for gathering data and information on green certificates. 	<p>municipalities are entitled to have access to the BEP-TR system and in case of making a request, they are provided with relevant statistics by the MoEU.)</p> <ul style="list-style-type: none"> Training municipal staff for issuing energy identity certificates. Promoting the green certificate for buildings and settlements. 	

⁹⁴ Based on supplementary information provided by the Ministry of Energy and Natural Resources, with reference to the subject in the 9th paragraph of the article 9 regarding the Regulation on Increasing Productivity in the Use of Energy Sources and Energy issued for the applicable law: "Anyone with an energy management certificate is assigned as an energy manager from among the employees in the buildings for the management, construction and establishment of commercial buildings and service buildings with a total construction area of at least twenty thousand square meters or annual total energy consumption of five hundred TOEs and above as well as public sector buildings with a total construction area of at least ten thousand square meters or annual energy consumption of two hundred and fifty TOEs to ensure that the energy management activities specified in Article 8 are carried out."

⁹⁵ Regulation of the Ministry of Environment and Urbanisation, 2008.

⁹⁶ Regulation of the Ministry of Environment and Urbanisation, 2017c.

Delivering energy efficiency Energy performance of buildings				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<ul style="list-style-type: none"> A 'smart readiness indicator' to rate buildings' capacity to adapt to the needs of the occupant, optimise its operation and interact with the grid. 				

Table 33: Analysis of provisions concerning electric and gas-powered vehicles – recharging/refuelling stations

Delivering energy efficiency Electric and gas-powered vehicles – recharging/refuelling stations				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>EU countries must adopt national policies that aim to develop the market for alternative transport fuels and the infrastructure to support them. In drawing up these policies, EU countries must:</p> <ul style="list-style-type: none"> Make an assessment of the current state of the market and prospects for future development. Set national targets for deploying the infrastructure and the measures necessary to meet them. Designate networks for this infrastructure. <p>Countries must provide the following, by the following dates:</p>	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> Provincial planning and coordination Environmental investments Licensing of businesses <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> Spatial planning, and planning and coordination of land development Infrastructure coordination Business licencing Transport planning and coordination Public transit 	<p>National Energy Efficiency Action Plan (2017-2023):⁹⁷</p> <ul style="list-style-type: none"> Standards will be determined for the establishment of charging stations for electric cars. Vehicles with alternative fuels will be promoted. <p>Regulation on Land Development in Planned Areas:⁹⁸</p> <ul style="list-style-type: none"> With the affirmative opinion of the relevant electric authority, charging stations may be established in parking lots, fuelling stations, and other appropriate areas. <p>Regulation on Procedures and Principles for Increasing Energy Efficiency in Transport:⁹⁹</p>	<ul style="list-style-type: none"> Developing more detailed strategies and targets for developing the market for alternative transport fuels. Carrying out regulatory amendments (including spatial plans) for developing the necessary infrastructure for vehicles using alternative fuels. Conducting localised studies on the promotion of the use of electric vehicles and identifying the necessary network of charging stations as well as incentives for promoting electric car usage. Conducting feasibility studies on transitioning the vehicle fleet of local authorities to vehicles using alternative fuels. 	<ul style="list-style-type: none"> Co-operation with MEU, MENR, UJMT, and Chamber of Electrical Engineers for the identification of standards for electric car charging stations. Introducing financial incentives in purchasing cars with alternative fuels. Developing incentivised car sharing systems based on electric vehicles. Co-operation with the private sector for improving the market for vehicles with alternative fuels.

⁹⁷ Republic of Turkey, 2017c.

⁹⁸ Regulation of the Ministry of Environment and Urbanisation, 2017d.

⁹⁹ Regulation of the Ministry of Transport and Infrastructure, 2019.

Delivering energy efficiency Electric and gas-powered vehicles – recharging/refuelling stations				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<ul style="list-style-type: none"> 2020: sufficient recharging stations to allow electric cars to travel around densely populated areas within the network the country has determined. 2025: sufficient charging stations for hydrogen (for countries including it in their national policy) 2025: sufficient liquified natural gas stations at seaports, to accommodate liquified natural gas-powered ships. <p>Starting from 2019, reporting progress to the European Commission every 3 years is required.</p>	<ul style="list-style-type: none"> Licensing fuel stations <p>Law No. 5355 on Unions of Local authorities:</p> <ul style="list-style-type: none"> Co-operation among local authorities for provision of infrastructure and protection of the environment 	<ul style="list-style-type: none"> Municipalities shall establish charging stations for electric vehicles. Municipalities shall ensure car parks include charging stations for electric vehicles. <p>Regulation on Parking.¹⁰⁰</p> <ul style="list-style-type: none"> Regional and general car parks and car parks of shopping malls shall reserve one in every 50 parking lots to electric vehicles (including the charging unit). When necessary, the number of parking lots for electric vehicles may be increased. 	<ul style="list-style-type: none"> Gathering and analysing local data on vehicles using alternative fuels and reporting on energy savings and environmental benefits. 	

¹⁰⁰ Regulation of the Ministry of Environment and Urbanisation, 2018.

7.3.3 Renewable energy

Technological developments are making renewable energy sources more diverse and accessible alternatives to traditional fossil fuels. The EU is approaching renewable energy as a key policy area in the field of energy to reduce dependency on imported fossil fuels while at the same time to increase the sustainability of energy production and consumption. It is emphasized by the EU that the increased use of energy from renewable resources will:

- Help combatting climate change
- Protect the environment
- Foster technological and industrial development
- Contribute to jobs and growth

Many different types of non-fossil fuel sources such as wind, solar (thermal and photovoltaic), hydropower, hydrothermal, aerothermal, geothermal, biomass, ambient heat, landfill gas, sewage treatment plant gas (e.g. methane), biogases, tidal, wave, and other ocean energy contribute to the diversification of energy in the EU with renewable alternatives.

Similar to energy efficiency, renewable energy policy of the EU is also setting progressive targets to achieve the objectives set for transitioning to a low-carbon economy. The first set of targets were identified in 2009 for the year 2020 and it was later on updated in 2018 for identifying the targets for the year 2030. Summary information on the two main EU directives concerning renewable energy is provided in Table 34 presented below.

Table 34: Aim of promotion of the use of energy from renewable resources

Policy orientations			
Promotion of the use of energy from renewable resources			
Year	Ref.	Type of act	Aim
2009	2009/28/EC dated 23.4.2009 OJL 140 of 5.6.2009 pp. 16-62	Directive	<ul style="list-style-type: none"> • Creating a common set of rules for the use of renewable energy in the EU so as to limit greenhouse gas emissions and promote cleaner transport. • Setting national binding targets for all EU countries with the overall aim of making renewable energy sources account by 2020 for 20 percent of EU energy and for 10 percent of energy specifically in the transport sector (both measured in terms of gross final energy consumption, i.e. total energy consumed from all sources, including renewables).
2018	2018/2001 dated 11.12.2018 OJL 328 of 21.12.2018 pp. 82-209	Directive	Establishing a common system to promote energy from renewable resources across the different sectors by: <ul style="list-style-type: none"> • setting a binding EU target for its share in the energy mix in 2030. • regulating self-consumption for the first time. • Establishing a common set of rules for the use of renewables in electricity, heating and cooling, and transport in the EU.

A specific focus of the EU in promoting renewable energy is on biomass. Biomass that fulfils the legally accepted sustainability criteria and greenhouse gas emission reduction criteria of the EU contributes to combatting climate change by lowering greenhouse gas emissions (relevant criteria have been strengthened by the EU 2018/2001 Directive). Possible areas for the use of biomass are pointed out as heating, electricity generation, and transport.

For sustainable production and use of biomass as a source of renewable energy, the European Commission prepared a Biomass Action Plan in 2005. Summary information on this action plan is provided in

Table 35 presented below.

Table 35: Aim of encouraging the use of biomass as an alternative source of energy

Heating and cooling Encouraging the use of biomass as an alternative source of energy			
Year	Ref.	Type of act	Aim
2005	COM(2005) 628 final dated 7.12.2005	Communication	<ul style="list-style-type: none"> • Setting out ways to increase the development of biomass energy by creating incentives for its use and removing obstacles to its production. • Identifying measures to promote biomass in heating, electricity, and transport. • Addressing issues such as supply, financing, and research.

Table 36: Analysis of promotion of the use of energy from renewable resources

Policy orientations				
Promotion of the use of energy from renewable resources				
Key points for LCGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p><u>2020 targets</u></p> <ul style="list-style-type: none"> Each EU country is to make a national action plan for 2020, setting out how to achieve the national target for renewables in gross final energy consumption as well as the 10 percent target for renewable energy sources in transport.¹⁰¹ Each EU country must be able to guarantee the origin of electricity, heating and cooling produced from renewable energy sources. EU countries should build the necessary infrastructure for using renewable energy sources in the transport sector. To start the transition from conventional biofuels to advanced biofuels, a 7 percent cap on conventional biofuels is introduced. <p>Conventional biofuels: made from food crops such as sugar, starch, and vegetable oils. They are produced from land using</p>	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> Environmental investments Environmental services Spatial planning <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> Strategic planning and investment planning Infrastructure coordination Business licencing Spatial planning Setting up, having set up, operating, and having operated centralised heating systems <p>Law No. 5355 on Unions of Local authorities:</p> <ul style="list-style-type: none"> Co-operation among local authorities for provision of infrastructure and protection of the environment 	<p>11th Development Plan:</p> <ul style="list-style-type: none"> Increasing the share of renewable resources in electricity generation mix to 38,8 % in 2023. YEKA and related models will be used to utilize renewable resources more intensively. Expanding use of unlicensed wind and solar energy plant for self-consumption. <p>Ministry of Energy and Natural Resources Strategic Plan 2019-2023:</p> <ul style="list-style-type: none"> The ratio of domestic and renewable installed capacity in the total installed capacity will be increased from 59% to 65%. Installed capacity of wind power will reach 11.883 MW. Installed capacity of solar power will reach 10,000 MW. Installed capacity of geothermal and biomass power will reach 2,884 MW. <p>Within the scope of National Energy and Mining Policy, the main target is to</p>	<ul style="list-style-type: none"> Increasing technical knowledge and capacity of municipal staff on the use of energy from renewable resources.¹⁰⁶ Carrying out the necessary regulatory amendments for the promotion of energy from renewable resources at the local level. Developing detailed strategies for transitioning from conventional biofuels to advanced biofuels. Ensuring that the strategic plans and spatial plans of local authorities reflect the objectives and targets set out in the national strategies. Collecting and analysing data on the use of renewable energy resources at the local level. Carrying out community-wide awareness raising programmes at the local level for informing the public on the use of energy from renewable resources, particularly in the field of transport, and heating and cooling. Developing zoning studies for identifying potentials for and 	<ul style="list-style-type: none"> Benefiting from the expertise available at the Bank of Provinces (for instance, via the Regulation on the Preparation of Geothermal Energy Plant Projects for Bank of Provinces).¹⁰⁸ In co-operation with UMT and UP as well as with YIKOBs, setting up national benchmarking systems for the use of energy from renewable resources at the local level (in parallel with existing examples of municipal benchmarking in the field of business licencing, water and sewerage, waste management, property tax, etc.). Establishing direct co-operation with CSOs to disseminate information on policy objectives and improve community ownership.

¹⁰¹ In accordance with the Regulation EU 2018/1999, by 31 December 2019 and subsequently by 1 January 2029 and every ten years thereafter, each Member State shall notify to the Commission an integrated national energy and climate plan.

¹⁰⁶ Based on supplementary information provided by the Ministry of Energy and Natural Resources, within the scope of the IPA Project "Technical Assistance Project of Renewable Energy and Energy Efficiency for Municipalities and Universities" it is aimed to improve the knowledge of municipal staff on renewable energy and energy efficiency. Solar power plants which total installed capacity is 5 MW will be commissioned by end of July 2020 with 5 municipalities under IPA 2015 programme. In addition to this, a hydro power plant will construct for Trabzon Metropolitan Municipality which installed capacity is 2.3 MW. Furthermore, solar power plants which total installed capacity is 3 MW will be constructed with 3 municipalities under IPA 2018 programme.

¹⁰⁸ Regulation of the Bank of Provinces, 2001.

Policy orientations				
Promotion of the use of energy from renewable resources				
Key points for LCs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>feedstock, which can also be used for food and feed.</p> <p>Advanced biofuels: made from sources that do not compete directly with food and feed crops, such as wastes and agricultural residues.</p>		<p>continue the promotion of renewable and domestic energy resources, and to commission 10,000 MW solar and wind capacity each within the period 2017-2027.</p> <p>Energy Efficiency Strategy Document (2012-2023):¹⁰²</p> <ul style="list-style-type: none"> Setting up the necessary legal and administrative capacity for monitoring and evaluation of the use of energy from renewable resources. Having at least 50 original designs or products on based on R&D in the field of renewable energy. 	<p>incentivising renewable energy communities.</p> <ul style="list-style-type: none"> Promoting the implementation of the Regulation on Licence-Free Electric Production in the Electricity Market,¹⁰⁷ which has increased the maximum permissible power capacity for the licence-free renewable energy resources to 5 MW. 	
<p><u>2030 targets</u></p> <ul style="list-style-type: none"> A binding EU overall target for 2030 of at least 32 percent of energy from renewable resources. Simplification of administrative procedures for renewables projects (including one-stop-shops, time-limits, and digitalisation). Rules allowing consumers to produce their own electricity, individually or as part of renewable energy communities, without undue restrictions. In the heating and cooling sector: <ul style="list-style-type: none"> An annual increase of 1,3 percentage points in the share of renewable energy in the sector. The right for consumers to disconnect from inefficient 	<p>Same as above.</p>	<p>KENTGES:</p> <ul style="list-style-type: none"> Research, inventory, and projection studies will be carried out for meeting urban energy demand and using renewable energy resources. Regulatory changes will be made for promoting and incentivising the use of renewable energy (solar, wind, biomass, biogas, water, and geothermal). <p>National Energy Efficiency Action Plan (2017-2023):¹⁰³</p> <ul style="list-style-type: none"> Promoting the use of renewable energy and cogeneration systems in buildings. <p>Law No. 5346 on the Use of Renewable Energy Resources for Producing Electric Energy:</p>	<p>Same as above.</p>	<p>Same as above.</p>

¹⁰² Supreme Planning Council, 2012.

¹⁰³ Republic of Turkey, 2017c.

¹⁰⁷ Regulation of the Energy Market Regulatory Authority, 2019.

Policy orientations Promotion of the use of energy from renewable resources				
Key points for LCs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>district heating and cooling systems.</p> <ul style="list-style-type: none"> • Third-party access for suppliers of renewables and waste heat and cooling to district heating and cooling networks. • In the transport sector: <ul style="list-style-type: none"> • A binding target of 14 percent with • A specific sub-target for advanced biofuels of 3.5 percent and • Caps on conventional biofuels and on high indirect land use change risk biofuels. 		<ul style="list-style-type: none"> • Spatial plans shall not be prepared on public and treasury land in a way to impact the use and the efficiency of renewable energy resource areas (YEKA). <p>Regulation on Renewable Energy Resource Areas:¹⁰⁴</p> <ul style="list-style-type: none"> • YEKAs are identified by the MENR for creation of large scale, efficient, and effective use of public and private land for renewable energy production using domestic technologies. • YEKA decisions shall be conveyed to the relevant authorities for making the necessary changes on spatial plans. • Necessary expropriation, mapping, and spatial planning work shall be carried out for YEKAs. <p>Regulation on Licence-free Electric Production in the Electricity Market:¹⁰⁵ (as per the Presidential Decree No. 1044 dated 9.5.2019):</p> <ul style="list-style-type: none"> • Maximum permissible power capacity for the licence-free renewable energy resources is 5 MW. • Renewable energy applications can be placed on the roof tops, façades, or the plots of the buildings. 		

Table 37: Analysis of encouraging the use of biomass as an alternative source of energy

¹⁰⁴ Regulation of the Ministry of Energy and Natural Resources, 2016.¹⁰⁵ Regulation of the Energy Market Regulatory Authority, 2019.

Heating and cooling Encouraging the use of biomass as an alternative source of energy				
Key points for ICGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<ul style="list-style-type: none"> Sustainability criteria to ensure that the use of biofuels guarantees real carbon savings and protects biodiversity by stipulating that biofuels: <ul style="list-style-type: none"> Must achieve greenhouse gas savings of at least 35 percent compared to fossil fuels (rises to 50 percent in 2017 and 60 in 2018).¹⁰⁹ Cannot be grown in areas with previously high carbon stock such as wetlands and forests. Cannot be produced from raw materials harvested from biodiversity-rich land. Voluntary schemes to verify whether producers comply with the sustainability criteria. If they do, they are eligible for financial support or their output counts towards national renewable targets. For the permit procedures, practical recommendations provide help and advice to protect developers, NGOs and public authorities, when handling requests to build biomass plants. 	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> Energy investments Environmental services Licensing of businesses <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> Business licencing Infrastructure coordination Setting up, having set up, operating, and having operated centralised heating systems Supporting agriculture <p>Law No. 5355 on Unions of Local authorities:</p> <ul style="list-style-type: none"> Co-operation among local authorities for provision of infrastructure and protection of the environment 	<p>KENTGES:</p> <ul style="list-style-type: none"> Research, inventory, and projection studies will be carried out for meeting urban energy demand using renewable energy resources. Regulatory changes will be made for promoting and incentivising the use of renewable energy (solar, wind, biogas, water, and geothermal). <p>Energy Efficiency Strategy Document (2012-2023).¹¹⁰</p> <ul style="list-style-type: none"> Promoting the use of biomass in transport. <p>National Energy Efficiency Action Plan (2017-2023).¹¹¹</p> <ul style="list-style-type: none"> Incentivising centralised and regionalised heating and cooling systems. Researching potentials of producing biomass from agricultural byproducts and household organic waste. Raising awareness on the use of biomass. 	<ul style="list-style-type: none"> Commissioning detailed <u>technical studies</u> on the production potential of biomass at the local level. Conducting <u>feasibility studies</u> on local energy savings with the use of biomass in heating and cooling systems, and in transport. Based on the results of these studies, developing a detailed <u>renewable energy strategy</u> at the local level with objective criteria and medium- to long-term targets. Ensuring compliance of the rural area <u>plans and waste management plans</u> of municipalities with the requirements of the biomass production and use strategies. Developing <u>communication strategies</u> to raise awareness on the use of biomass among the local community. 	<ul style="list-style-type: none"> In co-operation with the Bank of Provinces, designing financial incentive schemes for municipalities at different scales to encourage the use of biomass as an alternative source of energy. Issuing implementing regulations and guidelines on the use of biomass and on building biomass plants. Establishing co-operation networks among local authorities, private sector, and civil society to promote and advance the use of biomass.

¹⁰⁹ In accordance with Directive EU 2018/2001, these criteria are defined as at least 65 percent for biofuels, biogas consumed in the transport sector, and bioliquids produced in installations starting operation from 1 January 2021, and at least 70 percent for electricity, heating and cooling production from biomass fuels used in installations starting operation from 1 January 2021 until 31 December 2025, and 80 percent for installations starting operation from 1 January 2026.

¹¹⁰ Supreme Planning Council, 2012.

¹¹¹ Republic of Turkey, 2017c.

7.4 Main Energy Highlights For Local Authorities In Turkey

In order to provide support to the process of accession to the EU, local authorities in Turkey may focus their policies on energy on the following topics presented in Table 38 below.

Table 38: Main energy highlights for local authorities in Turkey

Main issue	Policy highlights
Promoting energy efficiency	Setting short- and medium-term targets for energy efficiency
	Promotion of more efficient use of energy and renewables among the local public institutions
	Raising energy awareness in the public
Renewable energy	Diversification of the energy mix
	Promoting the use of renewables in heating and cooling
	Promoting the use of renewables in transport
Capacity development	Creating an institutional structure for coordination in the fields of energy efficiency and renewable energy
	Strengthening institutional and regulatory capacity
	Establishing reporting and monitoring mechanisms
Infrastructure	Developing infrastructures to measure, monitor, and report on energy savings and greenhouse gas emissions
	Promoting renewable energy and energy efficiency applications in public buildings, facilities and municipal services including green transportation
	Supporting smart grids
Experience sharing	Town twinning in the field of energy
	Involvement in Energy Cities
	Co-operation and collaboration with energy research institutes

Harmonisation of the relevant legislation in Turkey with the following legal instruments of the EU (Figure 6) will contribute to further progress in the field of energy and it will also empower local authorities to guide their actions toward necessary improvements in policy and practice.

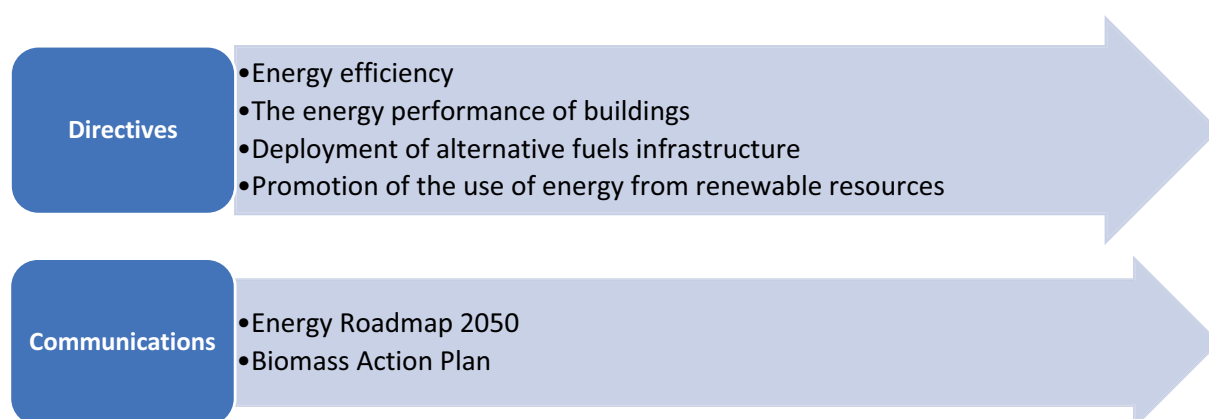


Figure 6: Possible legal instruments for harmonisation with the EU acquis in the field of energy

The legislation and policies in Turkey in relation to the selected sub-topics of Chapter 15 are summarised in Table 39 below as reference for local authorities in prioritising local level policies and services.

Table 39: Existing legislation and policies in Turkey in relation to the selected sub-topics of Chapter 15

Selected main topics of Chapter 15	Selected sub-topics of Chapter 15		Priority focus areas for local authorities
	Heading	Existing legislation and policies in Turkey	
<ul style="list-style-type: none"> European energy policy 	A policy for energy	<ul style="list-style-type: none"> Eleventh National Development Plan for 2019-2023 Energy Efficiency Strategy Document 2012-2023 Strategic Plan of MENR for 2019-2023 	<ul style="list-style-type: none"> Developing a multi-level roadmap for energy. Establishing broad public consultation mechanisms in the field of energy. Increasing policy knowledge and technical capacity of local authority staff. Setting concrete localised milestones on sustainable and secure energy. Monitoring and assessing the progress at the local level towards achieving the national goals for energy.
<ul style="list-style-type: none"> Energy efficiency 	Policy orientations	<ul style="list-style-type: none"> Eleventh National Development Plan for 2019-2023 KENTGES Energy Efficiency Strategy Document 2012-2023 National Energy Efficiency Action Plan (2017-2023) Monitoring Report of the National Energy Efficiency Action Plan Law No. 5627 on Energy Efficiency Regulation on Increasing the Efficiency of the Use of Energy Resources and Energy Regulation on Procedures and Principles for Increasing Energy Efficiency in Transport 	<ul style="list-style-type: none"> Delivering in-service training programmes for local authority staff on energy efficiency. Developing training and awareness raising programmes for local community on energy efficiency. Assessing the existing situation of energy efficiency at the local level. Identifying opportunities and measures for increasing energy efficiency in municipalities. Designing financial incentive systems for energy efficiency. Obtaining ISO 50001 certification. Establishing energy efficiency units. Increasing energy efficiency of street lighting and public mass transit operations.

Selected main topics of Chapter 15	Selected sub-topics of Chapter 15		Priority focus areas for local authorities
	Heading	Existing legislation and policies in Turkey	
	Delivering energy efficiency	<ul style="list-style-type: none"> Eleventh National Development Plan for 2019-2023 Energy Efficiency Strategy Document 2012-2023 National Energy Efficiency Action Plan (2017-2023) Monitoring Report of the National Energy Efficiency Action Plan Law No. 5627 on Energy Efficiency Regulation on Energy Performance of Buildings Regulation on Green Certificate for Buildings and Settlements Regulation on the Sharing of Expenses of Heating and Sanitary Hot Water in Central Heating and Sanitary Hot Water Systems 	<ul style="list-style-type: none"> Setting milestones on energy efficient building stock for 2030, 2040, and 2050. Issuing local data on energy identity certificates of buildings. Designing incentives in building licences for sustainable urban development. Achieving nearly zero-energy status for local authority buildings. Building the capacity of energy managers of public buildings within the local authority. Training green certificate experts and energy identity experts. Establishing tracking system for energy identity certificates of buildings. (In BEP-TR system under MoEU, the energy identity certificates of buildings are provided via Energy Identity Certificate Experts of authorised companies. The monitoring of the Energy Identity Certificate is realised via the same system.) Promoting green certificates.
		<ul style="list-style-type: none"> Eleventh National Development Plan for 2019-2023 National Energy Efficiency Action Plan (2017-2023) Regulation on Land Development in Planned Areas Regulation on Procedures and Principles for Increasing Energy Efficiency in Transport Regulation on Parking 	<ul style="list-style-type: none"> Developing detailed strategies for using alternative transport fuels. Making regulatory amendments for developing the necessary infrastructure for vehicles using alternative fuels. Conducting localised studies on the use of electric cars. Conducting feasibility studies on transitioning local authorities' fleet of vehicles to using alternative fuels. Gathering and analysing local data on vehicles using alternative fuels.
<ul style="list-style-type: none"> Renewable energy 	Policy orientations	<ul style="list-style-type: none"> Eleventh National Development Plan for 2019-2023 Energy Efficiency Strategy Document (2012-2023) KENTGES National Energy Efficiency Action Plan (2017-2023) Law No. 5346 on the Use of Renewable Energy Resources for Producing Electric Energy Regulation on Renewable Energy Resource Areas Regulation on Licence-free Electric Production in the Electricity Market 	<ul style="list-style-type: none"> Increasing technical knowledge and capacity of municipal staff on the use of renewable energy. Making regulatory amendments for the promotion of renewable energy at the local level. Developing transitioning strategies from conventional biofuels to advanced biofuels. Revising strategic plans and spatial plans of local authorities based on national strategies. Collecting and analysing local level data on renewable energy. Raising community awareness on renewable energy. Developing zoning studies for incentivising renewable energy. Promoting the implementation of the Regulation on Licence-Free Electric Production.

Selected main topics of Chapter 15	Selected sub-topics of Chapter 15		Priority focus areas for local authorities
	Heading	Existing legislation and policies in Turkey	
	Heating and cooling	<ul style="list-style-type: none"> • KENTGES • Energy Efficiency Strategy Document (2012-2023) • National Energy Efficiency Action Plan (2017-2023) 	<ul style="list-style-type: none"> • Commissioning technical studies on the use and production of biomass. • Developing a renewable energy strategy. • Ensuring compliance of rural area plans and waste management plans with the renewable energy strategy. • Developing communication strategies to promote the use of biomass.

8 ANALYSIS IN RELATION TO CHAPTER 27: ENVIRONMENT AND CLIMATE CHANGE

This chapter presents a brief description of the EU *acquis* on environment and climate change, and the selected topics for analysis, summarises the current state of alignment in Turkey with respect to the relevant topics of the EU *acquis*, analyses the implementation of the selected EU *acquis* topics at the local level, and points out to the main environment and climate change policy highlights for local authorities in Turkey.

8.1 Brief description of the European Union *acquis* on environment and climate change and the selected topics for analysis

Environment and climate change, Chapter 27 of the EU *acquis*, is a policy area with utmost multi-level and multi-sectoral impacts. Actions impacting the environment at the global, regional, national, and local levels affect one another in a way that is not only highly complex but also highly challenging to contain. It is not possible for a particular country, region, or local authority to achieve comprehensive and long-term environmental progress on its own. It is also not possible for any such territorial unit to keep themselves fully safe from environmental harm caused elsewhere.

Due to inherent cross-cutting nature of sector, environment and climate change is among the most comprehensive chapters of the EU *acquis* requiring long-term coordination and collaboration among member states as well as among their sub-national governments. The EU constantly highlights that protecting the environment and combatting climate change are policy areas that can yield to successful results only when strong commitment and effective coordination are in place continentally and globally.

The 2050 vision of the EU for the environment is stated as follows:

In 2050, we live well, within the planet's ecological limits. Our prosperity and healthy environment stem from an innovative, circular economy where nothing is wasted and where natural resources are managed sustainably, and biodiversity is protected, valued and restored in ways that enhance our society's resilience. Our low-carbon growth has long been decoupled from resource use, setting the pace for a safe and sustainable global society. (European Commission, 2014c)

The priority action areas in legislation, knowledge dissemination, investment, and policy integration for achieving this 2050 vision are defined in the 7th Environment Action Programme of the EU as:¹¹²

- Natural capital: protecting, conserving, and enhancing fertile soil, seas, fresh water, clean air, and biodiversity.
- Resource-efficient economy: full delivery of the EU's climate action and energy packages, improved environmental performance of products and reduced environmental impact of consumption for a green and low-carbon economy.
- Safeguarding EU citizens: protecting citizens from environment-related pressures and risks to health and wellbeing in order to create a healthy environment for healthy people.

Making cities more sustainable is one of the horizontal objectives of the EU's Seventh Environment Action Programme, which will be in force until 2020.

Similar to transport policy and energy (Chapter 14 and Chapter 15), environment and climate change is also a policy area of shared competence between the EU and the member states. It is legally based on Article 191 through Article 193

¹¹² Available at: <http://ec.europa.eu/environment/action-programme/>.

of the Treaty on the Functioning of the European Union,¹¹³ which specifies the following objectives for the EU policy on the environment:

- Preserving, protecting, and improving the quality of the environment.
- Protecting human health.
- Prudent and rational utilisation of natural resources.
- Promoting measures at international level to deal with regional or worldwide environmental problems, and in particular combatting climate change.

According to Article 191, actions being taken to achieve these objectives shall be based on the following principles:

- Precautionary action
- Preventive action
- Rectifying the damage at source
- Polluter pays

DG ENV is the European Commission's Directorate-General responsible for the EU policies on the environment. It is carrying out its work within the scope of the following themes¹¹⁴ in order to achieve the abovementioned objectives:

- Action Programme
- Air
- Chemicals
- Circular economy
- Environmental assessment
- Environmental implementation review
- Green growth
- Green public procurement
- International issues
- Land
- Marine and coast
- Nature and biodiversity
- Noise
- Soil
- Sustainable development
- Urban environment
- Waste
- Waste water

DG CLIMA is the European Commission's Directorate-General responsible for the EU policies on climate change. It is carrying out its work within the scope of the following themes:¹¹⁵

- Climate strategies and targets
- EU Emissions Trading System
- Effort sharing: Member States' emission targets
- Land-based emissions
- Transport emissions
- Innovation Fund
- Protection of the ozone layer

¹¹³ Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT>.

¹¹⁴ Available at: http://ec.europa.eu/environment/index_en.htm.

¹¹⁵ Available at: https://ec.europa.eu/clima/index_en.

- Fluorinated greenhouse gases
- Adaptation to climate change
- International action on climate change
- Funding for climate action

In connection with the environment themes covered by the DG ENV and the DG CLIMA, the EU *acquis* on environment and climate change currently covers 11 main topics as defined by the EUR-Lex database.¹¹⁶ These are:

- Tackling climate change
- General provisions
- Waste management
- Air pollution
- Water protection and management
- Protection of nature and biodiversity
- Soil protection
- Civil protection
- Noise pollution
- Environment: co-operation with third countries
- European statistics

Each one of these main topics includes specific headings and sub-topics in relation to the particular topic addressed. At present there are 172 sub-topics that are grouped under 44 specific headings in relation to environment and climate change (please see Appendix 3). For the purposes of the present analysis, the following seven main topics and nine sub-topics (Table 40) that are closely relevant for local authorities in Turkey are reviewed:

Table 40: Selected topics of the EU *acquis* on environment and climate change that are relevant for the local level in Turkey

Selected main topics of Chapter 27	Selected sub-topics of Chapter 27	
	Heading	Scope
• Tackling climate change	EU climate change policy	Moving towards a low-carbon economy in 2050
• General provisions	Environmental management	<ul style="list-style-type: none"> • General obligations <ul style="list-style-type: none"> ◦ Assessment of the certain effects of plans and programmes on the environment (SEA) • Management instruments <ul style="list-style-type: none"> ◦ Better environmental performance: European eco-management and audit scheme (EMAS)
• Waste management	General framework	Landfill of waste
	Waste from consumer goods	Packaging and packaging waste
• Air pollution	Air quality	Cleaner air for Europe
	Industry	Air pollution from medium combustion plants
• Water protection and management	Specific uses of water	Drinking water – essential quality standards
• Civil protection	Environmental accidents	Major accidents involving dangerous chemicals
• Noise pollution	Source of noise pollution	Noise emission by equipment used outdoors

¹¹⁶ Available at: https://eur-lex.europa.eu/summary/chapter/environment.html?root_default=SUM_1_CODED=20.

8.2 Current state of alignment in Turkey with respect to the selected European Union *acquis* on environment and climate change

Turkey's co-operation with the EU in the field of environment dates back even before the start of accession negotiations as it has been a member of the European Environment Agency (EEA) since 2000. Subsequent to the initiation of the accession negotiations with Turkey in 2005, the screening process on Chapter 27: Environment and Climate Change was completed in 2006. As part of the preparations for harmonisation with the EU *acquis*, the former Ministry of Environment and Forestry of the Republic of Turkey developed a comprehensive policy document titled 'EU Integrated Environmental Approximation Strategy (2007-2023)' (Republic of Turkey, 2006) outlining the present situation concerning the environment field, environmental vision and fundamental purpose of Turkey, sectoral priorities and policies, environmental investment needs and their financing, and implementation of the strategy.

In 2007, the EU agreed on the following two opening benchmarks for Turkey concerning the accession negotiations on Chapter 27:

- 1) Turkey presents to the Commission its comprehensive strategy for the 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.
- 2) Turkey fulfils its obligations as regards the implementation of applicable environment *acquis* in line with the relevant European Commission-Turkey Association Council decisions.

Upon the fulfilment of the abovementioned opening benchmarks by Turkey, the accession negotiations on Chapter 27: Environment and climate change were opened by the EU in 2009 and the following six closing benchmarks were set:

- 1) Turkey has to fulfil its obligation of the full non-discriminatory implementation of the Additional Protocol to the Association Agreement.
- 2) Turkey adopts legislation aimed at transposing the EU's horizontal and framework environmental legislation, including its transboundary aspects.
- 3) Turkey adopts legislation aimed at transposing the *acquis* in the field of water quality, notably its Framework Water Protection Law; establishes River Basin Protection Action Plans; and makes further significant progress in legislative alignment in this sector by adopting implementing legislation.
- 4) Turkey adopts legislation aimed at transposing the *acquis* in the field of industrial pollution control and risk management.
- 5) Turkey continues its alignment with the *acquis* in the remaining sectors of this chapter, including nature protection and waste management, in line with the Plan for Setting up Necessary Administrative Capacities at National, Regional and Local Level and Required Financial Resources for Implementing the Environmental *Acquis* and demonstrates that it will be fully prepared to ensure the implementation and enforcement of the EU requirements at the date of accession.
- 6) Turkey continues capacity building of the administrative bodies at all levels, including inspection services, in line with the Plan for Setting up Necessary Administrative Capacities at National, Regional and Local Level and Required Financial Resources for Implementing the Environmental *Acquis*, further improves coordination of work and demonstrates that all appropriate administrative structures will be in place in good time before accession to enable implementation and enforcement of the *acquis* in all sectors of this chapter.

Allocations of EU financial assistance to Turkey on environment, climate action and energy within the scope of IPA II covering the years 2014-2020 amount to a total of 438 million euros, making it the second largest sector under competitiveness and growth, and the fourth largest item of the whole of IPA II after competitiveness, innovation, agriculture and rural development, democracy and governance, and rule of law and fundamental rights.

The latest progress report on Turkey (Turkey 2019 Report: European Commission, 2019d) assesses that currently, there exists some level of preparation as regards the state of alignment in Turkey with respect to the EU *acquis* on environment and climate change, and points out that some progress has been achieved in the period between 2016 and 2019, mainly in increasing capacity in waste management and wastewater treatment, and legislative alignment, but enforcement and implementation still remain weak.

As regards the selected seven EU *acquis* topics for this analysis, the following statements and recommendations presented in Table 41 are included in the Turkey 2019 Report of the European Commission (pp. 104-106):

Table 41: Assessments of the Turkey 2019 Report on the selected EU *acquis* topics of Chapter 27: Environment and climate change

Selected main topics of Chapter 27	Assessments of the Turkey 2019 Report	
	Statements	Recommendations
<ul style="list-style-type: none"> Tackling climate change 	<ul style="list-style-type: none"> There was no progress in this area. A national strategy consistent with the EU 2030 climate and energy framework has not yet been formulated. Mainstreaming of climate action into other sector policies is still weak. The existing national strategy and action plan only partially address climate change mitigation and only for the short-term. Turkey submitted its third biennial report on greenhouse gasses in January 2018. The latest national inventory was submitted in April 2018. Turkey is not yet aligned with the Emission Trading Directive. 	<p>More ambitious and better coordinated environment and climate change policies need to be established and implemented.</p> <p>Ratify the Paris Agreement on climate change, and start implementing Turkey's contribution to the Agreement, and complete its alignment with the EU <i>acquis</i> on climate action.</p> <p>Legislation aligning with the EU's economy-wide greenhouse gas monitoring mechanism still needs to be adopted.</p> <p>Further efforts need to be made to fully implement the legislation aligned with the Fuel Quality Directive and to initiate alignment on emissions standards for new cars.</p> <p>Turkey also needs to establish an alignment plan for the Carbon Capture and Storage Directive.</p>
<ul style="list-style-type: none"> General provisions (environmental management) 	<ul style="list-style-type: none"> Implementation of the Directive on infrastructure for spatial information is still at an early stage. There are concerns on how the Environmental Impact Assessment Directive is implemented. The Strategic Environmental Assessments Directive is currently aligned in some sectors. Alignment on environmental liability remains limited. 	<p>Strategic planning, substantial investment, and stronger administrative capacity are required.</p> <p>Complete alignment with the directives on water and industrial pollution, and ensure the Environmental Impact Assessment Directive is correctly implemented.</p> <p>Ensure alignment with the <i>acquis</i> on public participation and the right to access environmental information.</p>

Selected main topics of Chapter 27	Assessments of the Turkey 2019 Report	
	Statements	Recommendations
<ul style="list-style-type: none"> Waste management 	<ul style="list-style-type: none"> The legal framework is mostly aligned. Turkey has adopted a strategy promoting a zero-waste management approach, efficient use of natural resources, landfilling reduction, and increasing recycling and reuse. Legislation introducing a ban on the free distribution of lightweight plastic bags came into force in January 2019 and attracted substantial public interest. Work has continued to bring waste treatment facilities up to <i>acquis</i> standards. Alignment and capacity for sorting, recycling and medical waste treatment have increased. Economic instruments to promote recycling and the prevention of waste generation are improving, but remain limited. 	<p>Significant efforts are necessary to implement waste management plans at local and regional level.</p>
<ul style="list-style-type: none"> Air pollution 	<ul style="list-style-type: none"> Activities will be conducted towards the preparation of a sectoral transition calendar for complying the national legislation with Solvents Emissions Directive and its harmonisation. Severe air pollution in some cities is reported on an annual basis. Local clean air action plans are being prepared for 64 provinces. A national strategy for air quality monitoring is in place and seven out of eight planned regional networks are operational. Air quality monitoring data is published online. 	<p>National legislation still needs to be adopted in line with the current directives on ambient air quality and national emissions ceilings.</p>
<ul style="list-style-type: none"> Water protection and management 	<ul style="list-style-type: none"> The level of alignment is advanced. Over 30 percent of water bodies were identified as sensitive areas. The preparation of management plans for four river basins out of 25 has been completed. Transboundary consultations on water issues are still at an early stage. Wastewater treatment capacity has increased as a result of continuous investments. Alignment with the Marine Strategy is still pending.¹¹⁷ Turkey does not currently have a planning calendar for complying its national legislation with "Marine Strategy Framework Directive." On the other hand, activities are continuing towards raising the awareness on the mentioned Directive and to develop the necessary institutional and technical capacity. 	<p>Alignment with the Marine Strategy is still pending.¹¹⁸</p>

¹¹⁷ According to a recent update provided by the Ministry of Environment and Urbanisation, alignment with the Bathing Water Directive (2006/7/EC) was realised with the Regulation on the Management of the Quality of Bathing Water published in the Official Journal No. 30899 dated 25.9.2019.

¹¹⁸ This recommendation is no longer valid pursuant to the abovementioned update by the Ministry of Environment and Urbanisation.

Selected main topics of Chapter 27	Assessments of the Turkey 2019 Report	
	Statements	Recommendations
<ul style="list-style-type: none"> Civil protection 	<ul style="list-style-type: none"> Turkey has still not established the Common Emergency Communication and Information System (CECIS) since it joined the Union Civil Protection mechanism in 2016. Although required by the latter, Turkey has not yet submitted a summary of their national assessment. 	Ensure alignment with the <i>acquis</i> on public participation and the right to access environmental information.
<ul style="list-style-type: none"> Noise pollution 	<ul style="list-style-type: none"> Alignment with legislation on noise is well advanced. Preparation of noise mapping and local noise action plans is at an advanced state. 	-

The Revised Indicative Strategy Paper for Turkey (2014-2020) (European Commission, 2018b) prepared by the European Commission includes the following policy highlights concerning the alignment of Turkey with the selected topics of the environment and climate change policy within the scope of the EU *acquis*:

- A national strategy consistent with the European Union 2030 framework on climate and energy policies has not yet been adopted.
- Ratification of the Paris Agreement would help to reduce Turkey's emission trends (which rose by more than 120 percent since 1990) and carbon intensity of its economy.¹¹⁹
- Turkey is required to build resilience, strengthen its disaster risk management, and emergency response capacities, and develop sustainable urbanisation practices.

In connection with these policy highlights, the Revised Indicative Strategy Paper for Turkey (2014-2020) points out to the following objectives for the short-term in relation to the selected EU *acquis* topics on environment and climate change:

- Improved infrastructure for delivering drinking water, waste water treatment and waste management, in line with EU standards; including improved physical infrastructure and increased recycling rates.
- Legislative reform and capacity building has progressed in the areas of climate action, air quality, industrial pollution, waste, civil protection, disaster risk management and emergency response, water and marine environment, cross-cutting legislation and protection of nature.
- Improved capacity to design, implement and monitor mitigation policies, and improved resilience to climate change in vulnerable economic sectors and infrastructures.

In 2016, the Ministry of Environment and Urbanisation of the Republic of Turkey updated the EU Integrated Environmental Approximation Strategy for the years 2016-2023 (Republic of Turkey, 2016a). The updated strategy takes into account the recent developments in the EU *acquis* in the field of environment as well as the changes in the administrative system in Turkey. As indicated in the respective table below (Table 43), "Climate Change Action Plan of the Republic of Turkey 2011-2023" and "Climate Change Adaptation Strategy and Action Plan of Turkey 2011-2023", being implemented under the coordination of the Ministry of Environment and Urbanisation are also amongst the main reference documents in this context.

The Pre-accession Economic Reform Programme (2019-2021) of Turkey (Republic of Turkey, 2019a) formulates the current structural reforms on the agenda in the process of accession to the EU. While there is no specific reform measure in the field of environment and climate change, the reform measure on energy and transport markets makes due reference to the protection of the environment.

¹¹⁹ Turkey has signed the Paris Agreement in 2016 but ratification is pending due to special circumstances.

The Eleventh Development Plan for the years 2019-2023 (Republic of Turkey, 2019c) sets out the following national goals and objectives in relation to the environment and climate change topics analysed in this report:

- Liveable cities, sustainable environment
 - Ensuring promotion and sustainability of national water information system.
 - Ensuring drinking water and waste water services to be provided in an efficient and sufficient manner and in line with standards, performance and investment efficiency of the responsible institutions will be improved.
 - Making regulatory changes for the establishment of province-wide water and sewerage administrations in non-metropolitan cities.
 - Increasing effectiveness of waste management with a comprehensive focus on separation at source, separate collection, recycling, and removal.
 - Raising public awareness on recycling waste.
 - Promoting applications of the Zero Waste Project.
 - Developing standards for recycled secondary products, improving incentives and regulations.
 - Promoting separate collection of waste.
 - Supporting household waste recycling and removal projects of municipalities having insufficient financial resources.
 - Promotion of the applications of Waste Programme.
 - Ensuring effective environmental management through clearer division of responsibilities in coordination and co-operation with public institutions, private sector, local authorities, and civil society organisations (CSOs).
 - Developing legislation to improve harmony among public institutions and local authorities.
 - Improving capacities related to environmental impact assessment, strategic environmental assessment, licencing, approval, and monitoring and evaluation, and providing necessary software and equipment for this purpose.
 - Raising public awareness on environmental protection.
 - Promoting environmental labelling system.
 - Increasing resilience to climate risks by combatting climate change in greenhouse gas emitting sectors.
 - Controlling greenhouse gas emissions in buildings, as well as in energy, industry, transport, waste, agriculture, and forestry sectors.
 - Carrying out national and regional strategic planning and capacity building against the risks of climate change.
 - Identifying regional and city-based needs for combatting climate change and developing climate change action plans for seven regions.
 - Effectively implementing air quality management applications.
 - Developing local level air quality action plans, updating legislation on pollution and emission control.
 - Conducting research and developing infrastructure for modelling and monitoring air quality.
 - Developing assessment and management of environmental noise.
 - Preparing strategic noise maps of settlements across the country.
 - Developing risk management applications to prevent major industrial accidents and ensuring effective management to minimise the effects of chemicals on human health and the environment.
 - Developing capacities against major industrial accidents on risk management and emergency response.
 - Preparing risk maps based on the types of disasters in high disaster risk areas.
 - Carrying out countrywide awareness raising activities against disasters and emergencies, increasing public awareness via training and awareness raising centres.
 - Strengthening technical and administrative capacities of local units responsible for disaster management.

8.3 Analysis of the implementation of the selected European Union *acquis* topics on environment and climate change at local level

This sub-section presents the analysis of the implementation of the selected seven EU *acquis* topics on environment and climate change at local level. The analysed topics, as being directly relevant for local authorities are tackling climate change, general provisions, waste management, air pollution, water protection and management, civil protection and noise pollution.

In accordance with the methodology of the analysis, the six dimensions of each of these six specific topics analysed are; aim, key points in relevant legal texts of the EU *acquis*, relevant mandates of local authorities in Turkey, assessment of compliance with key points, major channels of improvement, and challenges and opportunities for full alignment.

8.3.1 Tackling climate change

Climate change is a policy topic that has been high on the international agenda since the early 1990s. The overall aim of all actions in this field is keeping global warming below 2 °C. The EU has been taking significant initiatives to contribute to this overall aim. The flagship initiative of the EU in combatting climate change has been the emission trading system, which is bringing down industry emissions in a cost-effective manner.

The EU aims at going climate-neutral by the year 2050. Being climate-neutral is defined as achieving net-zero greenhouse gas emissions. The role local authorities and citizens have in contributing to this goal are underlined by the EU in relation to the following issues (European Commission, 2019c):

- Housing choices
- Transport choices
- Consumption patterns
- City refurbishment
- Spatial planning (shorter commute connections with reduced travel times)
- Public infrastructure
- Quality of life (health and wellbeing)

The climate change policy of the EU is inherently connected with the international negotiations on climate and a wide range of legal acts including those related to greenhouse gas monitoring and reporting, carbon capture and storage, fluorinated gases, and ozone layer protection shape the EU *acquis* in this field.

Concerning the long-term strategy of the EU for 2050, two main documents elaborate the relevant policies. The first one is the 2011 roadmap for a low-carbon Europe and the second is the 2018 vision for reducing greenhouse gas emissions. As the main document setting the basic policy targets, summary information on the aim of the roadmap is provided in Table 42 presented below.

Table 42: Aim of moving towards a low-carbon economy in 2050

EU climate change policy Moving towards a low-carbon economy in 2050			
Year	Ref.	Type of act	Aim
2011	COM(2011) 112 final dated 8.3.2011	Communication	<ul style="list-style-type: none"> Presenting a roadmap up to 2050 of the various ways the EU's greenhouse gas emissions reduction target can be achieved.
			<ul style="list-style-type: none"> Setting target milestones to show the extent to which the EU will be on course to create a low-carbon economy. Setting out policy challenges, investment needs and the role different sectors should play.
2018 ¹²⁰	COM(2018)773 final dated 28.11.2018	Preparatory document: Communication	<p>A Clean Planet for All: A European strategic long-term vision for a prosperous, modern, competitive and climate neutral economy</p> <ul style="list-style-type: none"> To confirm Europe's commitment to lead in global climate action. To present a vision that can lead to achieving net-zero greenhouse gas emissions by 2050 through a socially-fair transition in a cost-efficient manner. Does not intend to launch new policies, nor does the European Commission intend to revise 2030 targets.

An important international initiative that supports local authorities in achieving the EU climate change targets is The Covenant of Mayors for Climate and Energy¹²¹ that is launched by the European Commission and supported by the Council of European Municipalities and Regions (CEMR). After having been started in Europe in 2008 and advanced in 2015, the initiative currently has signatories from 59 countries. 22 municipalities from Turkey¹²² became signatories to the covenant with commitments at various levels. The office of the Covenant of Mayors for Climate and Energy in Brussels was visited in April 2019 by the representatives of the DEUA, UMT, UP, and MEU-DGLA within the scope of the international study trip organised by the project on Town Twinning between Turkey and the EU. As a result of this international study trip, Bolu Municipality and Yenimahalle Municipality (Ankara) made applications in 2019 to become signatories to the covenant.

¹²⁰ Listed for informative purposes only and not included in the analysis due to preparatory nature.

¹²¹ Available at: <https://www.covenantofmayors.eu/en/>.

¹²² Turkish signatories of the Covenant of Mayors for Climate and Energy are Antalya Metropolitan Municipality, Bağcılar Municipality, Bayındır Municipality, Bolu Municipality, Bornova Municipality, Bursa Metropolitan Municipality, Çankaya Municipality, Çorlu Municipality, Eskişehir Metropolitan Municipality, Gaziantep Metropolitan Municipality, İzmir Metropolitan Municipality, Kadıköy Municipality, Karşıyaka Municipality (Balıkesir), Karşıyaka Municipality (İzmir), Maltepe Municipality, Nilüfer Municipality, Pendik Municipality, Sakarya Metropolitan Municipality, Seferihisar Municipality, Şişli Municipality, Tepebaşı Municipality, and Yenimahalle Municipality. Further information available at: <https://www.covenantofmayors.eu/about/covenant-community/signatories.html>.

Table 43: Analysis of moving towards a low-carbon economy in 2050

EU climate change policy Moving towards a low-carbon economy in 2050				
Key points for LCGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>To contribute reducing domestic emissions by 40 percent and 60 percent (compared to the levels of 1990) for 2030 and 2040 respectively:</p> <ul style="list-style-type: none"> Power sector: almost totally eliminating CO₂ emissions by 2050, especially by producing electricity from renewable resources using existing and more advanced technologies. Transport sector: reducing emissions by more than 60 percent by becoming more sustainable through greater vehicle efficiency, electric vehicles and cleaner energy. Buildings: reducing current emissions by around 90 percent via energy efficiency improvements. Industry: cutting greenhouse gas emissions by more than 80 percent through more efficient processes, energy efficiency, recycling, and new technologies. Agriculture: reducing emissions by 42 to 49 percent through a range of new techniques, including a healthier diet with less meat. 	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> Provincial planning and coordination Environmental investments Environmental services <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> Business licencing Transport planning and coordination Infrastructure coordination Traffic management Public transit Protecting the environment, agricultural land, and water basins based on the principle of sustainable development Water and sewerage services Setting up, having set up, operating, and having operated centralised heating systems <p>Law No. 5355 on Unions of Local authorities:</p>	<p>Climate Change Adaptation Strategy and Action Plan of Turkey 2011-2023:¹²³</p> <ul style="list-style-type: none"> Reducing emissions. Supporting municipalities financially and technically in their activities concerning urban infrastructure for environmental protection. Supporting the capacity of local authority unions for integrating climate change action into local strategies and action plans. Developing local capacity for combatting disaster risks caused by climate change. Raising public awareness at the local level on the effects of climate change. <p>Climate Change Action Plan of the Republic of Turkey 2011-2023:¹²⁴</p> <ul style="list-style-type: none"> Energy sector: Increasing the average cycle efficiency of coal powered thermal power plants; reducing the electricity distribution losses to 8 percent; developing renewable energy technology. Buildings: Achieving thermal insulation and energy efficiency over one million housing units, and commercial and public buildings larger than 10 thousand 	<ul style="list-style-type: none"> Assessing the <u>level of achievement</u> at the local level to the targets set for 2023. Based on the results of the assessments, developing updated localised strategies with targets set for 2030, 2040, and 2050. Ensuring that municipal operations as a whole <u>comply</u> with the objectives and targets set in the relevant strategies, particularly for buildings, transport, and energy. Developing technical capacity of municipal staff on climate actions. Raising public awareness on climate actions in co-operation with the CSOs. In co-operation with UMT, UP, and regional unions of local authorities, establishing <u>local mechanisms</u> and inventories for monitoring greenhouse gas emissions.¹²⁷ 	<ul style="list-style-type: none"> Need for detailed analyses for the financial requirements of climate action at the local level. Development of an integrated financing mechanism for local authorities (including necessary incentives) for undertaking the requirements of climate change mitigation and adaptation strategies. Establishing close co-operation among national unions, local authorities, professional chambers, universities and civil society to ensure broad scale ownership and adoption of climate change related actions (with possible EU level support from networks such as the Covenant of Mayors for Climate and Energy).

¹²³ Republic of Turkey, 2012b.

¹²⁴ Republic of Turkey, 2012c.

¹²⁷ Further information on relevant local mechanisms and inventories available at: Global Protocol for Community-scale Greenhouse Gas Emission Inventories (<https://ghgprotocol.org/greenhouse-gas-protocol-accounting-reporting-standard-cities>) and Covenant of Mayors Sustainable Energy Action Plan Baseline Emissions Inventory (https://www.covenantofmayors.eu/IMG/pdf/SEAP_guidebook_Part_II.pdf).

EU climate change policy Moving towards a low-carbon economy in 2050				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>Overarching objectives:</p> <ul style="list-style-type: none"> • Cutting annual average energy costs. • Reducing dependency on fossil fuels. • Stimulating structural change in the economy and creating jobs. • Improving air quality to the benefit of citizens. 	<ul style="list-style-type: none"> • Co-operation among local authorities for provision of infrastructure and protection of the environment 	<p>square metres; reducing energy consumption in public buildings by 20 percent; starting from 2017, ensuring that all new buildings use at least 20 percent renewable energy. This issue has been addressed in the Energy Efficiency Strategy Paper (2012-2023) under action code SA-02/SH-02/E-01 as "Requiring sustainability qualification effective as of the eighteenth (18) month following the date of issue of the document for licencing the commercial buildings, and detached luxury housing and integrated housing (Residence) with usage area more than ten thousand square metres (10,000 m2), and expanding the scope of this implementation by including the buildings mentioned under SA-02/SH-01 effective as of 2017.</p> <ul style="list-style-type: none"> • Industry: Introducing limits to greenhouse gas emissions; developing the financial and technical infrastructure for limiting greenhouse gas emissions; developing new technologies. • Transport: Increasing the share of freight by railways from 5 percent in 2009 to 15 percent in 2023, and passenger transport by rail from 2 percent to 10 percent; increasing the share of maritime freight from 2.6 percent to 10 percent, passenger transport by waterways from 0.4 percent to 4 percent; reducing road freight from 80.6 percent to below 60 percent, passenger transport by road from 90 percent to 72 percent; limiting emissions from personal urban 		

EU climate change policy Moving towards a low-carbon economy in 2050				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
		<p>transport vehicles; implementing sustainable urban transport planning; increasing the use of vehicles using alternative fuels; limiting energy use in transport.</p> <ul style="list-style-type: none"> Waste: Achieving 35 percent reduction in biodegradables sent to landfills by 2025 in comparison to 2005; removing 100 percent of municipal waste in integrated waste removal facilities; closing down all non-sanitary landfills. Agriculture: Identifying surface and ground biomass; limiting greenhouse gas emissions from agriculture; reducing the increase in greenhouse gases from vegetative production and animal husbandry. Land use and forestry: Increasing carbon sequestration of forests by 15 percent by 2020 in comparison to 2007; reducing deforestation by 20 for the same period. <p>KENTGES:</p> <ul style="list-style-type: none"> Energy efficient and climate sensitive settlement strategies will be developed. Planning and land development principles and procedures will be developed for adaptation to and prevention of climate change. <p>EU Integrated Environmental Approximation Strategy (2016-2023):¹²⁵</p> <ul style="list-style-type: none"> Increasing national capacity for climate action. Ensuring access to financial resources to carry out mitigation and adaptation actions. 		

¹²⁵ Republic of Turkey, 2016a.

EU climate change policy Moving towards a low-carbon economy in 2050				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
		<ul style="list-style-type: none"> Ensuring co-operation and coordination in climate action. Changing public consumption patterns to become more climate friendly. <p>Regulation on Monitoring Greenhouse Gas Emissions:¹²⁶</p> <ul style="list-style-type: none"> Sets out the principles and procedures for monitoring greenhouse gas emissions. All operators subject to the Regulation shall annually report their greenhouse gas emissions to MEU. 		

¹²⁶ Regulation of the Ministry of Environment and Urbanisation, 2014b.

8.3.2 General provisions

Sustainable development and improvement of the environmental quality is a common provision of the EU enshrined in Article 3 of the Treaty on European Union,¹²⁸ which states that:

The Union shall establish an internal market. It shall work for the sustainable development of Europe based on balanced economic growth and price stability, a highly competitive social market economy, aiming at full employment and social progress, and a high level of protection and improvement of the quality of the environment.

The EU considers environmental assessment as an important procedure to ensure that environmental implications of decisions are taken into account before the decisions are made. The Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (known as the environmental impact assessment directive) aims to ensure that environmental considerations are integrated into the preparation and authorisation of projects. With the amendments made in 2014 (Directive 2014/52/EU), the environmental impact assessment reports are to be made more understandable for the public, their quality is to be improved, objectivity is to be proven in order to avoid conflicts of interest, and the grounds for development consent decisions must be clear and more transparent for the public. National authorities have the responsibility to make their decisions on approvals and refusals available to the general public as well as to the environmental, regional and local bodies.

The key directive of the EU concerning environmental assessment of public plans and programmes is the Strategic Environmental Assessment (SEA) directive. Summary information on the aim of SEA is provided in Table 44 presented below.

Table 44: Aim of the assessment of certain effects of plans and programmes on the environment (SEA)

Environmental management			
Assessment of the certain effects of plans and programmes on the environment (SEA)			
Year	Ref.	Type of act	Aim
2001	2001/42/EC dated 27.6.2001 OJ L 197 of 21.7.2001 pp. 30-37	Directive	<ul style="list-style-type: none"> Ensuring a high level of environmental protection and that environmental considerations are taken into account when preparing, adopting, and implementing plans and programmes. Promoting sustainable development by ensuring that environmental assessment is carried out of certain plans and programmes likely to have significant effects on the environment.

In accordance with the common provision on environmental sustainability, the European Commission introduced the European eco-management and audit scheme (EMAS) as an environmental management tool to support companies to achieve the sustainable development goals. As of 2001, local authorities are also included in the scope of EMAS with direct links to the international environmental management system standard EN ISO 14001.

For any type of organisation, EMAS promotes performance improvements by committing to and evaluating the reduction of their environmental impact, ensures credibility of the process by external and independent verification, and improves transparency by making the environmental performance of the organisation publicly available. Summary information on the aim of EMAS is provided in

Table 45 presented below.

¹²⁸ Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12012M%2FTXT>.

Table 45: Aim of European eco-management and audit scheme (EMAS)

Environmental management Better environmental performance: European eco-management and audit scheme (EMAS)			
Year	Ref.	Type of act	Aim
2009	1221/2009 dated 25.11.2009 OJ L 342 of 22.12.2009 pp. 1-45	Regulation	<p>As an environmental management tool to evaluate and report environmental performance:</p> <ul style="list-style-type: none"> • Encouraging companies and other organisations to continually improve their environmental performance. • It is open to any organisation inside or outside the EU, spans all economic and service sectors and is applicable worldwide.

Table 4.6: Analysis of the assessment of the certain effects of plans and programmes on the environment (SEA)

Environmental management Assessment of the certain effects of plans and programmes on the environment (SEA)				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>Applies to public plans and programmes in the field of transport, waste management, town and country planning, and land use (among others).</p> <p>Steps of assessment:</p> <ul style="list-style-type: none"> • Scoping • Preparing the environmental report • Public consultation and participation • Decision making • Monitoring <p>Screening procedure for smaller scale plans and programmes.</p> <p>Environmental report must contain:</p> <ul style="list-style-type: none"> • the contents of the plan or programme and its main objectives and links to other relevant plans and programmes; • the existing environmental situation and its likely development if the plan or programme is not implemented; • any existing environmental problems which are relevant to the plan or programme; 	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> • Provincial strategic planning and coordination • Sewerage • Waste • Environmental investments • Environmental services • Spatial planning <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> • Infrastructure planning • Spatial planning, planning and coordination of land development • Waste management • Protecting the environment, agricultural land, and water basins based on the principle of sustainable development 	<p>Law No. 2872 on Environment:</p> <ul style="list-style-type: none"> • Plans and programmes subject to SEA shall be determined by the relevant regulation. <p>Regulation on Strategic Environmental Assessment (SEA):¹²⁹</p> <ul style="list-style-type: none"> • Covers the plans and programmes in relation to waste management, fisheries, energy, coastline management, spatial planning, forestry, industry, water management, agriculture, telecommunication, tourism, and transport. • Following plans in relation to local authorities are included within the scope of SEA: <ul style="list-style-type: none"> ◦ Regional plans ◦ Integrated coastal plans ◦ Environmental development plans ◦ Waste management basin plans ◦ Waste water treatment basin plans ◦ Protection basin plans ◦ Rural development programmes ◦ Plans for the protection and development of cultural and touristic regions 	<ul style="list-style-type: none"> • Including all <u>strategic plans and spatial plans of local authorities</u> within the scope of the SEA Regulation. • Developing <u>technical capacity</u> of local authority staff for full compliance with the SEA Regulation. • Developing a detailed public consultation framework based on the principles of good governance to ensure that SEA process is carried out in a participatory, transparent, and accountable manner. • Supporting the citizens' assemblies in developing capacity on SEAs and directly involving them into the SEA process. • <u>Budgeting the necessary costs</u> for the preparation of the SEA report at the local level including consultancy, public consultation, and monitoring processes. • <u>Effectively communicating</u> the SEA process and results to the public and relevant stakeholders at the local level. 	<ul style="list-style-type: none"> • Guidebooks of the MEU on SEA available in the fields of: <ul style="list-style-type: none"> • Water management • Renewable energy • Agriculture • Regional development • In co-operation with MEU, UMT, UP, developing additional guidebooks for topics within the mandate of local authorities. • Disseminating good practice examples of SEAs at the local level among the relevant units of local authorities. • EU funded project being implemented by the Directorate-General for Environmental Impact Assessment, Permits and Audit within the Ministry of Environment and Urbanisation specifically focuses on supporting the implementation of the Regulation on Strategic Environmental Assessment.

¹²⁹ Regulation of the Ministry of Environment and Urbanisation, 2017a.

Environmental management				
Assessment of the certain effects of plans and programmes on the environment (SEA)				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<ul style="list-style-type: none"> the measures envisaged to prevent, reduce and offset any significant adverse effects on the environment; a description of how the assessment was carried out; the envisaged monitoring measures; a non-technical summary of the above information. <p>The draft plan or programme and the environmental report must be made available to the authorities responsible for environmental issues and to the public. The authorities and the public must have the opportunity to express their views on the draft plan or programme at an early stage and in sufficient time before it is adopted or submitted to the legislative procedure.</p> <p>The environmental report, the opinions expressed by the relevant authorities and the public and the results of any transboundary consultations must be taken into account by the competent authority during the preparation of the plan or programme and before it is adopted.</p> <p>When a plan or programme is adopted, the EU country responsible must inform all parties concerned which have been consulted and make available to them:</p> <ul style="list-style-type: none"> the plan or programme as adopted; a statement summarising how environmental considerations have 		<ul style="list-style-type: none"> o Spatial strategy plans o River basin plans <ul style="list-style-type: none"> Annex IV of the Regulation lays down the scope of the SEA report in detail and in parallel with the EU Directive. Annex V of the Regulation lays down the sensitive areas where SEA is compulsory. Draft SEA reports shall be published on the web pages of the relevant institutions for thirty days to allow receiving feedback. The authority in charge of preparing SEA shall carry out consultation meetings to gather opinions on the draft SEA report. <p>Regulation on the Amendment of the Regulation on Principles and Standards of Norm Cadre for Municipalities and Their Affiliates, and Unions of Local Authorities:</p> <ul style="list-style-type: none"> Regulation on Principles and Standards of Norm Cadre for Municipalities and Their Affiliates, and Unions of Local Authorities was amended with the Regulation published in the Official Journal No. 31093 date 8 April 2020. Accordingly, the titles of Head of Department of Climate Change (for metropolitan municipalities), Director of Climate Change (for non-metropolitan municipalities, countryside unions established at the central level and unions having more than 100 members), Head of Department of Zero Waste (for metropolitan municipalities), and Director of Zero Waste (for non-metropolitan 		

Environmental management Assessment of the certain effects of plans and programmes on the environment (SEA)			
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement
<ul style="list-style-type: none"> • been integrated and the environmental impact report; the opinions and the results of consultations; • the reasons for choosing the plan or programme as adopted; • the monitoring measures undertaken. 		<p>municipalities, countryside unions established at the central level and unions having more than 100 members) were added to the Civil Servant Cadre Register for Municipalities and Their Affiliates, and Unions of Local Authorities.</p>	
			Challenges and opportunities for full alignment

Table 47: Analysis of European eco-management and audit scheme (EMAS)

Environmental management Better environmental performance: European eco-management and audit scheme (EMAS)			
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement
<p>To receive EMAS registration, an organisation must:</p> <ul style="list-style-type: none"> • Conduct a review of all the environmental aspects of its activities, products, and services. • Adopt an environmental policy containing a commitment to comply with all the relevant legislation and to achieve continuous improvements. • Develop a programme with information on specific 	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> • Environmental services • Environmental investments • Provincial planning and coordination • Licencing of buildings and businesses <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p>	<p>Law No. 2872 on Environment:</p> <ul style="list-style-type: none"> • Municipalities that have established an environmental audit unit may audit the implementation of the Law. <p>Regulation on the Procedures and Principles for the Operation of Higher Environmental Council and Local Environmental Councils:¹³⁰</p> <ul style="list-style-type: none"> • Local environmental council shall be established at the provincial level with the participation of 	<ul style="list-style-type: none"> • Promoting EMAS registration across local authorities. • Developing necessary detailed regulatory framework for conducting environmental reviews. • Developing technical capacity of the environmental management units of municipalities for reviewing, auditing and improving eco-management.
			Challenges and opportunities for full alignment
			<ul style="list-style-type: none"> • Ensuring co-operation between Turkish Accreditation Agency, UMT, and UP for the application of EMAS registration for local authorities. • Developing capacity at the regional unions of local authorities to provide guidance to local authorities for better eco-management. • Promoting district and provincial level adoption of EMAS across public institutions at local level through local environmental councils.

¹³⁰ Regulation of the Ministry of Environment and Urbanisation, 2013.

Environmental management Better environmental performance: European eco-management and audit scheme (EMAS)				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>environmental objectives and targets.</p> <ul style="list-style-type: none"> Establish an effective management system to achieve its environmental policy and ensure continuous improvement. Carry out an environmental audit assessing the management system in place and overall conformity with its policy and programme. Provide an environmental statement of its performance, set against its objectives, and the future steps to be taken. <p>The environmental review, management system, audit procedure, and statement must be approved by an accredited environmental verifier.</p> <p>The validated statement is registered and made publicly available.</p> <p>An organisation successfully completing all these stages may use the EMAS logo on its letterheads, products, activities and services to demonstrate its commitment to improving its environmental performance.</p>	<ul style="list-style-type: none"> Infrastructure coordination Business licencing Protecting the environment, agricultural land, and water basins based on the principle of sustainable development Water and sewerage services 	<p>municipalities and all other relevant public and private stakeholders as well as the civil society.</p> <ul style="list-style-type: none"> Local environmental councils prepare provincial programmes for environmental management. Secretariat of the local environmental councils shall be the provincial directorates of the MEU. <p>Regulation on Zero Waste:¹³¹</p> <ul style="list-style-type: none"> Metropolitan district municipalities with a population more than 250.000 establish an environmental management unit. Metropolitan district municipalities with a population less than 250.000, provincial municipalities, and unions of municipalities employ an environmental officer. Rest of the local authorities either employ an environmental officer or procure environmental consultancy services. Four categories of zero-waste certificate identified: basic, silver, gold, and platinum. 	<ul style="list-style-type: none"> Designing incentive mechanisms for local authorities to improve eco-management at local level. Disseminating information on EMAS across public institutions at local level. 	

¹³¹: Regulation of the Ministry of Environment and Urbanisation, 2019.

8.3.3 Waste management

Waste is one of the major sources of environmental pollution. In 2008, with the aim of guiding the waste management policy of the EU, the following waste hierarchy was defined,¹³² where the number 1 option is focusing on not creating waste:

- 1) Prevention
- 2) Preparing for re-use
- 3) Recycling
- 4) Recovery
- 5) Disposal

As seen in the waste hierarchy above, disposal is the least preferred option and the EU is taking measures to keep disposal, which includes landfilling and incineration, to an absolute minimum. Provisions to reduce the landfill of waste and when absolutely inevitable, to properly manage landfill sites are laid out in the relevant council directive. Summary information on this council directive is provided in Table 48 presented below.

Table 48: Aim of provisions concerning landfill of waste

General framework			
Landfill of waste			
Year	Ref.	Type of act	Aim
1999	1999/31/EC dated 26.4.1999 OJ L 182 of 16.7.1999 pp. 1-19	Council directive	Preventing, or reducing as much as possible, any negative impact from landfilling on surface water, groundwater, soil, air, or human health.
2008 ¹³³	2008/98/EC dated 19.11.2008 OJ L 312 of 22.11.2008 pp. 3-30.	Directive	Establishes a legal framework for treating waste in the EU. Designed to protect the environment and human health by emphasizing the importance of proper waste management, recovery and recycling techniques to reduce pressure on resources and improve their use.

In 2015, the European Commission adopted the Circular Economy Action Plan with an aim to stimulate Europe's transition to circular economy. The ambitions of this action plan were further advanced with an additional initiative in 2018. As of 2019, the implementation of this action plan is reported to be fully completed with continued work on some of the actions beyond 2019.¹³⁴ The first Action Plan within the context of the Circular Economy Package adopted in 2015, constituting one of the long-term plans of the EU concerning the effective utilisation of resources, was successfully implemented. Within the framework of the Green Agreement for Europe which denotes the new growth strategy of the EU, the European Commission has adopted the new Circular Economy Action Plan on 11 March 2020.

As part of the EU's efforts towards achieving a circular economy, changing consumption patterns plays a key role. Packaging waste is an important source of waste created from consumer goods and the EU regulates it with a series of directives that aim to limit the impacts of this particular type of waste on the environment. Summary information on the main directive on packaging and packaging waste is provided in Table 49 presented below.

¹³² Available at: <http://ec.europa.eu/environment/waste/framework/>.

¹³³ Listed for informative purposes only and not included in the analysis due to the fact that it establishes the overall legal framework falling under the responsibility of the central level.

¹³⁴ Further information on European Commission's approach to circular economy is available at: https://ec.europa.eu/environment/circular-economy/index_en.htm.

Table 49: Aim of provisions concerning packaging and packaging waste

Waste from consumer goods Packaging and packaging waste			
Year	Ref.	Type of act	Aim
1994	94/62/EC dated 20.12.1994 OJ L 365 of 31.12.1994 pp. 10-23	Directive	<p>Setting out the EU's rules on managing packaging and packaging waste to:</p> <ul style="list-style-type: none"> • Improve the quality of the environment. • Protect human health. • Protect resources. • Ensure the functioning of the internal market. • Prevent the production of packaging waste. • Promote the reuse, recycling, and other forms of recovering of packaging waste, instead of its final disposal, thus contributing to the transition towards a circular economy. <p>Covers all packaging placed on the European market and all packaging waste, whether it is used or released at industrial, commercial, office, shop, service, household, or any other level, regardless of the material used.</p>
2015	2015/720 dated 29.4.2015 OJ L 115 of 6.5.2015 pp. 11-15		
2018	2018/852 dated 30.5.2018 OJ L 150 of 14.6.2018 pp. 141-154		

Table 50: Analysis of provisions concerning landfill of waste

General framework Landfill of waste				
Key points for LGS in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>Three categories of landfill sites:</p> <ul style="list-style-type: none"> Landfills for hazardous waste Landfills for non-hazardous waste Landfills for inert waste (waste that will not decompose or burn, such as gravel, sand, and stone) <p>EU governments must implement national strategies to progressively reduce the amount of biodegradable waste sent to landfills.</p> <p>Landfill facilities may not accept used tyres or waste which is liquid, flammable, explosive or corrosive, or from hospitals and medical and veterinary practices.</p> <p>Only waste that has been treated may be landfilled.</p> <p>Municipal waste may go to landfills for non-hazardous waste.</p> <p>Operators of landfill sites must apply for a permit and provide the following information:</p> <ul style="list-style-type: none"> The identity of the applicant A description of the type and quantity of waste to be deposited The capacity and a description of the site, 	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> Waste Protection of soil Environmental investments Environmental services Provincial planning and coordination <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> Infrastructure coordination Protecting the environment, agricultural land, and water basins based on the principle of sustainable development Developing waste management plan <p>Law No. 5355 on Unions of Local authorities:</p> <ul style="list-style-type: none"> Co-operation among local authorities for provision of infrastructure and protection of the environment 	<p>National Waste Management and Action Plan 2023:¹³⁵</p> <ul style="list-style-type: none"> National goal for waste management: <ul style="list-style-type: none"> 35 percent recycled 65 percent sent to landfill Reducing municipal waste sent to landfills from 88,7 percent in 2014 to 65 percent 2023. Rehabilitating open dumping sites. Promoting management of construction and excavation waste. Making investments in facilities for recycling and removal of hazardous waste. Regional targets and investment requirements per type of waste, including municipal waste. <p>EU Integrated Environmental Approximation Strategy (2016-2023):¹³⁶</p> <ul style="list-style-type: none"> Reducing production of waste. Raising public awareness on waste management. Reducing biodegradable waste. Preparing waste management plans. Licensing landfills and waste removal facilities. Establishing financing mechanism for waste management based on the principle of 'polluter pays'. 	<ul style="list-style-type: none"> Improving policy knowledge and technical capacity at the local level about the existing regulatory framework on landfill of waste to ensure full scale implementation. In co-operation with UMT and UP, developing detailed application guidelines for local authorities. Ensuring compliance of spatial plans with the policies concerning landfill sites. Tracking the level of achievement to objectives set by national policies, and updating the targets for 2030, 2040, and 2050. Localising the targets set in national policies based on the specific conditions of local authorities. Collecting and analysing data on landfill of waste for measuring progress and for informing the public. Making the reports prepared by operators publicly available. 	<ul style="list-style-type: none"> Changing consumption patterns for reducing production of waste. Ensuring vertical and horizontal co-operation and coordination for full compliance with the provisions of the national policies and legislation. Benefiting from and enhancing expertise at the regional unions of local authorities in the field of waste management. In co-operation with UMT, UP, and regional unions of local authorities, introducing benchmarking mechanisms at national and regional levels for improving service performance in waste management.

¹³⁵ Republic of Turkey, 2016c.

¹³⁶ Republic of Turkey, 2016a.

General framework Landfill of waste				
Key points for LCGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>including operating, monitoring, and control plans.</p> <ul style="list-style-type: none"> o Details of closure and after-care procedures. 		<p>Law No. 2872 on Environment:</p> <ul style="list-style-type: none"> • Metropolitan municipalities and municipalities shall establish or have established facilities for removal of domestic waste. • Incentives shall be provided by the MEU to local authorities that establish the zero-waste system. <p>Regulation (By-Law) on Waste Management:¹³⁷</p> <ul style="list-style-type: none"> • Municipalities shall establish and licence waste processing facilities. • Municipalities shall carry out training and awareness raising activities on waste management. • Municipalities shall improve technical qualifications of personnel working in the field of waste management. • Metropolitan municipalities shall prepare waste management plans in co-operation with metropolitan district municipalities, and submit them to MEU. • Non-metropolitan municipalities shall prepare waste management plans, and submit them to the provincial directorates of MEU. <p>Regulation (By-Law) on Landfill of Waste:¹³⁸</p> <ul style="list-style-type: none"> • Articles 9, 10 and Temporary Article 1 of the Regulation on Landfill of Waste include provisions and 		

¹³⁷ Regulation of the Ministry of Environment and Urbanisation, 2015b.

¹³⁸ Regulation of the [Former] Ministry of Environment and Forestry, 2010a.

General framework Landfill of waste				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
		<p>respective targets in relation to the reduction of the amount of biodegradable waste and their processing prior to the store of waste in landfill.</p> <ul style="list-style-type: none"> • Three categories of landfill sites are defined in the Regulation. • Landfill sites shall not accept: <ul style="list-style-type: none"> ○ Liquid waste ○ Waste that is explosive, corrosive, flammable, etc. ○ Unprocessed medical waste ○ Unidentified chemical substances ○ Used tires • For the operation of landfill sites, licence from the municipality and licence from the MEU are required. • Operators shall submit regular reports to the municipalities with a maximum interval of one year. 		

Table 51: Analysis of provisions concerning packaging and packaging waste

Waste from consumer goods Packaging and packaging waste				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
EU countries must take measures, such as national programmes, incentives through extended producer responsibility schemes	Law No. 5302 on Special Provincial Administration:		<ul style="list-style-type: none"> • Updating the national strategies and the regulatory framework on 	

Waste from consumer goods Packaging and packaging waste				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>and other economic instruments, to prevent the generation of packaging waste and to minimise the environmental impact of packaging.</p> <p>EU countries should encourage the increase in the share of reusable packaging by:</p> <ul style="list-style-type: none"> • Deposit return schemes • Targets • Economic incentives • Minimum percentages of reusable packaging placed on the market for each type of packaging <p><u>Recycling targets:</u></p> <p>By 2025, at least 65 percent by weight of all packaging must be recycled:</p> <ul style="list-style-type: none"> • 50 percent of plastic • 25 percent of wood • 70 percent of ferrous metals • 50 percent of aluminium • 70 percent of glass • 75 percent of paper and cardboard <p>By 2030, at least 70 percent of packaging must be recycled:</p> <ul style="list-style-type: none"> • 55 percent of plastic • 30 percent of wood • 80 percent of ferrous metals 	<ul style="list-style-type: none"> • Waste • Environmental investments • Environmental services <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> • Business licencing • Infrastructure coordination • Protecting the environment, agricultural land, and water basins based on the principle of sustainable development • Developing waste management plan <p>Law No. 5355 on Unions of Local authorities:</p> <ul style="list-style-type: none"> • Co-operation among local authorities for provision of infrastructure and protection of the environment 	<p>National Waste Management and Action Plan 2023:¹³⁹</p> <ul style="list-style-type: none"> • Increasing packaging waste collected separately at source from 5,3 percent in 2014 to 12 percent in 2023. • Increasing biologic recycling of municipal waste from 0,2 percent in 2014 to 4 percent in 2023. • Increasing mechanical biologic recycling of municipal waste from 5,4 percent in 2014 to 11 percent in 2023. • Increasing thermal recycling of municipal waste from 0,3 percent in 2014 to 8 percent in 2023. <p>EU Integrated Environmental Approximation Strategy (2016-2023):¹⁴⁰</p> <ul style="list-style-type: none"> • Reducing the use of hazardous materials in packaging. • Ensuring production of packing suitable for reuse and recycling. • Ensuring separate collection of packaging waste. <p>Regulation (By-Law) on Packaging Waste Control:¹⁴¹</p> <ul style="list-style-type: none"> • Main principles are preventing the generation of packaging waste, when 	<p>packaging and packaging waste to comply with the 2030 targets of the EU.</p> <ul style="list-style-type: none"> • Reflecting the policies and targets set in the national documents on the strategic plans of local authorities. • Preparing <u>packaging waste management plans</u> at municipal level. • In co-operation with UMT, disseminating good practice examples on zero-waste across local authorities. • Designing and delivering awareness raising programmes for preventing the generation of waste and separating waste at source. • Designing measures for <u>simplifying</u> separate collection of packaging waste. • <u>Collecting and analysing</u> detailed local level data on packaging waste to track progress towards local and national targets. • Streamlining the use of zero-waste information system. • Publicly communicating the progress in the reduction of packaging waste and its impact on the environment. 	<ul style="list-style-type: none"> • Municipal Application Guidelines for the Regulation on Packaging Waste Control.¹⁴³ • Establishing close co-operation between provincial directorates of MEU and local authorities. • Ensuring effective participation of local authorities in the Packaging Commission. • Co-operating with private sector for the promotion of the production of reusable and recyclable packaging. • Changing reuse and recycling habits of individuals. • Setting procurement standards for local authorities to support reduction of packaging waste.

¹³⁹ Republic of Turkey, 2016c.

¹⁴⁰ Republic of Turkey, 2016a.

¹⁴¹ Regulation of the Ministry of Environment and Urbanisation, 2017b.

¹⁴³ REC Turkey, 2016.

Waste from consumer goods Packaging and packaging waste				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<ul style="list-style-type: none"> 60 percent of aluminium 75 percent of glass 85 percent of paper and cardboard <p>EU countries should ensure that systems are set up to provide for the return and/or collection of used packaging and/or packaging waste, as well as the reuse or recovery including recycling of the packaging and/or packaging waste collected.</p>		<ul style="list-style-type: none"> this is not possible, ensuring reuse, recycling, or as a source of energy. It is forbidden to store packaging waste in landfills. Separation of packaging waste at source is the principle. Reducing use of plastic bags per capita per year to not exceed: <ul style="list-style-type: none"> 90 by 2019 40 by 2025 MEU determines deposit return schemes in line with the provisions of the Regulation. MEU regulates the preparation of packaging waste management plan and carries out the preparations for the development of the national packaging waste prevention plan. MEU tracks the indicators on recycling. Provincial directorates of MEU: <ul style="list-style-type: none"> coordinate with local authorities, package producers, and packaging waste processors. Evaluates and monitors the packaging waste management plans of municipalities. Municipalities are: <ul style="list-style-type: none"> Responsible for separate collection of packaging waste. Report activities and data on the packaging information system. Carry out training and support for the implementation of the Regulation. 		

Waste from consumer goods Packaging and packaging waste				
Key points for LGs in relevant legal texts of the EU Acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
		<ul style="list-style-type: none"> ○ Provide plots and infrastructure for recycling facilities. • Unions of municipalities can carry out the relevant activities on behalf of their members. • After 2020, the percentage of recycled material in packaging shall be: <ul style="list-style-type: none"> ○ 8 percent in plastic ○ 35 percent in paper and cardboard ○ 20 percent in glass ○ 20 percent in metal • Recovery and recycling targets after 2020 for all types of materials: <ul style="list-style-type: none"> ○ 60 percent recovery ○ 55 percent recycling • Packaging waste collection system of the municipality: <ul style="list-style-type: none"> ○ Population more than 400.000: one container per 100 households or per 400 meters. ○ Population between 100.000 and 400.000: one container per 150 households or per 500 meters. ○ Population less than 100.000: one container per 200 households or per 600 meters. ○ Containers for public buildings, hotels, restaurants, education facilities, parks, gardens, sports facilities, terminals. • Municipalities may establish transshipment centres for packaging waste. 		

Waste from consumer goods Packaging and packaging waste				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
		<ul style="list-style-type: none"> Municipalities and unions of municipalities take part in the Packaging Commission. <p>Regulation (By-Law) on Zero Waste:¹⁴²</p> <ul style="list-style-type: none"> Three phases for local authorities in transitioning to zero waste: <ul style="list-style-type: none"> Metropolitan district municipalities with a population of 250.000 and more by 2020. Metropolitan district municipalities with a population less than 250.000, provincial, district and town municipalities, and unions of municipalities by 2021. Rest of the municipalities and special provincial administrations by 2022. Governors shall ensure the preparation of provincial zero waste plans. Municipalities shall adapt their waste management plans in accordance with the provincial zero waste plans. Municipalities shall encourage the general public to separate waste and reduce the production of waste. Ensure the involvement of the citizens' assemblies into the relevant processes. 		

¹⁴² Regulation of the Ministry of Environment and Urbanisation, 2019.

Waste from consumer goods Packaging and packaging waste				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
		<ul style="list-style-type: none"> Report data twice-a-year on the zero-waste information system. 		

8.3.4 Air pollution

The EU has been focusing on preventing air pollution since the early 1970s. It is defined as the number one environmental cause¹⁴⁴ of premature death in Europe. The EU *acquis* aimed at combatting air pollution focuses on air quality, atmospheric pollution, pollution from vehicles, and pollution from industry.

In 2013, the European Commission prepared a new policy package for clean air that included three major proposals for enhanced EU legal acts. These are:

- A new Clean Air Programme for Europe (with measures to ensure existing targets are met, supporting research and innovation, and promoting international co-operation)
- Reduction of national emissions of certain atmospheric pollutants
- Limitation of emissions of certain pollutants into the air from medium combustion plants

Once the necessary actions are taken by 2030, the EU aims to:¹⁴⁵

- Avoid 58.000 premature deaths
- Save 123.000 km² of ecosystems from nitrogen pollution
- Save 56.000 km² of protected areas from nitrogen pollution
- Save 19.000 km² of forest ecosystems from acidification
- Save society 40 to 140 billion euros in external health costs
- Provide 3 billion euros worth of benefits as a result of higher productivity of the workforce
- Add 100.000 additional jobs due to increased productivity because of fewer workdays lost

The existing provisions concerning air quality in the EU are set out in the ambient air quality directive dated 2008. Summary information on this directive is provided in Table 52 presented below.

Table 52: Aim of provisions concerning cleaner air for Europe

Air quality Cleaner air for Europe			
Year	Ref.	Type of act	Aim
2008	2008/50/EC dated 21.5.2008 OJL 152 of 11.6.2008 pp. 1-44	Directive	<ul style="list-style-type: none"> • Protecting human health and the environment in order to ensure that the air we breathe is as clean as possible. • Taking active measures to monitor the purity of ambient air and removing any pollutants. <p>For the purposes indicated above, the directive:</p> <ul style="list-style-type: none"> • Establishes air quality objectives • Sets assessment measures • Defines corrective action if standards are not met • Provides for the public to be informed

The EU identifies the main sources of air pollution as follows:

- Road vehicles
- Non-road mobile machinery
- Maritime transport
- Agriculture

¹⁴⁴ Available at: http://ec.europa.eu/environment/air/index_en.htm.

¹⁴⁵ Available at: http://ec.europa.eu/environment/air/clean_air/index.htm.

- Energy and industrial sources
- Paints

Table 53: Aim of provisions concerning major accidents involving dangerous chemicals

Environmental accidents			
Major accidents involving dangerous chemicals			
Year	Ref.	Type of act	Aim
2012	2012/18/EU dated 4.7.2012 OJ L 197 of 24.7.2012 pp. 1-37	Directive	To control major accident hazards involving dangerous substances, especially chemicals.

Table 54: Analysis of provisions concerning cleaner air for Europe

Air quality Cleaner air for Europe				
Key points for LGS in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<ul style="list-style-type: none"> • Thresholds, limit values and target values are set to assess each pollutant covered by the directive: <ul style="list-style-type: none"> ◦ Sulphur dioxide ◦ Nitrogen dioxide ◦ Particulate matter ◦ Lead ◦ Benzene ◦ Carbon monoxide • National authorities designate specific bodies to carry out these tasks using data collected at selected sampling points. • Where pollution levels in any particular area are higher than the thresholds, air quality plans must be introduced to correct the situation. These may include specific measures to protect sensitive groups, such as children. • If there is a risk that pollution levels may exceed the thresholds, short-term action plans to reduce road traffic, construction works or certain industrial activities, for instance, must be implemented to head off the danger. • National authorities must ensure that not only the public, but also environmental, consumer and other relevant organisations, including 	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> • Environmental services • Licencing of buildings and businesses <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> • Business licencing • Transport planning and coordination • Infrastructure coordination • Traffic management • Public transit • Protecting the environment, agricultural land, and water basins based on the principle of sustainable development <p>Law No. 5355 on Unions of Local authorities:</p> <ul style="list-style-type: none"> • Co-operation among local authorities for provision of infrastructure and protection of the environment 	<p>EU Integrated Environmental Approximation Strategy (2016-2023):¹⁴⁶</p> <ul style="list-style-type: none"> • Preparing national emission inventory. • Preparing local emission inventories at provincial level. • Preparing regional air quality maps. • Preparing infrastructure for air quality forecasts. • Reducing air pollution caused by industry. <p>Law No. 2872 on Environment:</p> <ul style="list-style-type: none"> • Air quality shall be tracked in provincial and district centres to ensure proper application of the clean air policy of MEU. <p>Regulation on Air Quality Assessment and Management:¹⁴⁷</p> <ul style="list-style-type: none"> • Limit values, target values, and warning thresholds are set for: <ul style="list-style-type: none"> ◦ Sulphur dioxide ◦ Nitrogen dioxide ◦ Particulate matter ◦ Lead ◦ Benzene ◦ Carbon monoxide • Regions and sub-regions are determined for data collection and provincial directorates of the Ministry 	<ul style="list-style-type: none"> • Developing policy knowledge and technical capacity on air quality measuring and monitoring with local authorities. • Ensuring full implementation of the provisions set out in the national legislation. • Designing mechanisms for effective horizontal and vertical co-operation in the field of air quality. • Designing and effectively using channels of communication for informing all relevant stakeholders and the public on local air quality. • Co-operating with citizens' assemblies in raising awareness on cleaner air. 	<ul style="list-style-type: none"> • Establishing close and systematised co-operation between provincial directorates of MEU and municipalities in the preparation and monitoring of clean air plans and action plans. • Co-operating with UMT and UP for sharing experiences and expertise in air quality management at the local level.

¹⁴⁶ Republic of Turkey, 2016a.

¹⁴⁷ Regulation of the Ministry of [Former] Environment and Forestry, 2008.

Air quality Cleaner air for Europe				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>health care bodies and industry federations, are kept informed of the ambient air quality in their area.</p> <ul style="list-style-type: none"> • Governments of EU countries must publish annual reports on all the pollutants covered by the legislation. 		<p>shall carry out air quality assessments or have them carried out.</p> <ul style="list-style-type: none"> • Provincial directorates of the Ministry shall prepare clean air plans in a participatory manner when the limit values are exceeded. • Provincial directorates of the Ministry may set up emission inventories. • Air quality indicators are regularly communicated to the public by the Ministry and its provincial directorates. • Municipalities shall ensure co-operation and contribution for the preparation of clean air plans and the relevant action plans. • Ministry and its provincial directorates shall prepare annual reports on ozone. 		

Table 55: Analysis of provisions concerning air pollution from medium combustion plants

Environmental accidents Major accidents involving dangerous chemicals				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
	Law No. 5302 on Special Provincial Administration:		<ul style="list-style-type: none"> • Developing detailed local level public consultation mechanisms. 	<ul style="list-style-type: none"> • Provincial level coordination among the Directorates of Disaster and

Environmental accidents Major accidents involving dangerous chemicals				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<ul style="list-style-type: none"> Giving the public stronger rights for combating major accidents involving dangerous chemicals. Providing better access to information about the risks which might occur from nearby industrial installations and how to react in the event of an accident. Information must be available online. Covers industrial sites where chemicals or petrochemicals are used or stored, or where metal refining takes place. Tighter procedures for public consultation on projects, plans and programmes involving plants covered by the legislation. Introduced through changes to land-use planning laws that new plants are sited at a safe distance away from existing ones. Allows people to go to court if they consider they have not been properly informed or involved. Introduces stricter standards for the various installations to ensure the safety rules are being effectively implemented. 	<ul style="list-style-type: none"> Provincial planning and coordination Environmental investments Licensing of businesses and construction <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> Strategic planning and investment planning Spatial planning, and planning and coordination of land development Licensing construction works Protecting the environment, agricultural land, and water basins based on the principle of sustainable development Infrastructure coordination 	<p>Regulation on Prevention of Major Industrial Accidents and Reducing Their Effects:¹⁴⁸</p> <ul style="list-style-type: none"> Emergency service units include fire departments of municipalities. Operators shall submit detailed information on dangerous substances and their accident response cards to the fire department of the municipality. Operators shall inform fire departments of municipalities in case of a major accident. 	<ul style="list-style-type: none"> Providing detailed information to citizens on major industrial accidents and delivering training programmes on preparedness and emergency response. Reviewing existing spatial plans to assess risks concerning major industrial accidents. Reviewing existing business licences to assess risk concerning major industrial accidents. 	<p>Emergency Response, Directorates of Environment and Urbanisation, and the Directorates of Health.</p> <ul style="list-style-type: none"> In co-operation with UMT and UP, developing guidebooks for local authorities on prevention of major industrial accidents and reducing their effects.

¹⁴⁸ Regulation of the Ministry of Family, Labour and Social Services, Ministry of Environment and Urbanisation, and Ministry of Interior, 2019.

8.3.5 Water quality

Just like air, water is also regulated by the EU as an essential source of life for more than 30 years. The EU defines the main pillars of its drinking water policy as follows:¹⁴⁹

- Ensuring that drinking water quality is controlled through standards based on latest scientific evidence.
- Securing an efficient and effective monitoring, assessment, and enforcement of drinking water quality.
- Providing consumers with adequate, timely, and appropriate information.
- Contributing to the broader EU water and health policy.

While the European Commission recently adopted a proposal for a revised drinking water directive in 2018 with the aim of improving the quality of drinking water and providing greater access and information to citizens, the essential quality standards are laid out in the relevant directive dated 1998. Summary information on the 1998 directive is provided in Table 56 presented below.

Table 56: Aim of provisions concerning drinking water – essential quality standards

Specific uses of water			
Drinking water – essential quality standards			
Year	Ref.	Type of act	Aim
1998	98/83/EC dated 3.11.1998 OJ L 330 of 5.12.1998 pp. 32-54	Directive	<ul style="list-style-type: none"> • Setting standards for drinking water. • Protecting public health from the adverse effect of any contamination by ensuring water for human consumption is wholesome and clean. <p>Water for human consumption is water in its original state or after treatment intended for drinking, cooking, preparing food, or other domestic purposes. It may be supplied from a tap, tanker, bottle, or container.</p>

¹⁴⁹ Available at: http://ec.europa.eu/environment/water/water-drink/index_en.html.

Table 57: Analysis of provisions concerning drinking water – essential quality standards

Specific uses of water				
Drinking water – essential quality standards				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>EU countries must:</p> <ul style="list-style-type: none"> take the necessary measures to ensure the water does not contain concentrations of microorganisms, parasites or harmful substances that could be a danger to human health, and meets minimum microbiological and chemical standards; ensure the standards are met when the water comes out of a tap or tanker; monitor the water regularly at agreed sampling points in order to check that the microbiological, chemical and indicator parameter values are met; investigate immediately when the standards are not met and take the necessary corrective action; ban or restrict a water supply if it is considered to be a potential threat to public health; inform the public when corrective action is taken; publish a report every 3 years on drinking water quality. This information for the public is sent to the European Commission. 	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> Water Drinking water investments Environmental services <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> Protecting the environment, agricultural land, and water basins based on the principle of sustainable development Water and sewerage services Infrastructure coordination <p>Law No. 5355 on Unions of Local authorities:</p> <ul style="list-style-type: none"> Co-operation among local authorities for provision of infrastructure and protection of the environment <p>Law No. 2560 on Establishment and Functions of the Directorate-General of Istanbul Water and Sewerage Administration:</p> <ul style="list-style-type: none"> Provision of drinking water 	<p>EU Integrated Environmental Approximation Strategy (2016-2023):¹⁵⁰</p> <ul style="list-style-type: none"> Informing the public on water quality. Prevention of water pollution. <p>Regulation on Controlling Water Pollution:¹⁵¹</p> <ul style="list-style-type: none"> Provisions on drinking water repeated in 2018. Quality criteria for inland water resources per category are identified. Metropolitan municipalities shall be responsible for auditing activities of resources for drinking water. <p>Regulation on Water for Human Consumption:¹⁵²</p> <ul style="list-style-type: none"> Parameters for drinking water quality are identified as a minimum standard. Additional parameters may be added to improve the quality of water. Parameters apply to tap water, water delivered by tanker, bottled or packaged water, and water used in production. Local authorities shall take necessary measures and provide guidance to 	<ul style="list-style-type: none"> Developing policy knowledge and technical capacity of local authority staff. Ensuring integration of municipal information systems with the National Water Information System for providing detailed and up-to-date data to the general public on water quality. Setting up mechanisms for full scale implementation of the existing regulatory framework in a participatory, transparent, and accountable manner at the local level. Developing monitoring capacity of local authorities for compliance with national water quality standards. Setting up local guidance mechanisms aimed at property owners and managers for ensuring quality compliance of indoor pipeline networks for drinking water. 	<ul style="list-style-type: none"> Ensuring multi-level co-operation among MEU, Ministry of Agriculture and Forestry, UMT, UP, YIKOBs, regional unions and local authorities for country-wide application of essential water quality standards. Benefiting from the citizens' assembly and relevant CSOs for improved monitoring and compliance with water quality standards.

¹⁵⁰ Republic of Turkey, 2016a.

¹⁵¹ Regulation of the [Former] Ministry of Environment and Forestry, 2004.

¹⁵² Regulation of the Ministry of Health, 2005.

Specific uses of water				
Drinking water – essential quality standards				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>The directive does not apply to natural mineral waters or waters which are considered to be medicinal products.</p> <p>EU countries may exempt from their legislation private, non-commercial water supply, serving fewer than 50 people.</p>	<ul style="list-style-type: none"> • Protection of water resources • Prevention of water pollution 	<p>property owners and managers for ensuring the compliance of drinking water with the set parameters.</p> <ul style="list-style-type: none"> • Local authorities install sampling stations based on the structure of the pipeline network and the size of population served. • Regular monitoring of water quality is ensured by annual programmes designed by the provincial directorates of public health and in co-operation with local authorities. • In case contamination is determined, supplementary monitoring activities may be carried out. • Corrective measures taken by the directorates of public health shall be communicated to the public via visual and print media and Internet. • Local authorities shall duly inform the public about the quality of drinking water with sufficient and up-to-date information. • Reports shall be prepared every three years about drinking water quality to be submitted to the European Commission. <p>Regulation on the Quality and Purification of Waters Supplying Drinking Water:¹⁵³</p> <ul style="list-style-type: none"> • Quality parameters of drinking water are set out and municipalities shall take measures to ensure compliance with these parameters. 		

¹⁵³ Regulation of the Ministry of Agriculture and Forestry, 2019.

Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
		<ul style="list-style-type: none"> Metropolitan municipalities shall prepare monitoring programmes for monitoring the quality of drinking water. Monitoring results shall be entered into the National Water Information System. <p>Regulation on Supply and Distribution Systems of Drinking Water:¹⁵⁴</p> <ul style="list-style-type: none"> All components and materials of the water distribution system should be designed and produced in a manner not to harm the quality of water. Planning, design, projects, and operation of drinking water systems shall not be conducted in a manner that negatively affects water quality. <p>Regulation on Protection of Drinking Water Basins:¹⁵⁵</p> <ul style="list-style-type: none"> Protection plans of water resources within metropolitan municipalities shall be prepared by the metropolitan municipalities. Metropolitan municipalities are responsible for auditing activities of drinking water basins in metropolitan municipality boundaries. 		

¹⁵⁴ Regulation of the Ministry of Environment and Urbanisation, 2017e.

¹⁵⁵ Regulation of the [Former] Ministry of Forestry and Water Management, 2017.

8.3.6 Noise pollution

Noise emitted from outdoor equipment is an important source of noise pollution in urban areas. While the cause of the noise emission is directly related with the technical specifications of the equipment used, incentivising the use of equipment labelled within the noise emission limits by making necessary controls and gathering data to assess the impact of relevant policies are among the objectives of the EU's efforts in this field. Summary information on the relevant outdoor noise directive of the EU is provided in Table 58 presented below.

Table 58: Aim of provisions concerning noise emission by equipment used outdoors

Source of noise pollution			
Noise emissions by equipment used outdoors			
Year	Ref.	Type of act	Aim
2000	2000/14/EC dated 8.5.2000 OJ L 162 of 3.7.2000 pp. 1-78	Directive	<p>Improving the control of noise emissions by 57 types of equipment used outdoors such as:</p> <ul style="list-style-type: none"> • Compressors • Excavator-loaders • Different types of saws • Mixers <p>to improve the health and wellbeing of citizens by:</p> <ul style="list-style-type: none"> • Harmonising noise emission standards • Harmonising conformity assessment procedures • Harmonising noise level marking • Gathering data on noise emissions
2002 ¹⁵⁶	2002/49/EC dated 25.6.2002 OJ L 189 of 18.7.2002 pp. 12-25	Directive	<p>Laying down a common approach to avoiding, preventing or reducing on a prioritised basis the harmful effects of exposure to environmental noise.</p> <p>The approach is based on using common methods to map noise, on providing information to the public and on implementing action plans at local level.</p> <p>The Directive also serves as a basis for developing EU measures concerning noise sources.</p>

¹⁵⁶ Listed for informative purposes only and not included in the analysis due to the fact that it establishes the overall legal framework falling under the responsibility of the central level.

Table 59: Analysis of provisions concerning noise emissions by equipment used outdoors

Source of noise pollution				
Noise emission by equipment used outdoors				
Key points for LGs in relevant legal texts of the EU acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
<p>EU countries may set up notified bodies which are responsible for monitoring the noise emission limits applicable to the equipment. These monitoring controls apply both to the equipment design phase and the equipment production phase. It should be noted, however, that it is not necessary to monitor the design of equipment that is subject only to compulsory marking.</p> <p>With a view to assessing the impact of the directive, a procedure for the collection of noise emission data was established. This information serves as the basis for customers to choose less noisy equipment and for devising economic incentives and awards.</p>	<p>Law No. 5302 on Special Provincial Administration:</p> <ul style="list-style-type: none"> • Environmental investments • Licencing of businesses and construction <p>Law No. 5216 on Metropolitan Municipality and Law No. 5393 on Municipality:</p> <ul style="list-style-type: none"> • Licencing construction works • Protecting the environment, agricultural land, and water basins based on the principle of sustainable development • Infrastructure coordination 	<p>EU Integrated Environmental Approximation Strategy (2016-2023):¹⁵⁷</p> <ul style="list-style-type: none"> • Strategic noise maps and action plans will be developed. • Public awareness will be increased on impacts of environmental noise. • Institutional capacity of relevant authorities will be strengthened. <p>Law No. 2872 on Environment:</p> <ul style="list-style-type: none"> • Emitting noise and vibration that negatively affects peace and quiet, physical and mental health of individuals is forbidden. • Necessary measures shall be taken to contain within the predetermined standards the noise emissions caused by transport vehicles, construction sites, factories, workshops, businesses, entertainment places, service buildings, and housing. <p>Regulation on the Assessment and Management of Environmental Noise:¹⁵⁸</p>	<ul style="list-style-type: none"> • Ensuring that the national legislation is fully implemented by local authorities for the equipment used outdoor by local authority staff. • Conducting <u>regular checks</u> for equipment used by local authorities to ensure compliance with the noise emission requirements set out by the legislation. • Designing and delivering <u>training and awareness raising programmes</u> for local authority personnel on noise emissions by equipment used outdoors. • <u>Tracking and reporting</u> noise emissions at construction sites operated by local authorities. • Establishing <u>advance public information mechanisms</u> for noise emissions by equipment used outdoors for planned operations of local authorities. 	<ul style="list-style-type: none"> • Assessing compliance of public procurement processes for local authorities for equipment used outdoors. • Co-operating with UMT, UP, and regional unions for establishing equipment sharing systems that allow the use of modern, lower noise emitting equipment.

¹⁵⁷ Republic of Turkey, 2016a.

¹⁵⁸ Regulation of the [Former] Ministry of Environment and Forestry, 2010b.

Source of noise pollution Noise emission by equipment used outdoors				
Key points for LGs in relevant legal texts of the EU Acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment
		<ul style="list-style-type: none"> Local authorities shall take necessary measures to monitor, report, and impose sanctions against environmental noise. Local authorities shall collect data on environmental noise. Municipalities shall prepare environmental noise maps and action plans. Environmental noise action plans shall be open to public consultation prior to the finalisation and shall be made public once finalised. The limits of environmental noise in construction sites are defined by the Regulation. The impact noise in construction sites shall not exceed 100 dBC. Limits of environmental vibration for heavy construction machinery are set in the Regulation. MEU shall issue explanatory documents for the implementation of the Regulation. Municipalities and SPAs shall monitor the implementation of the Regulation both regularly and also upon complaints. 	<ul style="list-style-type: none"> Ensuring application of the national provisions at construction sites within local authorities. 	

Source of noise pollution Noise emission by equipment used outdoors					
Key points for LGs in relevant legal texts of the EU Acquis	Relevant mandates of local authorities in Turkey	Assessment of compliance with key points	Major channels of improvement	Challenges and opportunities for full alignment	
		<ul style="list-style-type: none"> Settlements with a population of 100.000 and more shall prepare strategic noise maps and action plans every five years. <p>Regulation on Environmental Noise Emission by Equipment Used Outdoors:¹⁵⁹</p> <ul style="list-style-type: none"> Sets out the permitted levels of noise emission for various kinds of equipment used outdoors. Compliance with the standards set out the Regulation shall be monitored at least every 3 years. Identifies the processes for monitoring. 			

¹⁵⁹ Regulation of the [Former] Ministry of Science, Industry, and Technology, 2006.

8.4 Main environment and climate change highlights for local authorities in Turkey

In order to provide support to the process of accession to the EU, local authorities in Turkey may focus their policies on environment and climate change on the following topics presented in Table 60 below.

Table 60: Main environment and climate change highlights for local authorities in Turkey

Main issue	Policy highlights
Strategic approach to environment and climate change	Local action plans for climate change
	Local action plans for air quality
	Local action plans for waste management
	Local action plans for reducing noise pollution
	Strategic Environmental Assessment
Incentivising citizens	Separation of different types of waste
	Recycling
	Information dissemination on air and water quality
	Information dissemination on preventing major industrial accidents
Technical capacity	Climate action know-how
	EMAS adoption
	Mainstreaming climate action
	Setting baseline and monitoring
Sustainable urbanisation	Infrastructure
	Planning
Experience sharing	Town-twinning
	Involvement in the Covenant of Mayors for Climate and Energy

Harmonisation of the relevant legislation in Turkey with the following legal instruments of the EU (Figure 7) will contribute to further progress in the field of environment and climate change, and it will also lead the local authorities to build their capacities towards necessary improvements in policy and practice.

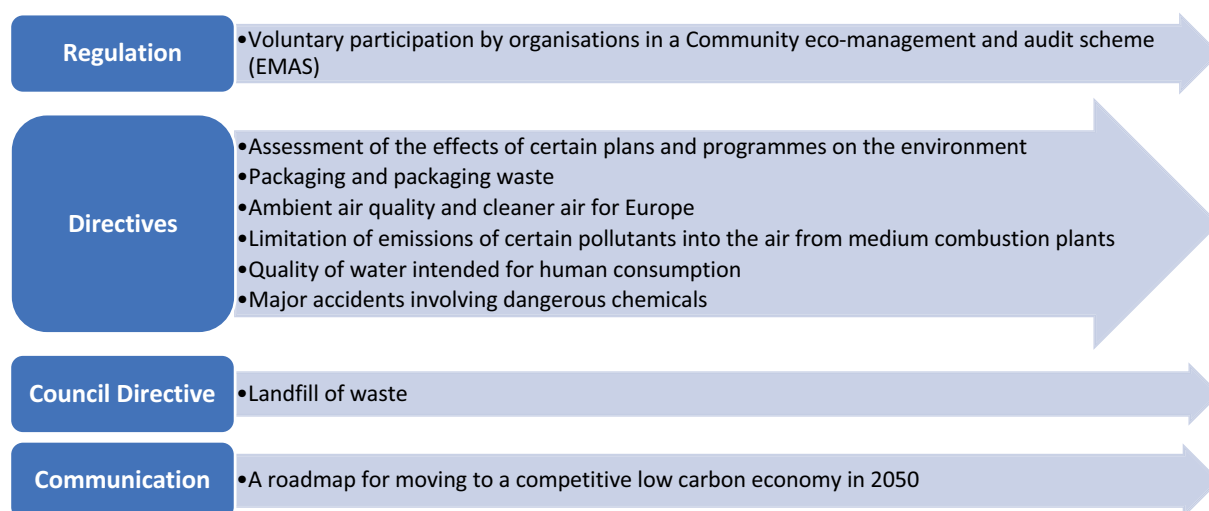


Figure 7: Possible legal instruments for harmonisation with the EU acquis in the field of environment and climate change

The legislation and policies in Turkey in relation to the selected sub-topics of Chapter 27 are summarised in Table 61 below as reference for local authorities in prioritising local level policies and services.

Table 61: Existing legislation and policies in Turkey in relation to the selected sub-topics of Chapter 27

Selected main topics of Chapter 27	Selected sub-topics of Chapter 27		Priority focus areas for local authorities
	Heading	Existing legislation and policies in Turkey	
<ul style="list-style-type: none"> Tackling climate change 	EU climate change policy	<ul style="list-style-type: none"> Eleventh National Development Plan for 2019-2023 Climate Change Adaptation Strategy and Action Plan of Turkey 2011-2023 Climate Change Action Plan of the Republic of Turkey 2011-2023 KENTGES EU Integrated Environmental Approximation Strategy (2016-2023) Regulation on Monitoring Greenhouse Gas Emissions¹⁶⁰ 	<ul style="list-style-type: none"> Assessing level of achievement to national targets. Developing updated localised strategies. Developing technical capacity of municipal staff. Raising public awareness. Establishing local inventories for greenhouse gas emissions.
<ul style="list-style-type: none"> General provisions 	Environmental management	<ul style="list-style-type: none"> Eleventh National Development Plan for 2019-2023 Law No. 2872 on Environment Regulation on Strategic Environmental Assessment (in line with 2001/42/EC) Regulation on the Procedures and Principles for the Operation of Higher Environmental Council and Local Environmental Councils Regulation on Zero Waste 	<ul style="list-style-type: none"> Conducting SEA for spatial plans of local authorities.¹⁶¹ Developing technical capacity of authority staff on SEA. Developing detailed public consultation framework for SEA. Supporting citizens' assemblies to contribute to SEA. Budgeting costs of SEA. Communicating SEA results to the public. Promoting EMAS registration. Developing regulatory framework and technical capacity for EMAS. Designing incentive mechanisms for EMAS registration.
<ul style="list-style-type: none"> Waste management 	General framework	<ul style="list-style-type: none"> Eleventh National Development Plan for 2019-2023 National Waste Management and Action Plan 2023 EU Integrated Environmental Approximation Strategy (2016-2023) Law No. 2872 on Environment Regulation on Waste Management (in line with 2008/98/EC and 2000/532/EC) Regulation on Landfill of Waste 	<ul style="list-style-type: none"> Improving policy knowledge and technical capacity of local authority staff. Developing detailed application guidelines. Ensuring compliance of spatial plans to policies. Tracking level of achievement to national targets. Localising the national targets. Collecting and analysing data Making relevant reports publicly available.

¹⁶⁰ Other relevant climate change related legislation in Turkey include: Regulation on Ozone-depleting Substances (Official Journal No. 30031 dated 7.4.2017), Regulation on Fluorinated Greenhouse Gases (Official Journal No. 30291 dated 4.1.2018), Communique on Monitoring and Reporting Greenhouse Gas Emissions (Official Journal No. 29068 dated 22.7.2014), Communique on Verifying Greenhouse Gas Emission Reports and Accrediting Verification Authorities (Official Journal No. 30258 dated 2.12.2017).

¹⁶¹ Strategic plans are not covered by both the SEA Regulation and the EU SEA Directive. SEA Regulation: Waste management, fisheries, energy, coastal management, spatial planning, forestry, industry, water management, agriculture, telecommunications, tourism and transportation sectors and published in the Official Gazette dated 25/11/2014 and numbered 29186. It covers the administrative and technical procedures and principles regarding the conduct, implementation, monitoring and training of Strategic Environmental Assessments for the plans / programs that constitute a framework for the projects in the lists 1 and Annex-2.

Selected main topics of Chapter 27	Selected sub-topics of Chapter 27		Priority focus areas for local authorities
	Heading	Existing legislation and policies in Turkey	
	Waste from consumer goods	<ul style="list-style-type: none"> Eleventh National Development Plan for 2019-2023 National Waste Management and Action Plan 2023 EU Integrated Environmental Approximation Strategy (2016-2023) Regulation on Packaging Waste Control (in line with 94/62/EC) 	<ul style="list-style-type: none"> Updating the national strategies and the regulatory framework. Reflecting national policies and targets on local strategic plans. Preparing waste management plans. Disseminating good practice examples. Designing and delivering awareness raising programmes. Designing measures for simplifying separate waste collection. Collecting and analysing local packaging waste data. Streamlining the use of zero-waste information system. Communicating progress in waste reduction to the public.
• Air pollution	Air quality	<ul style="list-style-type: none"> Eleventh National Development Plan for 2019-2023 KENTGES EU Integrated Environmental Approximation Strategy (2016-2023) Law No. 2872 on Environment Regulation on Air Quality Assessment and Management (in line with 96/62/EC, 99/30/EC, 2000/69/EC, 2002/3/EC, and 2004/107/EC) 	<ul style="list-style-type: none"> Developing policy knowledge and technical capacity in the field of air quality. Ensuring full implementation of legal provisions. Designing mechanisms for effective horizontal and vertical co-operation. Designing effective communication channels for disseminating air quality information. Co-operating with citizens' assemblies for raising public awareness on clean air.
	Industry	<ul style="list-style-type: none"> Eleventh National Development Plan for 2019-2023 Law No. 2872 on Environment Regulation on Controlling Air Pollution Caused by Industry Regulation on Environmental Permit and Licence 	<ul style="list-style-type: none"> Improving regulatory provisions for compliance with the EU. Designing local registers of medium combustion plants. Integrating air pollution criteria from medium combustion plants into business and building licencing processes. Programming regular inspections and checks for compliance. Collecting and reporting local emission data from medium combustion plants. Simplifying licencing processes.

Selected main topics of Chapter 27	Selected sub-topics of Chapter 27		Priority focus areas for local authorities
	Heading	Existing legislation and policies in Turkey	
<ul style="list-style-type: none"> Water protection and management 	Specific uses of water	<ul style="list-style-type: none"> Eleventh National Development Plan for 2019-2023 EU Integrated Environmental Approximation Strategy (2016-2023) Regulation on Controlling Water Pollution Regulation on Water for Human Consumption (in line with 98/83/EC, 2003/40/EC, and 115/2010) Regulation on the Quality and Purification of Waters Supplying Drinking Water Regulation on Supply and Distribution Systems of Drinking Water Regulation on Protection of Drinking Water Basins 	<ul style="list-style-type: none"> Developing technical capacity and policy knowledge of local authority staff. Integrating municipal information systems with National Water Information System. Implementing the existing regulatory framework in a participatory, transparent, and accountable manner. Developing monitoring capacity. Setting up local guidance mechanisms for ensuring drinking water quality.
<ul style="list-style-type: none"> Civil protection 	Environmental accidents	<ul style="list-style-type: none"> Regulation on Prevention of Major Industrial Accidents and Reducing Their Effects (in line with 2012/18/EU) 	<ul style="list-style-type: none"> Developing local level public consultation mechanisms. Providing detailed information to citizens. Delivering training programmes on preparedness and emergency response. Reviewing existing spatial plans. Reviewing existing business licences.
<ul style="list-style-type: none"> Noise pollution 	Source of noise pollution	<ul style="list-style-type: none"> Eleventh National Development Plan for 2019-2023 EU Integrated Environmental Approximation Strategy (2016-2023) Law No. 2872 on Environment Regulation on the Assessment and Management of Environmental Noise Regulation on Environmental Noise Emission by Equipment Used Outdoors (in line with 2000/14/EC and 2005/88/EC) 	<ul style="list-style-type: none"> Ensuring full implementation of national legislation at local level. Conducting regular checks for equipment used by local authorities. Training local authority personnel on noise emissions by equipment used outdoors. Tracking and reporting noise emissions at construction sites. Establishing advance public information mechanisms for planned operations of local authorities.

9 EVALUATION STUDY

In this section, firstly, information on the pilot municipalities involved in the evaluation of the analysis is provided, and this is followed by the presentation of the evaluation rubric used during the evaluation. Then, the results of the evaluation are summarised.

9.1 Pilot municipalities involved in the evaluation of the analysis

The four pilot municipalities which are identified for the evaluation of the analysis were Çankaya Municipality (Ankara), Gaziantep Metropolitan Municipality, Antalya Metropolitan Municipality and Mersin Metropolitan Municipality. As seen in Table 62, these four pilot municipalities can be considered as partially representative examples of a total of 1389 municipalities in Turkey consisting of 30 metropolitan, 51 provincial, 519 metropolitan district, and 840 district and town municipalities.

Table 62: Pilot municipalities involved in the evaluation of the analysis

Pilot municipality	Population	Type of local authority	Geographical location	Grant beneficiary of the Town Twinning Project?	Municipal unit related to EU affairs
Çankaya Municipality (Ankara)	944.609	Metropolitan district municipality	Central Anatolia	Yes	Directorate of External Affairs
Gaziantep Metropolitan Municipality	2.069.364	Metropolitan municipality	Southeast Anatolia	Yes	EU and Funds Directorate in the Department of External Affairs
Antalya Metropolitan Municipality	2.511.700	Metropolitan municipality	Mediterranean	No	EU Relations and Projects Directorate in the Department of External Affairs
Mersin Metropolitan Municipality	1.840.425	Metropolitan municipality	Mediterranean	Yes	External Affairs and Projects Directorate in the Secretariat-General

Evaluation study was carried out with the local authorities officials representing the following departments and directorates of each of the four pilot municipalities:

- Çankaya Municipality (Ankara) (Half day meeting was held on 10 March 2020 with the participation of a total of 10 officials from the following units)
 - Directorate of External Affairs
 - Directorate of Environmental Protection and Control
 - Directorate of Parks and Gardens
 - Directorate of Social Assistance
 - Directorate of Neighbourhoods
 - Directorate of Enterprises
- Gaziantep Metropolitan Municipality (Contributions were received in written correspondence)
- Antalya Metropolitan Municipality (Contributions were received in written correspondence)
- Mersin Metropolitan Municipality (Contributions were received in written correspondence)

9.2 The evaluation rubric

The rubric of the evaluation carried out in four pilot municipalities included the following general questions on the process of accession to the EU (question set A), and specific questions on the local level implementation of legislation and policies in relation to the relevant EU *acquis* per each selected topic of the three selected chapters (question sets B, C, and D).

Table 63: General evaluation questions

A: Questions on the process of accession to the EU and the impact of the EU <i>acquis</i> at the local level:	
1.	Is the EU accession process considered to be important for the local level? If yes, in which aspects?
2.	Is the EU <i>acquis</i> considered to have an impact on the local level? If yes, what kind of impacts?
3.	Is the progress in the accession process being followed at the local level? If yes, which chapters are being followed in particular?
4.	Are there any studies conducted at the central level in relation to the EU <i>acquis</i> to which contributions from local level were sought?
5.	Are there any studies conducted at the local level in relation to the EU <i>acquis</i> ?
6.	Are there any references to harmonisation with the EU <i>acquis</i> in the local plans and programmes?

Table 64: Specific evaluation questions on selected topics of Chapter 14

B: Selected topics of Chapter 14: Transport policy	Questions on local level implementation of legislation and policies in relation to the relevant EU <i>acquis</i>
General objectives of transport policies	<ol style="list-style-type: none"> 1. Which policies are in place for a competitive and resource efficient transport system? <ol style="list-style-type: none"> a. Reducing car dependency b. Multimodal transport c. Integrated traffic management d. Emission monitoring e. Infrastructure improvements 2. What are the legal bases for the implementation of such policies?
Employment and working conditions in road transport	<ol style="list-style-type: none"> 3. Which regulations apply to driving times, breaks, and rest periods of drivers directly or indirectly employed by local authorities? 4. How are the working conditions of drivers employed by local authorities monitored?
Road safety in road transport	<ol style="list-style-type: none"> 5. Which policies and legislation are in place for road safety? <ol style="list-style-type: none"> a. Roadworthiness standards b. Road infrastructure c. Public awareness d. Data collection and analysis e. Transport planning
Protection of the environment	<ol style="list-style-type: none"> 6. Which policies and legislation are in place for clean and energy efficient vehicles? <ol style="list-style-type: none"> a. Targets b. Criteria c. Data collection d. Technical capacity
Sustainable mobility	<ol style="list-style-type: none"> 7. How are urban transport policies interlinked to other policies such as environmental protection, land-use planning, and housing?
Passenger rights	<ol style="list-style-type: none"> 8. Which policies and legislation are in place for safeguarding bus and coach passengers' rights?
Intelligent transport systems	<ol style="list-style-type: none"> 9. Are there intelligent transport systems providing real-time and multimodal traffic information services?

Table 65: Specific evaluation questions on selected topics of Chapter 15

C: Selected topics of Chapter 15: Energy	Questions on local level implementation of legislation and policies in relation to the relevant EU <i>acquis</i>
A policy for energy	1. Which policies and legislation are in place for competitive, sustainable, and secure energy? <ol style="list-style-type: none"> Energy efficiency Renewable energy Reducing emissions Improving energy infrastructure
Policy orientations on energy efficiency	2. Which policies and legislation are in place for improving energy efficiency of the institution? 3. Which policies and legislation are in place for improving energy efficiency at the local level?
Energy performance of buildings	4. Are there targets set for achieving nearly zero-energy status in municipal buildings? 5. Is there a monitoring system for tracking the energy performance of the building stock at the local level?
Recharging/refuelling stations for electric and gas-powered vehicles	6. How many recharging/refuelling stations installed at the local level for electric and gas-powered vehicles? 7. Which policies are in place for transitioning the vehicle fleet of the local authority to vehicles using alternative energy?
Policy orientations on renewable energy	8. What are the percentages of renewable energy use at the local level in: <ol style="list-style-type: none"> Heating and cooling? Electricity? Transport? 9. Which policies and legislation are in place for promoting the use of energy from renewable resources?
Heating and cooling with renewable energy	10. Which policies and legislation are in place for encouraging the use of biomass as an alternative source of energy in heating and cooling?

Table 66: Specific evaluation questions on selected topics of Chapter 27

D: Selected topics of Chapter 27: Environment and climate change	Questions on local level implementation of legislation and policies in relation to the relevant EU <i>acquis</i>
EU climate change policy	1. Which policies and legislation are in place for achieving low carbon economy at the local level?
Environmental management	2. How does the SEA process function at the local level? 3. Is there any prior knowledge on EMAS at the local level?
General framework on waste management	4. Which policies and legislation are in place for reducing landfill of waste?
Waste from consumer goods	5. What are the percentages of recycling at the local level? <ol style="list-style-type: none"> Plastic Wood Ferrous metals Aluminium Glass Paper and cardboard 6. What are the policies and legislation in place for reducing packaging waste?
Air quality	7. What are the policies and legislation in place for measuring and improving air quality at the local level?
Air pollution by industry	8. What are the licencing and monitoring requirements for medium combustion plants (1-50 MW)?
Specific uses of water	9. Which policies and legislation are in place for ensuring essential quality standards of drinking water?
Environmental accidents	10. Which policies and legislation are in place for preventing major environmental accidents and reducing their effects?
Source of noise pollution	11. Which policies and legislation are in place for reducing noise emission by equipment used outdoors?

9.3 Results of the evaluation

The officials of all four municipalities approached within the scope of the evaluation study demonstrated a highly open and collaborative attitude during the consultations on the EU *acquis* in general and on its impact at the local level in particular. The evaluation exercise allowed the exchange of useful information and practical examples, and provided constructive input that reaffirm and reinforce the findings of the analysis.

The evaluation rubric expounded in Section 9.2 and the table of specific national regulations in force in relation to the topics analysed under each one of the three EU *acquis* chapters selected for this study were presented to the municipal officials via written correspondence. The table of specific national regulations listed the name of the regulation, the date and number of the Official Journal in which the regulation is published, and the enforcing central government institution corresponding to the specific regulation in relation to each selected topic and sub-topic of the analysis. Out of the total of 30 regulations presented, one regulation in connection to Chapter 14: Transport policy, and seven regulations in connection to Chapter 27: Environment and climate change are among those that specifically indicate to have been enacted for the purposes of harmonisation with the EU. In this manner, the relevant topics of the EU *acquis* have duly become components of the Turkish national legislation that municipalities are naturally subject to.

The respondents of the evaluation exercise seemed to be generally aware of most of the presented regulations, if not exactly of the detailed provisions in each and every one of these. It is observed that many important municipal activities are being implemented in all of the different fields analysed, particularly for combatting climate change, using renewable energy resources, reducing carbon footprint, achieving zero waste, increasing waste recycling, establishing intelligent transport systems, improving air quality and reducing noise pollution.¹⁶² Some examples of these activities highlighted by the respondents are:

- Adaptation projects for municipal buildings in order to improve energy efficiency, obtaining ISO 50001 and green building certificates, and providing information to personnel.
- Replacing internal and external lighting with LED appliances, installing insulation, and establishing energy monitoring systems to reduce carbon footprint.
- Promoting thermal insulation, energy savings, and use of solar energy.
- Developing capacity for harvesting rainwater.
- Using outdoor equipment that operates in compliance with the noise emission requirements and measuring noise pollution from equipment used outdoors.
- Using vehicle tracking systems and quality management systems for monitoring the driving times and working conditions of drivers employed by municipalities.
- Reducing emissions by mass transit vehicles operating with natural gas.
- Installing smart traffic junction systems, intelligent traffic lights, and variable message traffic signs.
- Monitoring energy performance of buildings.
- Using solar energy, biomass, and biogas for electric power generation.
- Prohibiting the use of solid and liquid fuels for heating purposes, and promoting transition to alternative heating methods.
- Developing and implementing noise reduction action plans.
- Carrying out appropriate transport arrangements for the special needs of persons with disabilities.
- Identifying locations for charging stations of electric vehicles.

¹⁶² For more detailed information on the wide spectrum of projects implemented by municipalities, UMT has developed three separate lists of projects carried out by various municipalities in Turkey. One of these is a general list of municipal projects that currently registers 582 projects based on municipality, name of the project, duration, target group, funding provider, stakeholders, budget, objective, and outputs. The second is a list of news articles on municipal projects aimed at cost savings and efficiency, and this list currently registers 89 such projects. The third is a list focusing on efficiency that currently registers 211 municipal projects based on municipality, name of the project, duration, objective, pre-project cost of service, post-project cost of service, and rate of efficiency.

However, when questioned about the rationale of such activities and whether or not harmonisation with the EU is an underlying driving force, the common response by the respondents indicated that the EU *acquis* per se has no direct impact at the local level. While the EU and the experiences of the local authorities in the EU is perceived as a source of inspiration and good practices for a wide range of topics, its legal principles relevant to the topics analysed and the targets set for each policy area do not seem to be directly relevant. In other words, what is being done in the EU seems to be more important than why and how it is done in the EU. Thus, it is considered that municipalities may have full knowledge of the process of transposing the EU *acquis* into national legislation, in other words, it should first be adopted at the central level.

The results of the evaluation can be summarised as follows with respect to the topics commonly addressed during the consultations:

Involvement of local authorities in the legislative cycle:

- At the central government level, there is no systematic consultation mechanism¹⁶³ to involve local authorities in relation to the enactment of new legislation in general, and in relation to the transposition of the EU *acquis* to the national legislation in particular.
- There is occasional non-systematic consultation procedures conducted by the central government in the preparation of new legislation but none known to be specifically focusing on harmonisation with the EU *acquis*. Even when a consultation procedure takes place in relation to a topic that focuses on harmonisation with the EU *acquis*, municipalities are either generally unaware of the fact that the topic concerns harmonisation with the EU *acquis* or they are not provided with sufficiently detailed explanations.
- Municipalities are informed about the new legislation or the changes in legislation posterior to enactment via communication from the governorate or the district governorate. The criteria based on which this information channel operates is not known by the municipalities. Possible differences in information dissemination process are pointed out and a more systematic participatory mechanism is requested by the municipalities for this purpose.
- It is not possible to assume that municipal officials are fully aware of all existing legislation related to their domain of work, especially of the newly enacted ones, whether the legislation is enacted as part of the efforts for harmonisation with the EU or not.
- Closely following the legislative developments taking place at the central level in general and following the EU harmonisation efforts in particular is left to the individual discretion of municipal officials.
- It is necessary to establish direct communication channels to facilitate the process for municipalities to consult to the central government about implementation issues to convey their experiences and assessments, and to improve access to the central government officials within line ministries who are directly responsible for the implementation of a particular piece of legislation. UMT is regarded as a key counterpart to facilitate such communication.
- Audit mechanisms are considered as valuable processes to support the full understanding and implementation of legislation however there is no specific focus on EU harmonisation issues in the audit process at present.
- Legal affairs departments or directorates of municipalities are not effectively involved in guidance and counselling services for municipal officials, and in regularly conveying up-to-date information on legislative developments. In the same vein, it is uncertain if there's full awareness within these units of their crucial role in the local level implementation of national legislation adopted or amended for the purposes of harmonisation with the EU *acquis*.
- Municipalities consider themselves passive in terms of regulatory processes and expect the central government to regulate even when the legislation provides them sufficient leeway to regulate certain dimensions of local service delivery.
- Lack of detailed implementing guidelines for new regulations delay the processes of understanding and adopting the relevant principles. There is a need for UMT, UP, and regional unions to enhance collaboration

¹⁶³ More detailed external assessment on this issue is available in the analysis and conclusion as regards Article 4.6 of the European Charter of Local Self-government presented in the Draft Monitoring Report by the CoE rapporteurs submitted to the Committee on Honouring of Obligations and Commitments by Member States of the European Charter of Local Self-government (<https://www.coe.int/en/web/congress/-/turkey-monitoring-committee-examines-the-application-of-the-european-charter-of-local-self-government>).

with relevant central government institutions for the development of such legislation implementing guidelines and to expand the scope of related in-service training and capacity building programmes accordingly.

Taking into consideration the cost of compliance on the side of the local authorities:

- While new regulations enacted entrust municipalities with specific tasks, the corresponding financial allocations are usually not clearly specified, leaving the municipalities having to spread their budget thinner each time an additional task is given.
- The lack of detailed feasibility studies concerning the cost of compliance with legislative obligations usually results in repeated or underused investments.
- There is need for well-designed incentive mechanisms for local authorities to offset the additional costs of compliance with new regulations and to promote wider implementation.

Integrating EU harmonisation priorities into local strategic management processes with clear targets:

- There is no specific reference to local efforts on harmonisation with the EU *acquis* in the municipal plans and programmes.
- The local objectives are defined by the municipalities without necessarily being aware or informed of the objectives that have been set out at the EU level or the central government level.
- The expected direct connection with the objectives of the high-level policy documents and the objectives of the local plans and programmes is not observed. This prevents the EU harmonisation objectives identified in the high-level policy documents to reach expanded observance and adoption across all levels of government.
- There is lack of detailed local baseline studies or situation analyses to constitute the basis of clear target setting. This prevents tracking and reporting progress towards harmonisation with EU standards and targets. (For example, a simple comparison of recycling percentages with relevant EU targets reveals the required efforts to achieve the necessary harmonisation.)
- There are challenges concerning data sharing and analysis, which will provide input to detailed baseline studies. This prevents objectively assessing the current situation against the requirements of EU harmonisation. Establishing comprehensive databases on specific issues would facilitate improved data sharing and analysis.
- While many significant initiatives are being carried out by municipalities in all of the fields analysed, tracking progress and linking progress to EU harmonisation remains a challenge in the face of unclear targets.
- The fields of environment, energy, transport, and social policy are among the primary topics of interest for local authorities as regards harmonisation with EU *acquis*.
- Town twinning activities contribute to knowledge transfer to local authorities on the details of the existing EU *acquis*.

Strengthening horizontal and vertical communication and co-operation:

- Inter-municipal information and experience exchange is considered to be a highly effective method to disseminate innovative approaches and share good practices in the implementation of legislation. At present, such exchanges mostly take place discretionarily upon initiatives of individual municipalities, and also via the initiatives of the UMT.
- Municipalities are aware of the fact that it is not possible to fulfil the obligations of the EU *acquis* unless there is proper functioning at the local level.
- Co-operation and coordination among municipalities (especially between metropolitan municipalities and metropolitan district municipalities) is regarded as the key factor for successful implementation of legislation at the local level. The division of functions and powers at the local level needs to be designed in a manner that would allow higher efficiency and effectiveness in service delivery.
- UMT is regarded as a key actor to act as a bridge between the central government and the municipalities in relation to information exchange concerning legislative developments and EU harmonisation efforts (for instance, in relation to the development of legislation implementing guidelines as mentioned above).
- Raising awareness and knowledge levels of high-level decision-makers and managers on the contents of the legislation through multi-level information exchange is considered to be an important component of implementing legislation.

- Working in frameworks of mentorship is considered as an innovative method to promote exchange of good practices and improve service delivery.
- Horizontal and vertical communication and co-operation is particularly important for proper inspections and enforcement of legislation.

Improving the management of EU funded financial support to local authorities:

- Access to EU funds for harmonising with the EU *acquis* mostly depends on the individual efforts of the municipality.
- More comprehensive consultations should be carried out with municipalities in the planning process (i.e. identification of priority areas and identification of eligibility) for the implementation of EU funded grant schemes.
- In general, there is lack of coherence between the time frame of the legislative reform being carried out for harmonisation with the EU and the time frame of the related financial assistance being provided to support the implementation of the legislative reform. Due to the relatively longer procedures necessary for the utilisation of financial assistance which might extend over three years in some cases, the legislative reform already enters into force and implementation starts much earlier than the provision of the required assistance instead of running in parallel. This results in the disconnection of legislative and executive activities and hampers the sustainability of the harmonisation initiatives.
- While the primary objective of town twinning activities is perceived to be sociocultural exchange, such activities prove to be a highly effective approach to sharing good practices. However, the existing mandates and resources of municipalities might not always allow for taking the necessary steps for adopting the good practices learned.

10 SUMMARY OF FINDINGS

The analysis of the implementation of the EU *acquis* at local level revealed the extensive roles and responsibilities that local authorities shall and may assume in the process of harmonisation with the EU. Looking at the detailed tables of analysis presented in Section 6, Section 7, and Section 8, while the assessment of compliance with key points in the EU *acquis* helps refresh the scope of the existing policies and legislation for stronger implementation at the local level, the policy highlights and priority focus areas point out to specific fields of improvement in local service delivery for each of the specific topic of the EU *acquis*. These priority focus areas (summarised in Section 6.4, Section 7.4, and Section 8.4) can be considered as key starting points for local authorities in supporting full implementation of the EU *acquis* at the local level.

Aside from the many detailed findings elaborated in the previous sections, the first general finding valid for all the topics analysed is that there exists a general reference to all of them in the relevant policies and legislation in Turkey. This is an important outcome, which confirms that the core of the **Turkish legislation and policies are already on par with the European principles and objectives in the broader context**. However, much of the existing policies, strategies, and action plans are soon to reach termination and the year 2023 is commonly specified as the latest cut-off date. Due to the very short amount of time remaining until the existing strategies and policies expire, for all of the three selected chapters, there is need for developing updated policies and strategies for new short-, medium-, and long-term periods. While doing that, it is also necessary to clearly elaborate respective targets in compliance with the relevant policies and strategies available in the EU. These updated policies and strategies would also require well-defined monitoring and evaluation mechanisms to allow tracking and assessing progress. Furthermore, necessary legislative processes would have to follow in the short run for ensuring countrywide application.

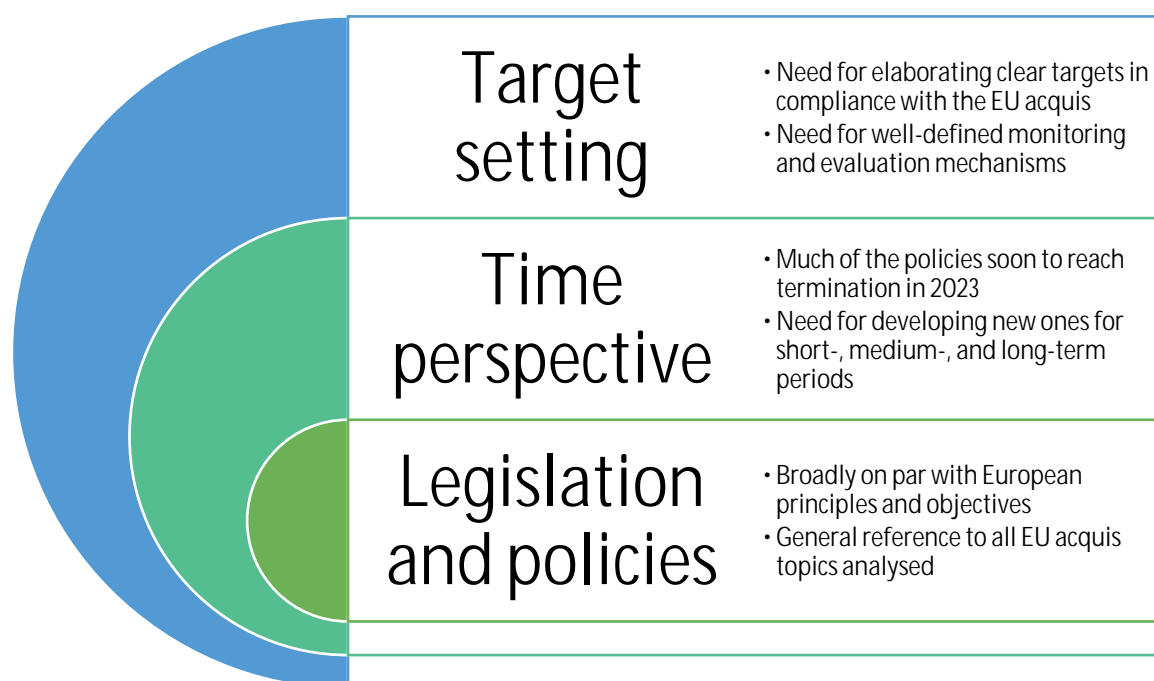


Figure 8: Summary of findings concerning the Turkish legislation and policies analysed

Another general finding is that **much of the existing legislation does provide the broad basis that can be amplified by local authorities in order to enhance application at the local level**. Both the scope of the current regulations and also the mandates of local authorities provide the necessary leeway for achieving the intended objectives of the relevant EU *acquis*. Establishing closer co-operation and coordination mechanisms among local authorities and their unions, and with the provincial units of the central government would also have a positive impact on the interpretation of the existing legislation for local authorities that will support adoption and implementation of policies and legislation developed at the central level.

Among the three chapters taken into account for the analysis, Chapter 27 on environment and climate change was the only chapter for which accession negotiations are open. The opening benchmarks for Chapter 14 and Chapter 15 have not yet been communicated by the EU but efforts to align legislation and policy in these two chapters are fully underway irrespective of this fact. As a result of the analysis, it seen that Chapter 27 stands out as the chapter with the highest number of topics in good compliance with the EU *acquis*. While this finding can easily be attributed to the specific nature of Chapter 27, which carries a global scale importance and priority, and to the relatively higher number of topics analysed under this chapter, it can also be taken as an **indicator for the importance of opening the EU *acquis* chapters to negotiations in order to boost alignment. The existence of explicit opening and closing benchmarks would contribute to the national alignment efforts by setting clearer targets and priorities.**

In addition to these general findings, the specific findings of the analysis based on the three chapters analysed are summarised in the tables below. For the purposes of summarising the specific findings, a three-scale overall assessment is made for all topics analysed:

- General references: Whether or not the topic is addressed in the relevant Turkish policies and legislation?
- Detailed references: If the topic is addressed in the relevant Turkish policies and legislation, are there detailed criteria, definitions, targets, time frames, and/or other similar provisions that correspond to those available in the relevant EU *acquis*?
- Explicit reference to the EU *acquis*: If there are detailed references in the relevant Turkish policies and legislation, is there an explicit reference to the particular EU *acquis* based on which the Turkish legislation is prepared or amended?

According to the three-scale overall assessment (general references, detailed references, explicit reference to the EU *acquis*) shown above, the topics for which at least detailed references to the relevant EU *acquis* are available can be considered as topics that are in good compliance for the purposes of this analysis. These topics can also be considered as the topics for which local authorities have greater possibilities in improving implementation and harmonisation by way of focusing on the priority areas identified per each chapter.

The specific tables on each chapter analysed also indicate the central level institutions directly concerned per each topic as well as the relevant local level institutions. Local authorities may focus on strengthening co-operation and collaboration with these institutions for improving policy development, legal harmonisation, and local level implementation.

Table 67: Findings of the analysis of Chapter 14: Transport policy

Selected topics of Chapter 14: Transport policy	References to the relevant EU <i>acquis</i>			Central level institutions directly concerned	Relevant local level institutions
	General references	Detailed references	Explicit reference to the EU <i>acquis</i>		
General objectives of transport policies	+	-	-	MTI, UMT, UP	SPA, MM, M, LAU
Employment and working conditions in road transport	+	+	-	MTI, UMT, UP	SPA, MM, M
Road safety in road transport	+	+	+	DG Highways, UMT, UP	SPA, MM, M, LAU
Protection of the environment	+	+	+	MTI, MENR, UMT, UP	SPA, MM, M, LAU
Sustainable mobility	+	-	-	MEU, UMT, UP	SPA, MM, M, LAU
Passenger rights	+	-	-	MTI, UMT, UP	SPA, MM, M, LAU

Selected topics of Chapter 14: Transport policy	References to the relevant EU <i>acquis</i>			Central level institutions directly concerned	Relevant local level institutions
	General references	Detailed references	Explicit reference to the EU <i>acquis</i>		
Intelligent transport systems	+	-	-	MTI, UMT, UP	SPA, MM, M, LAU

Table 68: Findings of the analysis of Chapter 15: Energy

Selected topics of Chapter 15: Energy	References to the relevant EU <i>acquis</i>			Central level institutions directly concerned	Relevant local level institutions
	General references	Detailed references	Explicit reference to the EU <i>acquis</i>		
A policy for energy	+	-	-	MENR, MTI, MEU, UMT, UP	SPA, MM, M, LAU
Policy orientations on energy efficiency	+	+	-	MENR, UMT, UP	SPA, MM, M, LAU
Energy performance of buildings	+	+	-	MENR, MEU, UMT, UP	SPA, MM, M
Recharging/refuelling stations for electric and gas-powered vehicles	+	-	-	MENR, MEU, UMT, UP	SPA, MM, M, LAU
Policy orientations on renewable energy	+	+	-	MENR, MEU, UMT, UP	SPA, MM, M, LAU
Heating and cooling with renewable energy	+	-	-	MENR, MEU, UMT, UP	SPA, MM, M, LAU

Table 69: Findings of the analysis of Chapter 27: Environment and climate change

Selected topics of Chapter 27: Environment and climate change	References to the relevant EU <i>acquis</i>			Central level institutions directly concerned	Relevant local level institutions
	General references	Detailed references	Explicit reference to the EU <i>acquis</i>		
EU climate change policy	+	+	-	MEU, MTI, UMT, UP	SPA, MM, M, LAU
Environmental management	+	+	+	MEU, UMT, UP	SPA, MM, M
	-	-	-	Turkish Accreditation Agency, UMT, UP	SPA, MM, M
General framework on waste management	+	+	+	MEU, UMT, UP	SPA, MM, M, LAU
Waste from consumer goods	+	+	+	MEU, UMT, UP	SPA, MM, M, LAU
Air quality	+	+	+	MEU, UMT, UP	SPA, MM, M, LAU

Selected topics of Chapter 27: Environment and climate change	References to the relevant EU <i>acquis</i>			Central level institutions directly concerned	Relevant local level institutions
	General references	Detailed references	Explicit reference to the EU <i>acquis</i>		
Air pollution by industry	+	-	-	MEU, UMT, UP	SPA, MM, M, LAU
Specific uses of water	+	+	+	MEU, UMT, UP	SPA, MM, M, LAU, WSA
Environmental disasters	+	+	+	MEU, UMT, UP	SPA, MM, M, LAU
Source of noise pollution	+	+	+	MEU, UMT, UP	SPA, MM, M

Table 70: Summary assessment table of the chapters analysed

No.	Chapter title	Negotiation status	Assessed progress in 2019	Number of sub-topics analysed in each main topic	Number of sub-topics that can be considered to be in good compliance
14	Transport policy	Not open	Moderately prepared – some progress	7	3
15	Energy	Not open	Moderately prepared – good progress	6	3
27	Environment and climate change	Open	Some level of preparation – some progress	9	8
TOTAL				22	14

As seen in the summary table presented above (Table 70) **14 of the 22 topics analysed can be considered to be in good compliance with the EU *acquis***. When references to the relevant EU *acquis* is taken into account, 2 topics out of the 7 analysed in Chapter 14, and 7 topics out of the 9 analysed in Chapter 27 have specific regulations already in place that make explicit reference to the relevant EU *acquis*, whereas none of the topics analysed in Chapter 15 have such specific regulations with explicit reference to the EU *acquis*. Nevertheless, not having a specific regulation with explicit reference to the EU *acquis* should not be considered as an obstacle to full alignment as there also exist legislation that make detailed references to the key points in the EU *acquis*.

11 ISSUES FOR FURTHER ANALYSIS AND RECOMMENDATIONS FOR LOCAL AUTHORITIES

As the study presented in this report was intended to be a methodological example on the impact of the EU *acquis* and its implementation at the local level, it paves the way for further detailed analyses, and signals a number of recommendations for local authorities. For ensuring better understanding, interpretation, implementation, monitoring, and evaluation of the national legislation and policies at the local level in general, and for an improved perception and appreciation of the process of harmonisation with the EU *acquis* in particular, the following issues and recommendations can be addressed in future studies:

- As the two national level unions of local authorities with a mandate on lobbying, **directly involving UMT and UP in all EU *acquis* ratification or transposition work** carried out at the central level, together with regional or sectoral unions when possible. (This would require improvements in the horizontal, vertical, and functional operation of all public administration units in order to enhance the involvement of local authorities, especially in legislative processes.)
- Establishment of a **permanent EU harmonisation commission within the councils of local authorities** to work independently or in co-operation with the law commissions, law departments, and EU units of local authorities, if any.
- Establishment of an **EU harmonisation working group or commission within UMT and UP** to work independently or in co-operation with the law departments, as well as with the relevant commissions and units of local authorities.
- Strengthening the **guidance and counselling services of legal affairs departments or directorates** within municipalities to support the capacities of executive units.
- In co-operation with UMT, UP and relevant audit authorities, developing regular detailed **assessment reports on the local level implementation of legislation** in general and the relevant EU harmonisation efforts in particular.
- Including harmonisation with the **EU *acquis* as a specific topic within the internal control and audit procedures** of local authorities.
- **Emphasizing the EU *acquis* harmonisation legislation in the Inspection Guidebook for General Affairs and Operation of Municipalities** (Republic of Turkey, 2019f), which already includes references to the specific regulations.
- Conducting **EU *acquis*-focused analysis on the outcomes of the municipal inspections** conducted by the Civil Inspection Board.
- In accordance with the Strategic Planning Guide for Municipalities (Republic of Turkey, 2018c) ensuring **detailed situation analysis studies comprising the 'analysis of the legislation' and 'analysis of the high-level policy documents'** to establish necessary links with the EU *acquis*.
- Including specific objectives of harmonisation with the **EU *acquis* within the strategic plans of local authorities** and encouraging specific assessments of implementation in activity reports.
- Improving the **co-operation and collaboration of UMT and UP with the CoR** for enhancing exchange of information and experience, particularly in the field of commenting on and contributing to legislative processes.
- Designing principles and procedures for **territorial impact assessments** (analyses of the potential impacts of legislative proposals on the territory), not only in relation to the EU *acquis* but also in relation to all new kinds of national legislation.
- Focusing on the **cost of compliance with new regulations** in order to shift the passive, supply side dominated financial assistance to more active, demand side dominated support (also in line with the Measure 833.3 of the 2020 Programme of the Presidency).

- In the same manner, **benefiting from town twinning actions** specifically designed for active technical contribution to the harmonisation with the EU *acquis* by learning from the experiences of local authorities in the EU rather than limiting co-operation and collaboration to general sociocultural exchange.
- Assessing the current state of the law approximation database of TAIEX (Technical Assistance and Information Exchange) to **transparently demonstrate level of compliance**, and in accordance with the Presidential Circular No. 2019/22, making detailed tracking and updated assessments on legislation available for local authorities.
- Establishing **direct co-operation among DEUA, metropolitan municipalities and governorates** to ensure province-wide coordination of *acquis* compliance at the local level. Benefiting from the experiences of the EU permanent contact point deputy governors in this process.
- Promoting the establishment of **EU harmonisation working groups within citizens' assemblies** to directly inform and involve citizens and civil society in relevant activities of the local authorities, especially for ensuring sustainability of relevant town twinning initiatives. Designing incentives to promote such efforts, which would also strengthen the performance of citizens' assemblies.
- As per the Measure 833.1 of the 2020 Programme of the Presidency, setting up a **detailed consultation framework** for the development of the new national action plan for EU accession to be able to involve all relevant stakeholders including local authorities in a participatory and transparent manner.
- Taking measures to ensure that **national and local policy objectives and targets are set in parallel with the EU** by closely reviewing the relevant EU policy documents.
- Setting up a **multi-level task force on strengthening the legislative cycle** with a mandate to review existing structures and mechanisms and to propose necessary political and structural reforms.

In addition to the points highlighted above, the European Commission has an evaluation of EU support to local authorities in enlargement and neighbourhood regions (2010-2018) (European Commission, 2018c) planned for the 1st quarter of 2019 and 1st quarter of 2020. Closely following the process and outcomes of this evaluation would provide significant inputs to both central government and also to local authorities for the next stages of the accession process.

As regards the domains of further research and analysis that will feed into relevant activities in Turkey, focus can be on the recent efforts within the EU to strengthen policy making and implementation by way of improving the principles of subsidiarity and proportionality. Some examples of such efforts can be listed as follows:

- **Subsidiarity Monitoring Network:**¹⁶⁴ This network established in 2007 aims to support local and regional governments in the EU in monitoring the implementation of the principles of subsidiarity and proportionality, meaning to check if the EU is acting in an area that cannot be better addressed by the national, regional or local levels, and that the extent of the action is not broader than what is necessary to sufficiently address the issue.
- **Analyses of Subsidiarity and Proportionality:**¹⁶⁵ The CoR has developed a Subsidiarity and Proportionality Assessment Grid that allows its partners to assess the proposed initiatives of the EU by responding to questions such as "should the EU act?" and "how should the EU act?". These assessments can then be submitted to the Subsidiarity Monitoring Network for further action.
- **Early Warning System:**¹⁶⁶ This is a procedure that is established by the Treaty of Lisbon and it allows regions with a legislative power to submit a reasoned opinion through their national parliaments on the draft legislative acts of the EU as a result of a subsidiarity check. Depending on the type of the act, a "yellow card" (meaning either one third or one quarter of all the votes based on the specific area) or an "orange card" (meaning more than half of the national parliaments) procedure can be initiated so that the proposed draft is reviewed from the perspective of subsidiarity.
- **Active Subsidiarity:** A new way of working – Report of the Task Force on Subsidiarity, Proportionality and "Doing Less More Efficiently" (European Union, 2018): This report is a key document that highlights the

¹⁶⁴ For more information: <https://portal.cor.europa.eu/subsidiarity/thesmn/Pages/default.aspx>

¹⁶⁵ For more information: <https://portal.cor.europa.eu/subsidiarity/Pages/Subsidiarityandproportionalityanalysiskit.aspx>

¹⁶⁶ For more information: <https://portal.cor.europa.eu/subsidiarity/regpex/Pages/Early-Warning-System.aspx>

“insufficient involvement of national, regional and local authorities” causing “a lack of ownership of EU policies” and defines a new concept of “active subsidiarity” as a way to strengthen multi-level governance. Further to the Task Force report published in 2018, the CoR issued the ‘Declaration of the Bureau of the European Committee of the Regions on the Implementation of the Principles of Subsidiarity and Proportionality’ (COR-2018-03130-00-02-DECL-TRA (EN) 1/6), which adopts the recommendations of the report to foster active subsidiarity. Subsequently, the European Commission issued the ‘Communication on the principles of subsidiarity and proportionality: Strengthening their role in the EU’s policy making’ (European Commission, 2018e).

- **Interinstitutional Agreement between the European Parliament, the Council of the European Union, and the European Commission on Better Law-making:**¹⁶⁷ The three institutions of the EU directly involved in law-making declared with this interinstitutional agreement issued in 2016 that simplicity, clarity, and consistency should be promoted in the drafting of the Union legislation by emphasizing the need for multiannual programming and the use of tools such as impact assessment, public and stakeholder consultation and feedback, and ex-post evaluation of existing legislation. Further emphasis is put on transparency and coordination of the legislative process as well as on monitoring and assessing the application and effectiveness of Union law.
- **Better Regulation Agenda of the EU:**¹⁶⁸ In order to ensure that open and transparent decision-making takes place in the EU, the contributions of citizens and stakeholders are integrated in the policy and law-making processes, the actions of the EU are based on evidence and understanding of the impacts, and the regulatory burdens of the EU on businesses, citizens, and public administrations are kept at a minimum, EU constantly works to improve the legislative structures and mechanisms and reports on the results of the related initiatives being implemented. It has also developed guidelines and toolbox for better regulation.¹⁶⁹
- **European Urban Initiative:**¹⁷⁰ This is the new proposed Cohesion Policy initiative of the EU for the period of 2021-2027 that focuses on the thematic priorities of the Urban Agenda for the EU on city-to-city co-operation, innovation, and capacity building for “better regulation”, “better funding”, and “better knowledge”.
- **State of the art and challenges ahead for Territorial Impact Assessments** (European Union, 2020): A study commissioned by the CoR in order to identify existing obstacles in conducting Territorial Impact Assessments and to explore new opportunities for further developing the use of related tools.

While focusing on the relationship between the local authorities and the European Union related legislation, it would be useful to consider the following intersections (Figure 9) and their respective impacts on public policy- and decision-making:

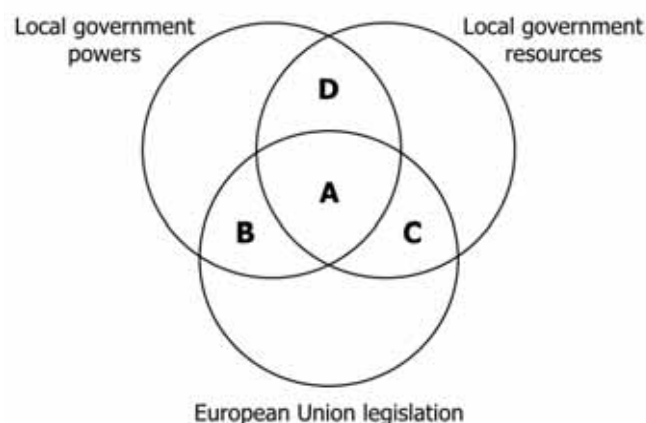


Figure 9: Policy intersections of EU related legislation with local authorities

¹⁶⁷ For more information: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32016Q0512%2801%29>

¹⁶⁸ For more information: https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how_en

¹⁶⁹ For more information: https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how/better-regulation-guidelines-and-toolbox_en

¹⁷⁰ For more information: https://ec.europa.eu/regional_policy/en/newsroom/news/2019/03/20-03-2019-european-urban-initiative-post-2020-the-commission-proposal

Public policy issues that fall in the specific intersections indicated by letters A, B, C, and D can be addressed with the following approaches:

- A. Experience sharing area** – *Areas where local authorities have both powers and resources, and the EU has specific legislation in effect:* These public policy issues are those that would be most beneficial to be addressed in capacity building activities such as town twinning. Local authorities would be able to easily adopt and implement good practices that are shared through inter-municipal or inter-institutional exchanges since they already have the necessary mandate and funds in that particular field. Improvements in public decision-making and service delivery would be much swiftly observed and harmonisation would take place in a relatively more straightforward manner.
- B. External funding area** – *Areas where local authorities have powers and the EU has specific legislation in effect, but local authorities do not have sufficient resources in that particular field:* These public policy issues are those that would be most beneficial to be supported with external financial and technical assistance. Local authorities would be able to externally finance the reform efforts necessary for harmonisation, and since they already have the required mandates but lack resources (both financial and technical) for implementation, the external funds could contribute to actionable improvements in short- to medium-term. In the long-term, additional resources would need to be created for local authorities to ensure sustainability after the availability of external assistance.
- C. Multi-level governance reform area** – *Areas where local authorities have resources and the EU has specific legislation in effect, but local authorities do not have sufficient power in that particular field:* These public policy issues are those that would be most beneficial to be included in governmental initiatives concerning public administration reform. It is closely linked to the principles of subsidiarity and proportionality, and would be directly affected by policy orientations towards decentralisation. Improvement of inter-institutional horizontal and vertical co-operation as well as reviewing the delegation of powers across levels of government would be the focus areas in this field.
- D. National benchmarking area** – *Areas where local authorities have both powers and resources, but the EU has no specific legislation in effect:* These public policy issues are those that would be most beneficial to be included in national benchmarking initiatives as they are the areas that local authorities are already actively involved in. Domestic good practices could be identified and disseminated through national and regional programmes, and national implementation targets and standards can be developed. This is the area that would allow the fastest and most sustainable public service improvements, which would contribute to increasing the quality of life across the country.

Further research and analysis on each one of these different areas of intersection would be helpful in channelling harmonisation efforts to the most appropriate public policy issues that would deliver the most efficient and effective results.

12 CONCLUSION

The primary objective of this report was contributing to capacity building at the local level on the impact of the EU *acquis*, and on the roles and responsibilities of local authorities in the implementation of the legislation introduced or adapted in the process of accession to the EU. To achieve this objective, the research and analysis carried out within the scope of this study sought to compile answers to the following eight questions:

- What is the current state of Turkey's process of accession to the EU?
- What is the EU *acquis* and which sectors and issues does it cover?
- Why and to what extent does the EU *acquis* concern local authorities?
- Why harmonising local policies and local service delivery with European standards is important?
- How can local authorities be involved in and contribute to the implementation of the EU *acquis*?
- How can local service delivery be improved with the help of the EU *acquis*?
- Who can local authorities consult and obtain support for the implementation of the EU *acquis*?

Who can local authorities co-operate with in the implementation of the EU *acquis*?

The conclusions drawn from the analysis are summarised in Figure 10 and explained below per each type of question:

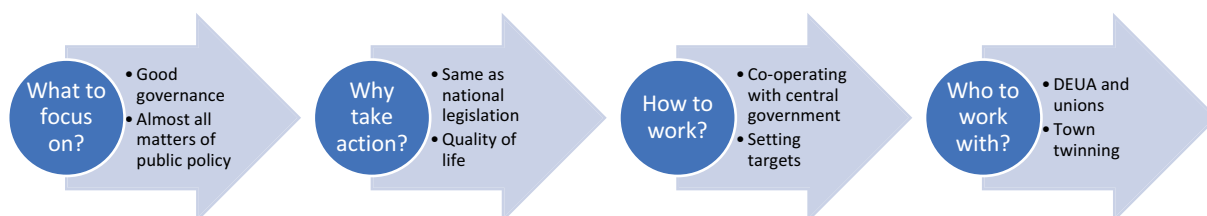


Figure 10: Conclusions of the analysis

What to focus on?

- Understanding democracy, fundamental freedoms, and the rule of law as being the core European values is the key to refreshing local perspectives on the EU.
- Improvements in good governance at the local level, in particular with respect to the rule of law would have a significant positive impact on advancing the EU accession process as it would demonstrate bottom-up commitment. The 12 Principles of Good Governance¹⁷¹ endorsed by the Council of Europe in 2008 could be taken as a guiding tool for both the central government and the local authorities.
- The scope of the EU *acquis* covers almost all matters of public policy that either directly or indirectly affects decision-making and service delivery at the local level. As all policy areas of public administration function in a complementary manner, local authorities should approach the EU harmonisation process as a complete overhaul of the legal framework and its full implementation.

Why take action?

- The harmonisation of the EU *acquis* with national legislation renders it as national legislation and local authorities are constitutionally obliged to function based on law.
- Ensuring proper and widespread implementation of legislation requires full understanding of its purpose and scope.
- As the EU *acquis* sets out the common principles and criteria for shared wellbeing and prosperity in Europe, harmonisation with these principles and criteria ensures that the overall quality of life measures up to the standards in EU member states.

¹⁷¹ Further details available at: <https://www.coe.int/en/web/good-governance/centre-of-expertise>

How to work?

- One of the key roles of local authorities in contributing to the EU harmonisation process is co-operating with and supporting the central government units responsible for the transposition of the EU *acquis* into national legislation.
- In co-operation with national and regional unions of local authorities, it is also necessary to develop mechanisms and instruments for interpreting national legislation into local conditions.
- Local authorities also have an important role in informing the central level on the implementation challenges and improvement opportunities of existing legislation by conducting regular assessments.
- Ensuring full implementation of legislation and achieving the intended objectives would require setting localised targets by local authorities and gradually raising the bar up from the minimum standards.

Who to work with?

- Central government in general, and DEUA in particular are the key counterparts of local authorities in the EU accession process. In addition, UMT and UP as the national unions representing local authorities at the central level as well as regional and sectoral unions of local authorities (such as the Marmara Union of Municipalities) would provide the necessary support to the local level in properly understanding, interpreting, implementing, monitoring, and evaluating legislation.
- Town twinning activities, both domestic and international, would provide concrete technical support to local authorities when designed specifically for exchanging experience and expertise on the implementation of EU *acquis* at the local level, particularly on a thematic basis.

In the end, the essence of the analysis on the impact of the EU *acquis* and its implementation at the local level can be boiled down to the following seven points:

- 1) **Rationale:** The core question is "*why do local authorities need to know about the EU *acquis* when it is essentially the same as the national legislation after being transposed?*" The shortest explanation is that increasing the level of understanding at the local level about the EU *acquis* harmonisation process is crucial for improving the implementation of the relevant regulations but what is more important than this is the involvement of the representatives of local authorities to all relevant preparatory and follow-up processes undertaken as legislative work by central government institutions. So, local authorities need to know about the EU *acquis* not after but while it is being transposed.
- 2) **Rule of law:** In its simplest definition, EU *acquis* is EU's rule of law instrument. Therefore, working on the implementation of the EU *acquis* brings a closer focus on legislation to improve the rule of law.
- 3) **Target-setting:** Time is running out for policies anchored to 2023 and longer-term perspectives are necessary for setting well-measured, concrete, coherent, and attainable targets for all levels of government.
- 4) **Performance:** Compared to other candidate countries allocated per capita figures, Turkey has the need for more EU financial assistance to ensure compliance with the EU *acquis*. This requirement becomes even more important for the next programming period of the EU covering the years between 2021 and 2027.
- 5) **Decentralisation:** As the impact of the EU *acquis* at the local level is subject to the functions and powers of local authorities in the overall public administration system, the impact of local authorities on the implementation of the EU *acquis* will increase when more functions and powers are decentralised. The principles of the EU on subsidiarity and proportionality are key starting points for reconsidering the role of local authorities in policy making and service delivery.
- 6) **Legislative cycle:** Working on harmonisation with the EU *acquis* is a good case study for the entire legislative process as directly jumping from the legal text to implementation is not possible, particularly at the local level. Proper implementation and achieving the intended objectives would only be possible when the full legislative cycle (Figure 11) constantly iterates with the involvement of local authorities at all possible stages.
- 7) **Commitment:** As for all issues of public policy, high level commitment is the main determinant and strong political commitment to the EU accession process would urge the local authorities to prioritise the necessary policy improvements at the local level. The Board of Local authority Policies of the Presidency of the Presidency can play a key role in conveying the necessary policy commitments to local authorities.

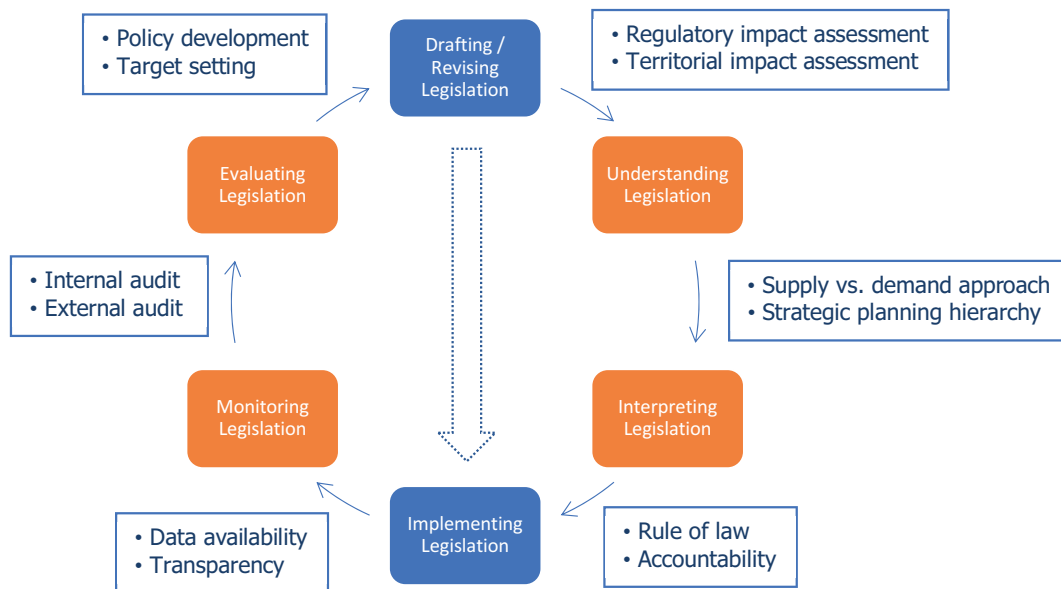


Figure 11: Legislative cycle for harmonisation with the EU acquis

As the highest-level policy document of Turkey, the Eleventh Development Plan highlights that “developing the method to ensure standardisation of local services and monitoring of compliance to these standards” and “determining the administrative, financial, and technical minimum standards of local services; carrying out legislative regulations for compliance with these standards.” (pp. 197) are among the main objectives for local authorities. Enhancing harmonisation with the EU *acquis* directly complements and contributes to the achievement of these objectives, and in so doing, local authorities can become a strong driving force for breaking the negotiation standstill with the EU. Regardless of the progress of negotiations, implementation of the EU *acquis* needs to be perceived by local authorities not as an end in itself but as an anchor that provides a firm basis for further improvements.

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14 APPENDICES

1. Topics of the EU *acquis* on transport policy
2. Topics of the EU *acquis* on energy
3. Topics of the EU *acquis* on environment and climate change

Appendix 1: Topics of the EU acquis on transport policy

Main Topics of Chapter 14	Sub-topics of Chapter 14	
	Heading	Scope
• Bodies and objectives	General objectives of transport policies	Roadmap to a single European transport area: Towards a competitive and resource-efficient transport system
	Agencies and bodies	<ul style="list-style-type: none"> ○ Europe's Global Navigation Satellite Systems Agency ○ Maritime safety: European Maritime Safety Agency ○ European Energy and Transport Forum ○ Safety regulation of aerodromes
• Road transport	Carriage of goods	<ul style="list-style-type: none"> ○ Joint rules on access to the EU road haulage market ○ Charging of heavy goods vehicles: Eurovignette Directive ○ Goods: community safeguarding mechanism ○ Rules for the compilation of statistics regarding goods carried by road ○ Hiring of vehicles for the carriage of goods
	Carriage of passengers	<ul style="list-style-type: none"> ○ Bus and coach passengers' rights ○ Access to the international market for coach & bus services ○ Interbus Agreement: the international occasional carriage of passengers by coach and bus
	Employment and working conditions	<ul style="list-style-type: none"> ○ Road transport: EU rules on driving times, breaks and rest periods ○ Tachographs in road transport ○ Road haulage and passenger transport companies: operating rules ○ Driving time in the road transport sector
	Road safety	<ul style="list-style-type: none"> ○ Road safety: authorised dimensions and maximum weights for trucks, buses and coaches ○ Road safety: transportable pressure equipment ○ Testing to ensure the safety of vehicles and trailers ○ Road tunnels: EU safety rules ○ Road safety: driving licences ○ Road safety: EU database on road traffic accidents ○ Inland transport of dangerous goods ○ Cross-border transportation of euro cash by road ○ Road safety: policy orientations on road safety 2011-20 ○ Checks on the transport of dangerous goods by road ○ Roadside inspections of the safety of commercial vehicles ○ Road traffic offences – sharing information between countries
• Rail transport A single railway network for Europe	Bodies and objectives	European Union Agency for Railways – ensuring a safe and interoperable railway area
	Infrastructure and interoperability	<ul style="list-style-type: none"> ○ An interoperable EU rail system ○ Ensuring the compatibility of EU rail systems ○ EU rail transport statistics
	Internal market, freight and passenger rights	<ul style="list-style-type: none"> ○ State aid for railway companies ○ A European rail network for competitive freight ○ Freight transport logistics action plan ○ Rail passenger rights
	Employment and working conditions	<ul style="list-style-type: none"> ○ Certification of train drivers operating locomotives and trains ○ Cross-border train crews – working conditions

Main Topics of Chapter 14	Sub-topics of Chapter 14	
	Heading	Scope
<ul style="list-style-type: none"> • Waterborne transport <p>Ensuring EU countries comply with and enforce the Maritime Labour Convention</p>	Rail safety	<ul style="list-style-type: none"> ○ EU-wide rail safety ○ Inland transport of dangerous goods ○ Railway safety
	Objectives and bodies	<ul style="list-style-type: none"> ○ Blue belt: a single transport area for EU shipping ○ Maritime safety: European Maritime Safety Agency ○ Rights of passengers travelling by sea and inland waterways
	Internal market	<ul style="list-style-type: none"> ○ Sea transport – supply of services, competition, unfair pricing and access to ocean trade ○ Registration of persons on board passenger ships ○ Freedom to provide services within the EU (ocean trade) ○ Statistical returns in respect of carriage of goods and passengers by sea ○ The insurance of shipowners for maritime claims ○ Transfer of cargo and passenger ships between registers within the EU ○ The supply of shipping services ○ Reporting formalities for ships ○ Recognition of professional qualifications in inland navigation ○ Anti-dumping protection – shipbuilding industry
	Port infrastructure	<ul style="list-style-type: none"> ○ Port facilities for ship-generated waste and cargo residues ○ Ports: an engine for EU growth ○ Ports: financial transparency and supply of their services
	Employment and working conditions	<ul style="list-style-type: none"> ○ Inland waterways: access to the occupation of carrier goods by waterway and mutual recognition of diplomas ○ Working hours on board ships using EU ports ○ Seafarers' working time ○ Inland waterway transport – working conditions ○ Maritime safety: minimum level of training of seafarers ○ Recognition of professional qualifications in inland navigation
	Maritime safety	<ul style="list-style-type: none"> ○ Compliance with flag State requirements ○ Liability of ship owners in the event of accidents ○ Maritime safety: accelerated phasing-in of double-hull oil tankers ○ EU maritime information and exchange system ○ Safety at sea: ship inspection and survey organisations ○ EU sea safety: ship inspection and survey organisations ○ Safer and less polluting equipment on EU ships ○ Maritime safety: International Safety Management Code for shipping ○ Loading and unloading of bulk carriers ○ Safety rules and standards for passenger ships ○ Maritime safety: port State control
	Maritime transport and the environment	<ul style="list-style-type: none"> ○ Maritime safety: prevention of pollution from ships ○ Civil liability for oil pollution damage: Bunkers Convention ○ Ship-source pollution and criminal penalties ○ Protecting the sea and the food chain from the effects of organotin compounds
	Navigation of inland waterways	<ul style="list-style-type: none"> ○ Promotion of inland waterway transport NAI/ADES ○ Safe and efficient river transport: river information services ○ Goods and passenger transport by inland waterway ○ Rules for promoting inland waterway transport in the EU ○ Inland navigation: non-resident carriers ○ Inland transport of dangerous goods ○ Inland navigation: reciprocal recognition of national boatmasters' certificates for inland waterway navigation ○ Recognition of professional qualifications in inland navigation ○ Inland navigation: conditions attached to chartering and pricing ○ EU statistics of goods transport by inland waterways

Main Topics of Chapter 14	Sub-topics of Chapter 14	
	Heading	Scope
<ul style="list-style-type: none"> • Air transport Public-private partnership to develop cleaner aircraft The EU's aviation strategy EU airport noise 	Maritime security	<ul style="list-style-type: none"> o Intensified European maritime surveillance co-operation o Security of ships and port facilities o Port infrastructure: enhancing port security
	Internal market	<ul style="list-style-type: none"> o Groundhandling at Community airports o Statistics in respect of the carriage of passengers, freight and mail by air o Operation of air services: EU rules o Harmonisation of civil aviation requirements and procedures
	Supply of services and licences	<ul style="list-style-type: none"> o Liability insurance of air carriers o A common framework for airport charges o Allocation of time slots
	Passengers' rights	<ul style="list-style-type: none"> o EU air passenger rights in case of denied boarding, a delayed flight or a cancelled flight o Computerised air ticket reservation systems o Information for passengers: air carriers' identity o Rights of people with reduced mobility – air travel
	Air safety	<ul style="list-style-type: none"> o Civil aviation accidents and incidents o Occurrences in civil aviation – reporting, analysis and follow-up o Air carrier liability in the event of accidents o Establishing and Aviation Safety Management System for Europe o Safety regulation of aerodromes o Aircrew regulation
	Single sky and air traffic management	<ul style="list-style-type: none"> o Framework for creation of the Single European Sky o New generation European air traffic management system o Air traffic management: organisation and use of airspace in the Single European Sky o Single European Sky – EU rules on air navigation services o Air traffic flow management o Interoperability of the European air traffic management network o EU-US co-operation on civil aviation safety
	International dimension	<ul style="list-style-type: none"> o Air service agreements between EU and non-EU countries o EU-US aviation agreements o Montreal Convention on air carrier liability
	Air security	<ul style="list-style-type: none"> o Civil aviation security: EU-wide rules o Obligation of air carriers to communicate passenger data o Aircrew regulation
<ul style="list-style-type: none"> • Transport, energy, and the environment 	Protection of the environment	<ul style="list-style-type: none"> o The Transport Protocol of the Alpine Convention o Clean and energy-efficient road transport vehicles
	Biofuels and emissions reduction	<ul style="list-style-type: none"> o Reducing pollution from light motor vehicles o Reduction in CO₂ emissions of new passenger cars o Emissions from heavy-duty vehicles (Euro VI): certification rules o Reduction of carbon dioxide emissions from light commercial vehicles
	Prevention of marine pollution	<ul style="list-style-type: none"> o Maritime safety: prevention of pollution from ships o Civil liability for oil pollution damage: Bunkers Convention o Ship-source pollution and criminal penalties o Protecting the sea and the food chain from the effects of organotin compounds

Main Topics of Chapter 14	Sub-topics of Chapter 14	
	Heading	Scope
<ul style="list-style-type: none"> • Intermodality and trans-European networks <p>EU guidelines for the development of the trans-European transport network</p> <p>Connecting Europe Facility</p>	Intermodality	<ul style="list-style-type: none"> ○ The Marco Polo II programme ○ Intermodal transport: combined transport of goods between Member States
	Infrastructure and pricing	<ul style="list-style-type: none"> ○ The Transport Protocol of the Alpine Convention
	Sustainable mobility	<ul style="list-style-type: none"> ○ Urban mobility in the EU
	<ul style="list-style-type: none"> • Mobility and passenger rights 	Passenger rights
<ul style="list-style-type: none"> • Intelligent transport and navigation by satellite <p>EU emergency services: rolling out eCall infrastructure</p>	Intelligent transportation systems	<ul style="list-style-type: none"> ○ Safe and efficient river transport: river information services ○ The deployment of intelligent transport systems in Europe ○ New generation European air traffic management system ○ EU maritime information and exchange system
	Navigation by satellite	<ul style="list-style-type: none"> ○ Europe's 2 satellite navigation systems moving forward ○ Europe's Global Navigation Satellite Systems Agency ○ Satellite navigation: Global Navigation Satellite System
	European space policy	<ul style="list-style-type: none"> ○ EU programme for space surveillance and tracking support
<ul style="list-style-type: none"> • International dimension and enlargement 	Co-operation with non-EU member countries	<ul style="list-style-type: none"> ○ Air service agreements between EU and non-EU countries ○ International transport agreements ○ The Transport Protocol of the Alpine Convention ○ EU-US co-operation on civil aviation safety
<ul style="list-style-type: none"> • European statistics 	EU rail transport statistics	

Appendix 2: Topics of the EU acquis on energy

Main Topics of Chapter 15	Sub-topics of Chapter 15	
	Heading	Scope
<ul style="list-style-type: none"> European energy policy <p>Energy prices and costs in Europe</p> <p>High performance, low-cost, low-carbon and sustainable energy</p> <p>Fracking: minimum principles for the exploitation and production of hydrocarbons using high-volume hydraulic fracturing</p> <p>Information exchange mechanism in the field of energy</p>	A policy for energy	<ul style="list-style-type: none"> A stable and abundant energy supply for Europe European energy programme for recovery A strategy for competitive, sustainable and secure energy Moving toward competitive sustainable and secure energy for Europe Redesigning the EU's energy market
		<ul style="list-style-type: none"> Factors contributing to the development of energy policy <ul style="list-style-type: none"> Information on investment projects in energy infrastructure ICT-related recommendations to help the EU turn into a more energy-efficient, low-carbon economy European Energy and Transport Forum Energy consumption: Framework for labelling rules
	Market-based instruments	<ul style="list-style-type: none"> EU rules for the taxation of energy products and electricity
	Research and innovation	<ul style="list-style-type: none"> SET-Plan for the development of low-carbon technologies Public private partnership for hydrogen and fuel cells
<ul style="list-style-type: none"> Internal energy market <p>Guideline on electricity transmission system operation</p> <p>Connecting Europe Facility</p>	A competitive internal market	<ul style="list-style-type: none"> Prospection, exploration and production of hydrocarbons Wholesale electricity and gas markets – EU oversight rules Greenhouse gas emission allowance trading system Internal market in electricity Internal market in gas Agency for co-operation between EU energy regulators Guideline on electricity transmission system operation
	An interconnected internal market	<ul style="list-style-type: none"> Guidelines for trans-European energy infrastructure Natural gas transmission networks Cross-border exchanges in electricity Guideline on electricity transmission system operation
	Public procurement	<ul style="list-style-type: none"> Public contracts – setting out clear ground rules Awards of public contracts and concessions: review procedures
	Taxation	<ul style="list-style-type: none"> EU rules for the taxation of energy products and electricity
<ul style="list-style-type: none"> Energy efficiency 	Policy orientations	<ul style="list-style-type: none"> Energy efficiency: helping to reduce greenhouse gas emissions and improve energy security Energy efficiency for the 2020 goal EU energy efficiency plan 2011 Energy efficiency
	Delivering energy efficiency	<ul style="list-style-type: none"> Energy performance of buildings Electric and gas-powered vehicles – recharging/refuelling stations Energy efficiency
	Energy efficiency of products	<ul style="list-style-type: none"> Efficient and safe hot-water boilers Fluorescent and high intensity discharge lamps – eco-design requirements Eco-design for energy-using appliances Improving tyres' fuel efficiency, braking capacity and noise levels Energy efficiency

Main Topics of Chapter 15	Sub-topics of Chapter 15	
	Heading	Scope
<ul style="list-style-type: none"> Renewable energy <p>Progress towards the EU's 2020 renewable energy targets</p> <p>Blue Energy – renewable ocean energy</p> <p>Renewable energy</p>	<p>Policy orientations</p> <p>Electricity</p> <p>Heating and cooling</p>	<ul style="list-style-type: none"> Promotion of the use of energy from renewable sources Greater interconnection of Europe's electricity system Encouraging the use of biomass as an alternative source of energy
<ul style="list-style-type: none"> Nuclear energy <p>Nuclear reactors in Bulgaria and Slovakia – EU de-commissioning aid</p> <p>Setting basic safety standards for exposure to ionising radiation</p> <p>Nuclear reactors in Lithuania – EU de-commissioning aid</p>	<p>EURATOM</p> <p>Nuclear research and development</p> <p>Nuclear safety</p> <p>Nuclear waste</p>	<ul style="list-style-type: none"> Revised statutes for the Euratom Supply Agency Treaty establishing the European Atomic Energy Community (Euratom) The EU's joint undertaking fusion for energy ITER: Euratom/Japan agreement on nuclear fusion Physical protection of nuclear material and nuclear facilities Financial co-operation with non-EU countries on nuclear safety Dangers arising from ionising radiation Safety of nuclear installations Convention on Nuclear Safety Radioactive waste shipments – supervision and control Radioactive waste and spent fuel – safety rules Shipments of radioactive substances
<ul style="list-style-type: none"> Security of supply, external dimension and enlargement 	<p>Security of supply</p> <p>External dimension</p>	<ul style="list-style-type: none"> Emergency oil stocks Security of supply of electricity Gas supply security in the EU European Energy Charter Convention on Nuclear Safety
<ul style="list-style-type: none"> Internal energy market 	<p>Electricity</p>	<ul style="list-style-type: none"> Electricity data – generation, transportation and consumption
<ul style="list-style-type: none"> European statistics 	<p>European statistics on natural gas and electricity prices</p> <p>Common system for the production of energy statistics</p>	

Appendix 3: Topics of the EU acquis on environment and climate change

Main Topics of Chapter 27	Sub-topics of Chapter 27		
	Heading	Scope	
Tackling climate change Tackling global climate change after 2020 (Paris Protocol) United Nations climate change negotiations Mechanism for monitoring greenhouse gas	EU climate change policy	<ul style="list-style-type: none"> o EU policy framework for climate and energy (2020 to 2030) o 2020 climate and energy package o Programme for the environment and climate action (LIFE) (2014-2020) o Moving towards a low-carbon economy in 2050 	
		<ul style="list-style-type: none"> o Long-term climate policy <ul style="list-style-type: none"> o Greenhouse gases: reducing emissions by 20 percent or more by 2020 o Greenhouse gas emissions – monitoring and reporting mechanism o Reducing man-made greenhouse gases (fluorinated gases) o Greenhouse gas emission allowance trading system o Reducing greenhouse gases by 2020: Effort Sharing Decision o Governance of the Energy Union 	
		<ul style="list-style-type: none"> o Reducing greenhouse gases <ul style="list-style-type: none"> o Combatting deforestation o Making Europe resilient to climate change through adaptation o Greenhouse gas emission allowance trading system o Governance of the Energy Union o Greenhouse gases: reducing emissions by 20 percent or more by 2020 o Reducing greenhouse gases by 2020: Effort Sharing Decision o European satellite monitoring programme (Copernicus): climate aspects o Combatting illegal logging o Flood-risk management in the EU 	
		<ul style="list-style-type: none"> o Monitoring and adapting to climate change <ul style="list-style-type: none"> o UN climate negotiations: Kyoto Protocol – first commitment period o UN climate negotiations: Kyoto Protocol – second commitment period o Combatting deforestation o Governance of the Energy Union 	
		<ul style="list-style-type: none"> o International agreements <ul style="list-style-type: none"> o The road from Paris: assessing the implications of the Paris Agreement on fighting climate change o The EU and the 2015 International Climate Change Agreement 	
		<ul style="list-style-type: none"> o Moving toward competitive sustainable and secure energy for Europe o EU rules for the taxation of energy products and electricity o The future of carbon capture and storage in Europe o Air pollution from medium combustion plants 	
	Cleaner transport	Clean, efficient energy	<ul style="list-style-type: none"> o Secure and sustainable energy <ul style="list-style-type: none"> o EU rules for the taxation of energy products and electricity
			<ul style="list-style-type: none"> o Energy efficiency <ul style="list-style-type: none"> o Energy efficiency for the 2020 goal
			<ul style="list-style-type: none"> o Renewable energy <ul style="list-style-type: none"> o Promotion of the use of energy from renewable resources o Encouraging the use of biomass as an alternative source of energy o Bio-economy for Europe
			<ul style="list-style-type: none"> o Transport targets <ul style="list-style-type: none"> o Monitoring, reporting and verification of ships' CO₂ emissions o EU strategy to reduce CO₂ emissions from shipping o Clean power for transport: a European alternative fuels strategy
		<ul style="list-style-type: none"> o Road and air transport <ul style="list-style-type: none"> o Cleaner fuels for road transport o Reducing CO₂ emissions from very heavy vehicles o Framework for creation of the Single European Sky o Charging of heavy goods vehicles: Eurovignette Directive o Greenhouse gas emission allowance trading and aviation 	
		<ul style="list-style-type: none"> o Rail, maritime and waterway transport <ul style="list-style-type: none"> o Promotion of inland waterway transport NAIADES o The Marco Polo II programme 	
	Business: Environmental responsibility	<ul style="list-style-type: none"> o The polluter-pays principle and environmental liability 	

Main Topics of Chapter 27	Sub-topics of Chapter 27	
	Heading	Scope
	Agriculture and land use planning	<ul style="list-style-type: none"> o Production and labelling of organic products o Carbon dioxide capture and storage o Accounting rules for greenhouse gases emitted or absorbed by forests and agriculture o EU rules on producing and labelling organic products o Landfill of waste
	Innovation framework	<ul style="list-style-type: none"> o SET-Plan for the development of low carbon technologies o NER 300 programme – increasing low-carbon technologies in the EU
<ul style="list-style-type: none"> • General provisions <p>Living well, within the limits of our planet: the 7th Environmental Action Programme</p> <p>Guidelines on environmental and energy State aid</p>	Transversal policy objectives	<ul style="list-style-type: none"> o Ecolabel
	Organisations and agencies	<ul style="list-style-type: none"> o The EU's environment agency – environmental information and monitoring o European Chemicals Agency – how the EU regulates chemicals o EU scientific committees on consumer safety and on health, environmental and emerging risks
	Environmental monitoring	<ul style="list-style-type: none"> o The EU's infrastructure for spatial information (Inspire) o European Pollutant Release and Transfer Register
	Environmental management	<ul style="list-style-type: none"> o The Arctic region – new EU policy agenda o General obligations <ul style="list-style-type: none"> o Assessment of the effects of projects on the environment o The polluter-pays principle and environmental liability o The precautionary principle o Assessment of the certain effects of plans and programmes on the environment o Environmental inspections: minimum criteria o Management instruments <ul style="list-style-type: none"> o Better environmental performance: European eco-management and audit scheme (EMAS) o Integration of environmental aspects into European standardisation
	Application and control of community environmental law	<ul style="list-style-type: none"> o Public access to environmental information o Access to information, public participation and access to justice in environmental matters o Environmental information – public access (Aarhus Convention)
<ul style="list-style-type: none"> • Waste management <p>Reduction of pollution caused by waste from the titanium dioxide industry</p> <p>Ship recycling</p> <p>Restriction on the use of certain hazardous substances in electrical and electronic equipment</p>	General framework	<ul style="list-style-type: none"> o Landfill of waste o EU waste management law o Safe waste shipments within the EU and with non-EU countries
	Hazardous waste	<ul style="list-style-type: none"> o Basel Convention on the control of transboundary movements of hazardous wastes and their disposal
	Waste from consumer goods	<ul style="list-style-type: none"> o Reducing the consumption of lightweight plastic carrier bags in the EU o Disposal of polychlorinated biphenyls and polychlorinated terphenyls o End-of-life vehicles o Packaging and packaging waste o Re-use, recycling and recovery of vehicle parts and materials o Making the most of waste electrical and electronic equipment o Disposal of spent batteries and accumulators
	Waste from specific activities	<ul style="list-style-type: none"> o Industrial emissions o Port facilities for ship-generated waste and cargo residues o Management of waste from extractive industries o Removal and disposal of disused offshore oil and gas installations o Using sewage sludge in farming
	Radioactive waste and substances	<ul style="list-style-type: none"> o Radioactive waste shipments – supervision and control o Radioactive waste and spent fuel – safety rules o Shipments of radioactive substances

Main Topics of Chapter 27	Sub-topics of Chapter 27	
	Heading	Scope
• Air pollution	Air quality	<ul style="list-style-type: none"> ○ Cleaner air for Europe
	Atmospheric pollution	<ul style="list-style-type: none"> ○ Tackling threats posed by chemicals (Stockholm Convention) ○ Substances depleting the ozone layer ○ Geneva Convention on Long-range transboundary air pollution ○ National emission limits for certain air pollutants ○ Recovery of petrol vapours during storage ○ Petrol vapour recovery at filling stations for cleaner air ○ Protocol on Heavy Metals ○ EU rules on national emissions of certain atmospheric pollutants
	Land motor vehicles	<ul style="list-style-type: none"> ○ All motor vehicles <ul style="list-style-type: none"> ○ Quality of petrol and diesel fuels: sulphur and lead ○ Reducing pollution from light motor vehicles ○ Emissions from heavy-duty vehicles (Euro VI): certification rules ○ Road vehicles <ul style="list-style-type: none"> ○ Reduction in CO₂ emissions of new passenger cars ○ Emissions from air conditioning systems in motor vehicles ○ Clean and energy-efficient road transport vehicles ○ Reduction of carbon dioxide emissions from light commercial vehicles ○ Information on the fuel consumption and CO₂ emissions of new cars ○ Off-road vehicles <ul style="list-style-type: none"> ○ Emission limits and type-approval rules for non-road mobile machinery
	Other vehicles	<ul style="list-style-type: none"> ○ Monitoring and reporting the CO₂ emissions of heavy-duty vehicles ○ Uniform rules concerning the approval of retrofit emission control devices
	Industry	<ul style="list-style-type: none"> ○ Polluting emissions from large combustion plants ○ Air pollution from medium combustion plants ○ Industrial emissions
• Water protection and management EU water resources protection plan Radioactive substances in water intended for human consumption: protection of public health Minamata Convention on Mercury	General framework	<ul style="list-style-type: none"> ○ Flood-risk management in the EU ○ Addressing water scarcity and droughts in the EU ○ Good-quality water in Europe (EU Water Directive) ○ Urban waste water treatment
	Specific uses of water	<ul style="list-style-type: none"> ○ Bathing water quality ○ Using alumina to remove fluoride from mineral waters ○ Drinking water – essential quality standards
	Marine pollution	<ul style="list-style-type: none"> ○ Marine pollution from ships and gas and oil installations ○ Strategy for the marine environment ○ Maritime safety: prevention of pollution from ships ○ Civil liability for oil pollution damage: Bunkers Convention ○ Ship-source pollution and criminal penalties ○ Protecting the sea and the food chain from the effects of organotin compounds
	Regional waters	<ul style="list-style-type: none"> ○ EU Strategy for the Baltic Sea Region ○ Regional convention <ul style="list-style-type: none"> ○ OSPAR Convention ○ Helsinki Convention on the protection of the Baltic Sea ○ Convention for the Protection of the Rhine ○ Helsinki Convention: preventing pollution in international watercourses and lakes ○ Barcelona Convention for the protection of the Mediterranean ○ The offshore protocol helps protect the Mediterranean Sea from pollution
	Discharges of substances	<ul style="list-style-type: none"> ○ Environmental quality standards applicable to surface water ○ Industrial emissions ○ Safer detergents for European consumers ○ Tackling threats posed by chemicals (Stockholm Convention) ○ Fighting water pollution from agricultural nitrates ○ Protection of groundwater against pollution
• Protection of nature and biodiversity	Biodiversity	<ul style="list-style-type: none"> ○ Biodiversity strategy for 2020 ○ Protecting biodiversity from invasive alien species ○ Bern Convention ○ Compliance with rules on access and benefit-sharing arising from the use of genetic resources and associated traditional knowledge ○ Convention on Biological Diversity
	Management of natural resources	<ul style="list-style-type: none"> ○ Management of marine resources <ul style="list-style-type: none"> ○ Conservation of certain stocks of migratory fish

Main Topics of Chapter 27	Sub-topics of Chapter 27	
	Heading	Scope
	Fauna and flora	<ul style="list-style-type: none"> o Trade in seal products o Convention on the Protection of the Alps o Addressing wildlife trafficking – EU action o Protection of laboratory animals o Vulnerable marine ecosystems: protection from bottom fishing on the high seas o Conservation of wild birds o International Dolphin Conservation Programme o Protecting whales, dolphins and porpoises against incidental catch o Conservation of migratory species – Bonn Convention o The role of zoos in the conservation of biodiversity o Protecting Europe's biodiversity (Natura 2000) o Conservation of Antarctic marine living resources o Protection of certain seal species o Alien and locally absent species
	Forests	<ul style="list-style-type: none"> o Licencing system for imports of timber to the EU o Combatting illegal logging o Combatting deforestation
	Genetically modified organisms	<ul style="list-style-type: none"> o Genetically modified food and feed o Genetically modified organisms – traceability and labelling o Contained use of genetically modified microorganisms o Exports of genetically modified organisms to non-EU countries o Authorisation of genetically modified organisms in the EU o Regulating GM crops: EU countries' rights
• Soil protection	General framework	<ul style="list-style-type: none"> o Assessment of the effects of projects on the environment
	Management of specific soil types	<ul style="list-style-type: none"> o Convention on the Protection of the Alps
	Discharges of substances	<ul style="list-style-type: none"> o Tackling threats posed by chemicals (Stockholm Convention) o Use, storage and trade of mercury o Industrial emissions
	Activities leading to specific risks	<ul style="list-style-type: none"> o Landfill of waste o Carbon dioxide capture and storage
• Civil protection	General framework	<ul style="list-style-type: none"> o Putting the EU's solidarity clause into practice o Reliable benchmarking of environmental performance
	Environmental accidents	<ul style="list-style-type: none"> o Flood-risk management in the EU o Major accidents involving dangerous chemicals o Transboundary effects of industrial accidents o Safety of offshore oil and gas operations
• Noise pollution	General framework	<ul style="list-style-type: none"> o Assessment and management of environmental noise
	Source of noise pollution	<ul style="list-style-type: none"> o Motor vehicles with trailers: permissible sound level o Noise emission by equipment used outdoors
• Environment: co-operation	Co-operation with other non-EU member countries	<ul style="list-style-type: none"> o General framework <ul style="list-style-type: none"> o Uniform rules concerning the approval of retrofit emission control devices o Regional relations <ul style="list-style-type: none"> o EU Strategy for the Baltic Sea Region

Main Topics of Chapter 27	Sub-topics of Chapter 27	
	Heading	Scope
with third countries	International conventions	<ul style="list-style-type: none"> o Air and climate <ul style="list-style-type: none"> o Geneva Convention on Long-Range Transboundary Air Pollution o Tackling threats posed by chemicals (Stockholm Convention) o Protocol on Heavy Metals o The road from Paris: assessing the implications of the Paris Agreement on fighting climate change o Climate change – Paris Agreement, ratified by EU o Water <ul style="list-style-type: none"> o Civil liability for oil pollution damage: Bunkers Convention o Helsinki Convention on the protection of the Baltic Sea o Convention for the Protection of the Rhine o Helsinki Convention: preventing pollution in international watercourses and lakes o Barcelona Convention for the protection of the Mediterranean o Convention for the Conservation of Salmon in the North Atlantic Ocean o Nature and biodiversity <ul style="list-style-type: none"> o Convention on Biological Diversity o Conservation of migratory species – Bonn Convention o Access to genetic resources and sharing of benefits arising from their utilisation (Nagoya Protocol) o Convention on the Protection of the Alps o Bern Convention o Conservation of Antarctic marine living resources o Ensuring trade in wild fauna and flora does not threaten their survival o Soils <ul style="list-style-type: none"> o United Nations Convention to combat desertification in countries seriously affected by drought o Others <ul style="list-style-type: none"> o Transboundary effects of industrial accidents o Hazardous chemicals – rules on import and export o Basel Convention on the control of transboundary movements of hazardous wastes and their disposal o Uniform rules concerning the approval of retrofit emission control devices o International trade in hazardous chemicals
• European statistics	<p>European environmental economic accounts</p> <p>Waste statistics</p> <p>Pesticide statistics production</p>	



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