

## CLIMATE CHANGE QUESTIONNAIRE

### Ozone depleting substances

#### *Legal reference*

Regulation (EC) No. 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer (OJ L 244 29.09.2000 p. 1), as amended  
EUR-Lex hyperlink: [html](#) [pdf](#)

#### **A. Which parts of the provisions of the Regulation are reflected in your national legislation?**

Main legislations with respect to the ozone depleting substances are the Law on Environment No.2872 (Official Gazette: 11 August 1983, no 18132) as amended by the Law No.5491 (Official Gazette: 13 May 2006, no 26167) and the By-law on Phase-out of the Ozone Depleting Substances (Official Gazette: 25 July 1999, no 23766) which regulate controlled substances, control of use and placing on the market, trade controls and reporting requirements.

#### **B. What have been achieved as regards:**

- **Identifying the competent authority/ies**

The Ministry of Environment and Forestry supervises and coordinates national and international activities related to the Montreal Protocol and is responsible for the enforcement.

The Undersecretariat of Foreign Trade consults with other governmental authorities with respect to imports and exports. In this respect, the Undersecretariat of Foreign Trade makes necessary arrangements to control imports and exports of ozone depleting substances and to control import prices and products containing ozone depleting substances in the framework of Montreal Protocol, in consultation with relevant governmental authorities.

The Undersecretariat of Customs is responsible for setting up the statistical positions in the Custom Tariffs and for controlling the authorization given by the Ministry of Environment and Forestry and the Undersecretariat of Foreign Trade, therefore preventing the banned goods and products to pass through customs.

The Ministry of Agriculture and Rural Affairs is responsible for the established phase-out strategy of methyl bromide of Turkey.

- **Implementing the Montreal Protocol, as amended (note that the EU implements obligations as a non A5 Party; this needs to be taken into account if you are an A5 Party): Vienna Convention, Montreal Protocol and London Amendment Copenhagen Amendment Montreal Amendment, Beijing Amendment**

Turkey is a party to Montreal Protocol and its amendment. There is no production facility of the controlled substances listed in Annex A, B, C and E of Montreal Protocol in Turkey. The demands for ozone depleting substances are met by importation.

The Ministry of Environment and Forestry is the main coordinating and enforcing body for the implementation of Montreal Protocol.

The Ministry of Environment and Forestry issues control licenses for the importation of ozone depleting substances.

Monitoring mechanism established has significant effects on the reliability of data submitted to the Ozone Secretariat.

After 1990s, use of CFCs in aerosol products and aerosol industry switched to alternatives.

Main household refrigerator manufacturers switched to alternative technologies.

Foam sector is the slowest sector in transition because of the concerns about flammable substances proposed for use in rigid polyurethane foams and concerns about methylene chloride, which is carcinogenic. CFC-113 use was completely phased-out as a result of initiatives taken by users.

The use of transitional substances has increased significantly, particularly the use of HCFC-22/HCFC-142b blend.

Portable fire extinguisher standard was revised in 1994 and halon as an extinguishing agent was withdrawn from the standard. This standard was then introduced as a mandatory standard. Thus there is a ban on halon use in portable extinguishers.

The National Ozone Policy, giving principles governing the use of Annex A and B substances and formulated in cooperation with the industrial sectors, was introduced on July 1999 as a By-law on Phase-out of the Ozone Depleting Substances. However the quantity restrictions on imports were already introduced in 1998.

Methyl bromide is an agricultural pesticide. It was licensed in 1987 in Turkey and importation of it is subject to prior approval of the Ministry of Agriculture and Rural Affairs. According to the By-law on Phase out of Agricultural use of Ozone Depleting Methyl Bromide (Official Gazette 23 June 2000, no 24088), the complete phase-out deadline for methyl bromide is 31 December 2006.

- **Establishing a data base on production, imports, exports and uses of controlled substances**

There is no production of ozone depleting substances in Turkey. According to the By-law on Phase-out of the Ozone Depleting Substances, the database on imports, exports and use of controlled substances was established in 1993. The Ministry of Environment and Forestry utilizes the registration system established under the licensing program to gather information on ozone depleting substance usage and track the progress of ozone depleting substance phase out.

- **Establishing penalties for failure to comply with the requirements of the Regulation (Art. 21)**

According to the Article 13 of the Law on Environment No.2872 (Official Gazette: 11 August 1983, no 18132) as amended by the Law No.5491 (Official Gazette: 13 May 2006, no 26167), penalties shall be imposed on the violators of the Law.

- **Establishing an authorization system for the production of controlled substances for essential uses as licensed by the Commission (Art. 3)**

Not applicable since there is no production.

- **Phasing out production of methyl bromide (Art 3.2 (d))**

Not applicable since there is no production.

- **Prohibiting placing on the market of methyl bromide (Art 4.2(d))**

According to the By-law on Phase out of Agricultural use of Ozone Depleting Methyl Bromide, methyl bromide will not be available on the market for using soil fumigation after 31 December 2006 except critical use.

- **Phasing out production of hydrochlorofluorocarbons (Art 3.3(e))**

Not applicable since there is no production.

- **Prohibiting placing on the market of hydrochlorofluorocarbons (Art 4.3 (g))**

There is no prohibition on placing on the market of hydrochlorofluorocarbons.

- **Establishing an authorisation system for placing controlled substances on the market for the purposes of meeting licenced demands (Art. 4)**

According to the By-law on the Phase out of Ozone Depleting Substances, importers of ozone depleting substances, except methyl bromide, are obliged to obtain control certificates from the Ministry of Environment and Forestry in line with the Foreign Trade Standardization Communiqué Concerning the Products and Wastes to Kept Under Control for Environmental Protection. Importers have to apply to the Ministry of Environment and Forestry in order to get the documents (such as specification certificate, proforma invoice, label from procedure company).

Importers of ozone depleting substances, whether existing alone or in a mixture, are also obliged to notify quarterly to the Ministry of Environment and Forestry on the quantity imported, origin of imports, the name of purchasers and the quantity sold to each purchaser. The distributors of ozone depleting substances are also obliged to keep records of their sales for the same periods and maintain records for five years. The records shall be kept as to include the name and address of purchaser.

The records kept shall be submitted to the Ministry of Environment and Forestry within 15 days at the end of each 3-months period and made ready for inspection at any time. The

reports submitted and signed by an authorized person shall be treated as confidential and used only for the purpose of this By-law.

- **Establishing procedures for the recovery of used controlled substances (Art. 16)**

According to the By-law on Phase out of Ozone Depleting Substances and Montreal Protocol, the Government developed a licensing program for individuals and companies involved in the repair and maintenance of refrigerators and other products, which require ozone depleting substance for their continued functioning. This program ensures that the recovery, recycling and recharge of ozone depleting substances will be consistent with the overall goal of ozone depleting substance phase out. A center has been established for the recovery, recycle and reclaim which are the components of refrigerant management plan.

- **Establishing procedures for monitoring and inspecting leakages of controlled substances (Art. 17)**

Large scale producers have their own monitoring and inspecting mechanisms.

- **Establishing an effective inspection and enforcement system**

According to the By-law on Phase out of Ozone Depleting Substances, the inspection and enforcement system was established in 1999.

## Emission trading Directive and related decisions

### *Legal reference*

Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (Text with EEA relevance) as amended by 2004/101/EC, and related Regulation 2216/2004 (EC) and Decision 2004/156/EC (OJ L 275 25.10.2003 p. 32) EUR-Lex hyperlink: [html](#) [pdf](#)

Not applicable since Turkey is not a party to Kyoto Protocol.

### **Questions:**

**A. Which parts of the provisions of the Directive have been transposed?**

**B. When is transposition foreseen for the remaining measures?**

**C. What has been achieved as regards:**

- **Identifying the competent authority/ies and the distribution of tasks as well as the coordination between authorities where several ones are foreseen (Art. 18)**
- **Establishing a system for identifying relevant installations (Annex I)**
- **Developing a National Allocation Plan to be assessed by the Commission and adopted as national legislation with effect from the date of accession (Art. 9)**
- **Establishing a public consultation procedure for the National Allocation Plans (Art. 9)**
- **Establishing a system for issuing greenhouse gas emission permits (Art. 4)**
- **Establishing an emission allowance registry?**
- **Establishing effective monitoring, reporting, verification and enforcement system (Arts. 14, 15 & 16)**
- **Establishing a reporting system and database to enable information to be provided to the public and the Commission (Arts. 17 & 21 )**

## Kyoto Protocol

### **A. Are you a Party to the Kyoto Protocol?**

Turkey is a party to the United Nations Convention on Climate Change (UNFCCC) as of 24 May 2004 in conformity with the Decision (26/CP.7) recognizing its situation different from other Annex I countries under the Convention. Turkey is not a party to the Kyoto Protocol.

### **B. If you are not,**

- **When do you plan to become a party?**

Efforts of the European Union to deal with the challenges of climate change are being supported by Turkey as a candidate country in the accession process. Turkey has always been keen to apply internationally agreed principles and to act in accordance with the requirements of “sustainability” and “common but differentiated responsibilities” and respective capabilities.

Turkey is ready to cooperate with the international community in outlining a scheme for the post-Kyoto mechanism, in order to ensure that there is no gap between the first and second commitment periods.

- **What are the main difficulties in the ratification process?**

The major issue for Turkey, having less greenhouse gas emissions per capita than both OECD countries and the countries of economies in transition, is how to contribute to reducing the burden on global resources at a low cost and without jeopardizing its economic and social development prospects.

The Kyoto Protocol recognizes a strong linkage between CO<sub>2</sub> emissions reduction goals, emission trading and the role of developing economies. Annex B parties, generally the industrialized nations; have set targets that, for most, imply a significant reduction of CO<sub>2</sub>-equivalent emissions by 2010. The ability and even willingness of Annex-B parties to achieve these targets will depend on the cost of abatement. The most appropriate sources of CO<sub>2</sub> emission reduction are present not in the Annex-B countries but in the developing economies (i.e. non-Annex B parties).

## WORLD CO<sub>2</sub> EMISSION STATUS AND TURKEY'S SITUATION

PARAMETERS	TURKEY	OECD	WORLD
Energy consumption (toe/cap)	1.2	4.74	1.68
Electricity consumption (kwh/cap)	1,817	8,089	2,343
Total CO <sub>2</sub> emission due to fuel consumption (tCO <sub>2</sub> /yr)	204	12,450	23,395
Per capita CO <sub>2</sub> emission due to fuel combustion (tCO <sub>2</sub> /cap.yr)	3	11.1	3.9

Source: IEA, 2001

In this respect, with a view to balancing the increasing demand for energy, utilization of advanced technologies and renewable and alternative energy resources with approximately zero level emissions such as hydro-power, wind and solar energy are given priority. On the basis of equity and in accordance with respective capabilities, the necessary policies and measures are being formulated. In order to reach the targets “The Law No.5346 on Utilization of Renewable Energy Resources for the Purposes of Generating Electricity (Official Gazette: 18 May 2005, no 25819)” has been enacted. “Energy Efficiency Law” has been drafted. Technical studies for drafting the “Geothermal Law” are going on. The Turkish Government provides financial resources for renewable energy technologies and projects. In addition, Turkey gives priority to the energy saving studies in the industrial and residential sectors. In this respect, developing project-based partnerships with all Parties will play an important role for reducing greenhouse gas emissions.

The Scientific & Technological Research Council of Turkey (TUBITAK) supports various research projects on climate change issues such as:

- Combustion of biomass and biomass coal in circulating fluidized-bed clean energy production
- Reduction of GHG emissions produced in the transport sector
- Climate scenarios
- Systematic observations

### C. What have been achieved as regards

- **To what extent do you have regular GHG monitoring in place?**

TURKSTAT is the coordinator organization in preparing the National Greenhouse Gases Emission Inventories. The CRF tables, for the years between 1990 and 2004, were prepared by TURKSTAT. The first submission was released on 15 April 2006.

- **What is your status in reporting National Communications to the UNFCCC?**

Turkey will submit its initial national communication in 2006 to the UNFCCC Secretariat which will include measures proposed to limit emissions. This document will draw on existing policies as outlined in the 8<sup>th</sup> Five Year Development Plan that contains a number of proposals to limit the increase on GHG emissions as well as the new targets in the 9<sup>th</sup> Development Plan which is currently under way.

An inter-ministerial Coordination Board on Climate Change was established for the preparation of the national communication. The preparation process is being coordinated by the Ministry of Environment and Forestry. A Technical Committee for Climate Change is also set up to contribute to the preparation of the national communication. The Technical Committee for Climate Change operates through eight thematic working groups in coordination with Ministries such as the Ministry of Environment and Forestry, the Ministry of Energy and Natural Resources, the Ministry of Foreign Affairs, the Ministry of Transport, the Ministry of Agriculture and Rural Affairs, State Planning Organization and TURKSTAT. These eight thematic Working Groups titled with their scopes are as follows:

WGI	-Researching the Effects of CC
WGII	-Inventory of GHG
WGIII	-Mitigation of GHG from Industry, Building, Waste Management and Service Sector
WGIV	-Mitigation of GHG from Energy Sector
WGV	-Mitigation of GHG from Transportation
WGVII	-Land Use, Land Use Change and Forestry
WGVIII	-Development of Policies and Strategies
WGVIII	-Education and Public Awareness

In this regard, a UNDP funded project entitled “Enabling Activities for the Preparation of Turkey’s initial national communication to the UNFCCC” is also being implemented.

According to the Turkey’s National Communication, the main goals are determined as follows:

- Strengthen technical and institutional capacities
- Develop strategies, in a cost-effective manner for reduction of GHG emissions
- Develop strategies, programmes and plans of implementation
- Prepare GHG emissions reduction programmes on the basis of the planned activities.

The main identified priorities are as follows:

- Minimization of GHG of energy sector (energy scenarios, assessment of costs and benefits of various energy policy alternatives)
- Vulnerability and adaptation (assessing national vulnerability and mitigation measures, appropriate climate change adaptation measures)
- Land use, land use change and forestry (assessment of physical and economic impacts of climate change)
- Capacity building
- Cost analysis

The main key principles are as follows:

- National circumstances are taken into account.
- Studies are structured to provide feedback and inputs to national development plans.
- Results of the inventory and vulnerability assessments are used for adaptation and mitigation analyses.



Various projects, which will be taken into account in the National Communication, are as follows:

- Climate Scenarios of Turkey (2000-2050)
- Water resources impact modelling (Büyük Menderes Delta and Gediz Delta)
- Water ecosystems impact analysis
- Impacts of climate change on human health (malaria influenza)
- National Inventories (GHG and sink area of CO<sub>2</sub>)
- Economic analysis of sectors (cement, iron and steel industries)
- Scenarios of energy sectors (energy demand projections)
- Modelling of transport sector (short and long term political instruments)
- Determination of special circumstances of Turkey (to prevent and reduce GHG emissions, development of cost effective instruments)
- Public awareness building

## **CRLTAP and Gothenburg Protocol**

### *Legal reference*

Convention on long-range transboundary air pollution - Resolution on long-range transboundary air pollution (OJ L 171 27.06.1981 p. 13)

Protocol to the 1979 Convention on long-range transboundary air pollution to abate acidification, eutrophication and ground-level ozone (OJ L 179 17.07.2003 p. 3)

Turkey ratified Convention on Long Range Transboundary Air Pollution in 1979 and European Monitoring and Evaluation Programme Finance Protocol in 1984. Turkey makes financial contribution regularly under the Convention on Long Range Transboundary Air Pollution.

In the framework of the European Monitoring and Evaluation Programme, a measurement station was established and the data produced by this station were sent to the Norwegian Institute of Air Research, Chemical Coordination Centre for evaluation, by the Ministry of Health.

Full implementation of UN/ECE Protocols necessitates measures such as modification of technologies applied in a number of sectors, establishment of new treatment plants, use of new technologies and upgrading the fuel quality. Technical studies are carried out to meet the requirements specified in the related protocols. During the last decade, considerable progress has been achieved through legislative, administrative and other measures.

### **What has been achieved with regards signature and ratification of the Gothenburg Protocol.**

Technical studies need to be initiated.