

TURKEY National Environmental Legislation compare to EU Environmental Legislation

	EU Legislation Heading	National Legislation corresponding to EU legislation	Compliance and Remarks	Sources of Legislation
NOISE	2002/49/EC	Regulation on the Assessment and Management of Environmental Noise (Official Gazette: 1 July 2005, No. 25862) and its amendment (Official Gazette: 4 June 2010, No. 27601)	Legislative alignment in the field of noise is well advanced, but no progress can be reported on the preparation of noise maps and action plans. Revision in 2010 was done to address problems with implementation. For the implementation of the directive, "Implementation Capacity for Environmental Noise Directive" project application by the Ministry of Environment and Urban Affairs under IPA 2009 Programme is approved by the EC and starts in the second quarter on 2013 with 6.18 million euro budget that includes technical support and procurement.	http://www.mevzuat.gov.tr/Metin.Aspx?MevzuatKod=7.5.14012&MevzuatIliski=0&sourceXmlSearch=
HORIZONTAL LEGISLATION	2011/92/EC	Since the promulgation of the EIA By Law on February, 7th 1993 (Official Gazette No:21489), four revisions were made: June, 23rd 1997 (Official Gazette No:23028) June, 6th 2002 (Official Gazette No:24777) December, 16th 2003 (Official Gazette No:25318) July, 17th 2008 (Official Gazette No:26939) – still in force with addendums: 19/12/2009 (Official Gazette No: 27437) 14/4/2011 (Official Gazette No:27905) 30/6/2011 (Official Gazette No:27980) 5/4/2013 (Official Gazette No: 28609)	As regards the Environmental Impact Assessment (EIA) Directive, procedures for public and transboundary consultations have not been aligned. Addendums to the EIA by-law raises concern as to some exceptions it authorises. Although the article of the EIA Directive related to the exclusion investment plans before 23/06/1997, has been cancelled two times by the Constitutional Court, it was added to the Directive and to the Environmental Law too. Current addendums allow for the exemption for projects that have been included in investment plans before 23/06/1997 such as coal based power plants, airports, railways, highways, 3rd Bridge in Istanbul and several HPPs.	http://www.mevzuat.gov.tr/Metin.Aspx?MevzuatKod=7.5.12256&MevzuatIliski=0&sourceXmlSearch=%C3%A7ed
	2001/42/EC		Transposition of the SEA Directive has not yet been completed. No strategic environmental assessments (SEAs) or proper environmental impact assessments (EIAs) have been carried out for the plans to build a large number of hydro-power plants.	
	2003/4/EC	Law On The Right To Information, Law No: 4982	Turkey is not a party to the Aarhus Convention. There has been no progress on transposition of the acquis on environmental liability, public participation and public access to environmental information. Access to environmental information is seen as under the general Law on 'Access to Information' (4982)	http://www.mevzuat.gov.tr/Metin1.Aspx?MevzuatKod=1.5.4982&MevzuatIliski=0&sourceXmlSearch=&Tur=1&Tertip=5&No=4982
WASTE MANAGEMENT	1999/31/EC	Regulation on the Storage of Wastes, Official Gazette No. 27533 26.03.2010)		http://www.resmigazete.gov.tr/eskiler/2010/03/20100326-13.htm
AIR QUALITY				

NATURE PROTECTION	2009/147/EC	Regulation on Protection of Wetlands (17.05.2005 Official Gazette 25818)		http://www.mevzuat.gov.tr/Metin.Aspx?MevzuatKod=7.5.5426&sourceXmlSearch=&MevzuatIliski=0
	92/43/EEC		Nature Protection is one of the major concerns addressed in progress reports. Framework legislation on nature protection and the national biodiversity strategy and action plan are still to be adopted. The potential Natura 2000 sites have not yet been identified. The possible negative impact on these sites of building large water and energy infrastructure remains a major issue. The law on privatisation of degraded forest habitats raises concerns about shrinking forest habitats in Turkey. Nature and Biodiversity Conservation Draft Law, which is currently in the agenda of National Assembly is opposed by over 100 environmental NGOs.	
INDUSTRIAL POLLUTION				
CHEMICALS				
GMO	2001/18/EC	Law on Biosecurity (18.03.2010 Official Gazette 5977) and Bylaw on GMOs and its products (13.08.2010 Official Gazette 27671)	Progress reports indicate no progress on GMOs. Now the topic is not discussed under Chapter 27: Environment anymore. There is nevertheless still need for approximation	http://www.mevzuat.gov.tr/Metin.Aspx?MevzuatKod=7.5.14203&MevzuatIliski=0&sourceXmlSearch=genetik%20yap%C4%B1
WATER QUALITY	2000/60/EC		There is currently no Framework Law on Water but several bylaws and regulations. As indicated in the last progress report, the institutional framework for water management is still not organised at river basin level and, following the separation of the water sector from the Ministry of Environment and Urbanisation, institutional coordination has become problematic. Transboundary consultations on water issues are progressing but are still at an early stage.	
CLIMATE CHANGE			<p>Progress reports indicate limited progress made in Turkey regarding climate change. Turkey adopted a national climate change action plan (NCCAP) covering the period up to 2023. The National Climate Change Action Plan (NCCAP) states that the annual average temperature in Turkey within the upcoming years would rise between 2.5-4°C; the increase in temperature would account for 4°C in the Aegean and Eastern Anatolia regions, while it would be 5 °C in Central Anatolia. Also mentioned in the NCCAP is that Turkey would have a warmer, drier and more instable climate structure in terms of precipitation. While such anticipation would make extreme climate incidents more frequent and severe, it would also make adaptation studies essential in a series of areas from water basins to cities.</p> <p>Although Turkey admits that it is located in a vulnerable region in terms of climate change, it situates itself more in practices that would lead to even more vulnerability rather than plans for adaptation. The target that is mentioned in the NCCAP which is “the use of %100 of water resources for energy production” is a simple example of non- adaptation policies.</p> <p>At international level, Turkey is listed among developed countries in Annex I to the United Nations Framework Convention on Climate Change (UNFCCC), however the country continues to advocate not to have a greenhouse gas emissions reduction target. 140 countries made commitments regarding their greenhouse gas emissions within the scope of the Copenhagen Accord, which was agreed in 2009. Turkey, although was an Annex-1 country, neither made an emission reduction commitment, nor did it make a commitment to reduce the increase in greenhouse gas emissions like developing countries.</p> <p>Turkey had increased its emissions by 124% of 1990 levels by the year 2011. Energy sector had the biggest share in Turkey’s total greenhouse gas emissions in 2011 with 71%. Since 90.7% of the primary energy supply in Turkey is still based on coal, natural gas and petroleum, the outcome is expected.</p>	

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