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Technical Assistance for Capacity Building on European Pollutant Release and Transfer Register (E-PRTR) in Turkey

TR2013/0327.06-01-02/001

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Policy Context of Regulatory Impact Assessment (RIA)



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Environmental issues in EU – Turkey negotiations



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Challenges of EU harmonization in the field of environment protection

Candidate countries face three particular challenges in the environmental sector for preparations towards accession:

- **Legal:** over 200 pieces of EU environmental legislation have to be transposed into national legislation in a relatively short period of time;
- **Administrative:** often weak and under-resourced administrations have to be significantly strengthened to be able to implement and enforce the environmental legislations.
- **Financial:** substantial financial resources and investments in infrastructure and technology are needed to strengthen the facilities and infrastructure in particular in the waste and water sectors

http://ec.europa.eu/environment/enlarg/index_en.htm



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EU-Turkey negotiations: Chapter 27 on Environment

This Chapter was opened for negotiations on December 21, 2009

Obligations of Turkey which are relevant for E-PRTR

- Turkey adopts legislation aimed at transposing the EU's horizontal and framework environmental legislation, including its transboundary aspects,
- Turkey continues capacity building of the administrative bodies at all levels, including inspection services



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Environmental Approximation in the Strategy Paper of the Turkish Government: EU Integrated Approximation Strategy (UÇES) (2007-2023)

UÇES sets out objectives, targets, strategies and activities to be undertaken in Turkey in the priority areas of Environment Protection such as

- water,
- solid waste,
- air,
- industrial pollution control ,
- nature protection
- and the horizontal sector

- UÇES** contains detailed information concerning
- the technical and institutional infrastructure to be developed;
 - environmental improvements and arrangements to be carried out in Turkey in order to ensure alignment with the EU's environmental acquis and its effective implementation
 - which all-together constitute a precondition for accession to the EU.





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Cost of Environmental Approximation in UÇES

UÇES estimates:

- The cost of investments necessary to ensure alignment with the EU's environmental *acquis* is estimated to be approximately 59 billion Euros.
- Excluding chemicals and noise sectors.

UÇES foresees that

- 80 % of the aforementioned investments required in the environment sector will be carried out by the public sector
- while the remaining 20 % will be carried out by the private sector.





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Context of E-PRTR Regulation:

Transposition of environmental legislations

Chapter 27 of the EU-Turkey negotiations contains the following environmental legislation:

Horizontal environmental legislation

- Environmental Impact Assessment (EIA)
- Strategic Environmental Assessment (SEA)
- Environmental Liability („Polluter Pays”, ELD)
- Access to environmental information (E-PRTR)

Environmental management legislations („Vertical legislation”): arrangements on

- Air quality,
- Water quality,
- Waste management,
- Nature protection,
- Industrial pollution control and risk management,
- Chemical management,
- Noise,
- Climate change,
- and the respective international agreements.



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Progress of Turkey in EU approximation – Country report 2016

Main findings:

- Turkey is at some level of preparation in the Environmental Chapter.
- In 2016, there was some progress, mainly in increasing capacity in waste management and wastewater treatment, whereas enforcement and implementation still remains weak
- Aims set for Turkey for 2017
 - complete alignment with the directives on waste management, industrial pollution and water and ensure correct implementation of the environmental impact assessment legislation;
 - ensure alignment with the acquis on public participation and the public's right to environmental information, as well as on transparency on climate action;
 - ratify the Paris Agreement on climate change, and start implementing its contribution to it



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Efforts to transpose the EU's environmental legislation

Relevant Projects within the scope of 2007-2013 IPA Programme on behalf of the Ministry of Environment and Urbanization	Status / RIA
IPPC-Integrated Pollution Prevention Control / IED	Completed with RIA
Implementation Capacity of Seveso II Directive	Completed with RIA
Implementation of Persistent Organic Pollutants Project	Completed with RIA
Improving Emissions Control	Completed with RIA
Technical Assistance for Capacity Building in Horizontal Sector for the Implementation of Environmental Liability Directive.	Completed with RIA
Capacity Building for Implementation of Regulation on Export and Import of Dangerous Chemicals	Completed with RIA
Capacity Building on E-PRTR in Turkey	Continuing with RIA



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Assessing the impacts of the following directives /regulations

Rule	Scope	Media of the environment affected	Main requirements	Magnitude of impact
Industrial Emissions Directive (formerly called IPPC)	Large and potentially polluting facilities of industry, agriculture and utilities	Emissions to air, water and land. Generation of waste. Emission of noise.	Reduction of pollution, reduced use of raw materials, enhanced energy efficiency, prevention of accidents and restoration of industrial sites upon closure.	Large impacts, costly implementation and compliance, tangible benefits
National Emissions Ceiling Directive	States	Emissions to air.	Reduction of pollution.	Large impacts, costly implementation and compliance, tangible benefits
E-PRTR Regulation	Large and potentially polluting facilities of industry, agriculture and utilities	Emissions to air, water and land. Transfer of waste.	Reporting to authorities and informing the public about pollutant releases.	Relatively small costs, intangible benefits.



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The Industrial Emissions Directive (2010/75/EU)

- Directive 2010/75/EU of the European Parliament and the Council on industrial emissions
- Entered into force in 2011 and had to be transposed by Member States by 2013
- Aim: to achieve a high level of protection of human health and the environment taken as a whole by reducing harmful industrial emission across the EU.
- Main pillars of IED
 - Integrated approach
 - Use of best available techniques
 - Flexibility
 - Inspections
 - Public participation
- Around 50.000 installations undertaking the industrial activities listed in Annex I of IED are required to operate in accordance with a permit. This permit should contain conditions set in accordance with the principles and provisions of the IED.



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Institutionalising RIA systems in public administrations



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The 10 Principles of OECD on “Introducing effective RIA”

- ✓ Maximise political commitment to RIA.
- ✓ Allocate responsibilities for RIA programme elements carefully
- ✓ Train the regulators
- ✓ Use a consistent but flexible analytical method.
- ✓ Develop and implement data collection strategies.
- ✓ Target RIA efforts
- ✓ Integrate RIA with the policy-making process, beginning as early as possible.
- ✓ Communicate the results
- ✓ Involve the public extensively
- ✓ Apply RIA to existing as well as new regulation



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Major questions to be asked when institutionalising RIA systems

Designation and involvement of bodies

- ✓ Is there a need for a centre of co-ordinating RIA activities?
- ✓ If yes, which part of the Government should be responsible?
- ✓ How to involve non-Government organisations?

When / for what type of legislation is a RIA required?

- ✓ Primary legislation
- ✓ Secondary legislation
- ✓ Introducing EU Directives

Who should prepare a RIA report and under what conditions?

- ✓ Prepared by public servants
- ✓ Outsourced to external consultants
- ✓ A combination of the above (initial RIA by public servant, full RIA by external consultant)



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Thank you for your attention