



EIA in Turkey:

Capacity Building for EU Membership

Introduction

Project (Senter International) was entitled
“Approximation and Implementation of the EIA
Directive in Turkey”

Article discusses:

- EIA system in Turkey with reference to a capacity-building project carried out 2002-2003
- Key challenges facing EIA in Turkey
- Practical recommendations

Introduction (con'd)

- Turkey has an official national policy goal to accede to EU
- Because of their horizontal nature (cross-sectoral, cross-media) nature, EIA Directives are among the most important to harmonise
- Project consisted of four main activities: training, handbook and guideline development, execution of pilot projects and awareness raising.

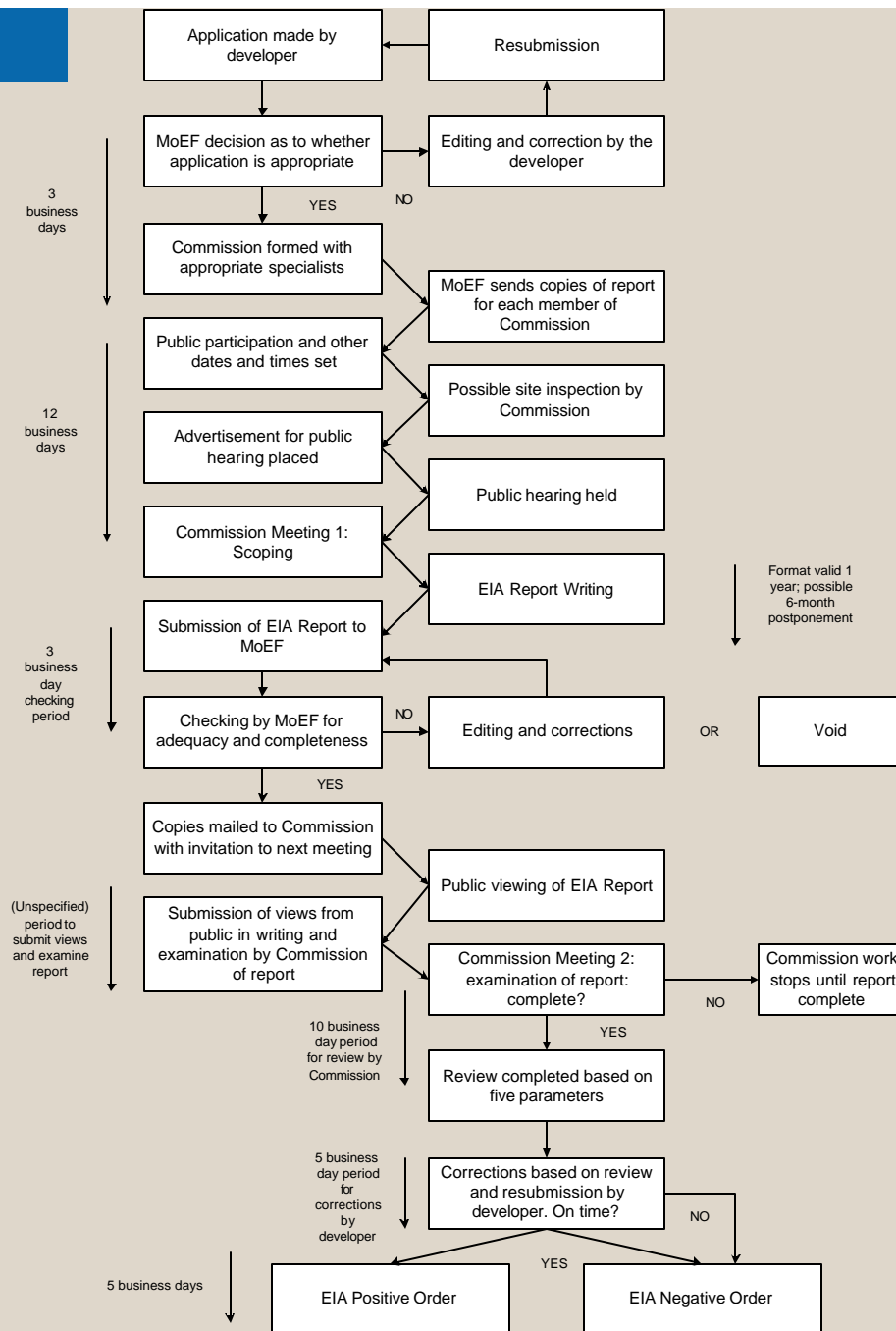
EIA Legislation in Turkey

- EIA existed in a non-official form in 1991 and 1992
- First enacted in 1993, the Turkish EIA legislation has been amended in 1997, 2002 and 2003
- 2003 Regulation is in its wording fully in compliance with the EU EIA Directive with the exception of Espoo and Aarhus

EU Legislative Requirements	1997 Regulation	2003 regulation
EIA is mandatory for all projects listed in Annex I of the Directive.	YES	YES
For those projects listed in Annex II, the Annex III selection criteria must be used to determine whether or not an EIA is required.	NO	YES
Member States may decide which Annex II projects are to be subject to EIA either on a case-by-case basis and/or by setting thresholds or criteria.	YES	YES
The competent authority must make available to the public the decision on whether an Annex II project shall be subject to an EIA or not.	NO	NO
The developer must provide relevant Annex IV information to the competent authority which must include information on alternatives they have considered and the main reasons for their choice.	YES	YES
A public consultation process must be established and the results of any consultation must be taken into account by the competent authority in deciding whether to grant development consent.	YES	YES
There is a requirement to consult with other Member States if the proposed project may have transboundary impacts (the provisions of the Espoo Convention).	NO	NO
The competent authority must make available to the public the following: applications for development consent and other information within a reasonable time in order to give them an opportunity to express an opinion before development consent is granted; the content of their decision and any conditions attached; the main reasons and considerations on which the decision was based; a description, where necessary, of the main measures to limit the environmental impacts of the development.	PARTIAL	YES
Amendments to the EIA Directive intended to implement the provisions of the Aarhus Convention which has been ratified by the Community.	NO	NO
Strengthens the rights of public involvement in the decision-making process; also extends public participation procedures into a series of environmental directives under which plans or programs must be drawn up.	PARTIAL	PARTIAL

EIAs undertaken from 1993-2001

Sector	Number of EIA reports	
	Approved	Rejected
Industry	108	2
Energy	54	1
Mining and petroleum	208	9
Waste and chemicals	62	0
Agriculture and food	35	0
Transportation and coastal structure	40	2
Tourism	94	2
Total	614	16



Main Problems Facing EIA System

- insufficient experience and expertise in the MoE(F)
- provincial level lacked competence in terms of administrative and technical expertise
- the system of public participation at all steps of the EIA process needed to be strengthened by improving the required administrative procedures
- EIA reports and development projects frequently lacked adequate institutional and legal follow-up in terms of enforcement of environmental regulations and monitoring
- once the EIA report was completed, its findings were sometimes ignored in project execution
- EIA review process was often of little value due to lack of skills and appropriate guidelines
- Commission often composed of twenty or more people, one of which is the developer; consensus and decision-making challenging
- lack of sectoral guidelines



Section	Review Topic	Overall Grade	Comment
1	Description of the Project	C	Highly variable with no particular trends – C is an average grade.
2	Consideration of Alternatives	D	Variable with mainly D and E grades – except for the Dam report, which was marked with A's. Most respondents marked this based on the fact that real scoping does not occur at all in the reports.
3	Description of Environment Likely to be Affected by the Project	C	Highly variable with no particular trends.
4	Description of the Likely Significant Effects of the Project	D	Some specific areas in specific reports were marked high – sometimes with an A. Generally marks range from C to E.
5	Description of Mitigation	D	Highly variable with no particular trends.
6	Non-Technical Summary	E	Non-technical summaries were generally not made in EIA reports in Turkey. Some respondents may not have interpreted this question as “is there a non-technical summary, and how good is it?”
7	Quality of Presentation	C	Highly variable answers.

Recommendations

- already a great deal of technical EIA knowledge in Turkey; problem is to ensure that such knowledge is properly channelled so that it is actually made useful for decision-making purposes
- establishment of an entity to play an intermediary role between the policy arena and the scientific arena would be of help (EIA Centre)
- noted by the project consultant, by MoEF staff and by other observers (e.g. METAP/University of Manchester (2001)) that communications are a major problem within the MoEF and at the inter-ministerial level. Continuous attention to and work on capacity building and improved communications would be of great value

Recommendations (con'd)

- capacity of MoEF should also be strengthened in relation to its human resources; while the number of projects is not overly high, the capacity at the MoEF is low given the volume of work - most urgent EIAs should be selected, and relatively more time spent on their effective implementation and thorough post-analyses
- decentralisation of EIA responsibilities may be in order. Turkey is a large country with many internal differences. It is a difficult challenge to manage all EIAs from Ankara, as the MoEF is fully aware

Conclusions

- complexity of government decision-making about investment projects remains an obstacle to economic growth in Turkey. Large numbers of permits are generally required in order to develop projects. EIA, if not properly streamlined, adds to this problem.
- differences in perspective also likely indicate the difference between Western and transitional countries' approaches to EIA. The attention to problems in some rather disjointed aspects of the EIA process on the Turkish side may reflect the developing country's tendency to approach EIA as a bureaucratic series of steps.
- Turkish perspective also reflects a more pragmatic approach towards making its own EIA process work, on its own terms.

Conclusions (con'd)

- in countries in transition, it has sometimes been noted that so-called “advanced” EIA law has resulted in poorer-functioning EA systems and that in other situations, less-advanced EIA law did not prevent relatively effective functioning of EA systems (Cherp and Antypas 2003).
- In Turkey, adaptation of the EU *Guidelines for Screening* (EC, 2001c), *Scoping* (EC, 2001b) and *EIA Review* (EC, 2001a) would be of support to the EIA process rather than more detailed law; systematic
- most sensible approach to harmonise with the EU requirements in law, but to find ways of implementation and enforcement of this law that truly complement the Turkish approach to government and the country's culture