



EUROPEAN
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COMMISSION IMPLEMENTING DECISION

of 11.12.2014

**adopting a multi-annual Action Programme for Turkey on Environment and Climate
Action**

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures of the implementation of the Union's instruments for financing external action¹ and in particular Article 2(1) thereof,

Having regard to Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance² and in particular Article 7 thereof,

Having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002³ and in particular Article 84(2) thereof,

Whereas:

- (1) Regulation (EU) No 231/2014 lays down the objectives and main principles for pre-accession assistance to beneficiaries listed in Annex I to that Regulation.
- (2) In accordance with Article 7 of Regulation (EU) No 231/2014 the assistance should be implemented through multi-annual or annual programmes. These programmes should be drawn up in accordance with the framework for assistance referred to in Article 4 of Regulation (EU) No 231/2014 and the relevant country or multi-country indicative strategy papers referred to in Article 6 of that Regulation.
- (3) In accordance with Article 6(3) of Regulation (EU) No 236/2014, the Commission may adopt multi-annual action programmes for a period up to seven years under the IPA II. For years other than the initial commitment year, the commitments are indicative and depend on the future annual budgets of the Union.
- (4) Where the Commission adopts multi-annual action programmes with split commitments for the policy areas referred to in points (a) to (c) of Article 3 of Regulation (EU) No 231/2014 the programmes shall, where appropriate, include an

¹ OJ L 77, 15.03.2014, p. 95

² OJ L 298, 26.10.2014

³ OJ L 298, 26.10.2012, p.1

indicative list of major projects. The Commission shall adopt a separate decision on the approval of the financial contribution to the selected major projects.

- (5) The Council established an Accession Partnership or a European Partnership for all beneficiaries listed in Annex I to Regulation (EU) No 231/2014. The Commission adopted an indicative strategy paper for Turkey for 2014 - 2020 on 26 August 2014⁴ which provides indicative allocations for the sectors for pre-accession assistance.
- (6) Considering the proposals for action submitted by the beneficiaries concerned, the multi-annual Country Action Programme for Turkey on Environment and Climate Action aims at providing assistance for actions in the following sector: Environment and Climate Action for the years 2014-2016.
- (7) It is necessary to adopt a financing decision, the detailed rules of which are set out in Article 94 of Commission Delegated Regulation (EU) No 1268/2012⁵.
- (8) The Commission should be able to entrust budget implementation tasks under indirect management to the IPA II beneficiary specified in this Decision, subject to the conclusion of a Financing Agreement. In accordance with Article 60(1) and (2) of Regulation (EU, Euratom) No 966/2012 and first subparagraph of Article 14(3) of the Commission Implementing Regulation (EU) No 447/2014 of 2 May 2014 on the specific rules for implementing Regulation (EU) No 231/2014 of the European Parliament and of the Council establishing an Instrument for Pre-accession assistance (IPA II), the authorising officer responsible needs to ensure that the entrusted entity guarantees a level of protection of the financial interests of the Union equivalent to that required when the Commission manages Union funds.

The entrusted entity is currently undergoing a complementary assessment of its systems and procedures. In anticipation of the results of this review, the authorising officer responsible deems that, based on the entity's positive assessment under Council Regulation (EC, Euratom) No 1605/2002⁶ and Commission Regulation (EC) No 718/2007⁷ and the entity's present compliance with the requirements of points (a) to (d) of Article 60 (2) of the Regulation (EU, Euratom) No 966/2012, budget implementation tasks can be entrusted to this entity. In accordance with Article 60(1)(c) of Regulation (EC, Euratom) No 966/2012, the authorising officer responsible needs to ensure that measures are taken to supervise and support the implementation of the entrusted tasks. A description of these measures and the entrusted tasks are laid down in the Annex to this Decision.

- (9) The Commission should be able to entrust budget-implementation tasks under indirect management to the entities identified in this Decision, subject to the conclusion of a delegation agreement. In accordance with Article 60(1) and (2) of Regulation (EU,

⁴ Commission Implementing Decision C(2014) 5998 final of 26/08/2014 adopting an Indicative Strategy Paper for Turkey for the period 2014-2020

⁵ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1).

⁶ Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002, p.1)

⁷ Commission Regulation (EC) No 718/2007 of 12 June 2007 implementing Council Regulation (EC) No 1085/2006 establishing an instrument for pre-accession assistance (IPA) (OJ L 170, 29.6.2007, p.1)

Euratom) No 966/2012, the authorising officer responsible needs to ensure that these entities guarantee a level of protection of the financial interests of the Union equivalent to that required when the Commission manages Union funds.

The European Investment Bank complies with the conditions of points (a) to (d) of the first sub-paragraph of Article 60(2) of Regulation (EU, Euratom) No 966/2012 and the supervisory and support measures are in place as necessary.

The World Bank is currently undergoing the assessment under Regulation (EU, Euratom) No 966/2012. In anticipation of the results of this review, the authorising officer responsible deems that, based on the entities' positive assessment under Regulation (EU, Euratom) No 1605/2002 and on the long-standing and problem-free cooperation with them, budget-implementation tasks can be entrusted to the entity.

- (10) Delegated Regulation (EU) No 1268/2012 contains detailed rules regarding lump sums, unit costs and flat-rate financing.
- (11) Given the nature of the supported activities, and in order to simplify the management of the grants expected under the programme, it is necessary to authorise the use of lump sums, reimbursement on the basis of unit costs and flat-rate financing.
- (12) The maximum contribution of the European Union set by this Decision should cover any possible claims for interest due for late payment on the basis of Article 92 of Regulation (EU, Euratom) No 966/2012 and Article 111(4) of Delegated Regulation (EU) No 1268/2012.
- (13) Pursuant to Article 94(4) of Delegated Regulation (EU) No 1268/2012, the Commission should define changes to this Decision which are not substantial in order to ensure that any such changes can be adopted by the authorising officer responsible
- (14) The action programme or measures provided for by this Decision are in accordance with the opinion of the IPA II Committee set up by Article 13 of the Regulation (EU) No 231/2014.

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the programme

The multiannual Action Programme for Turkey on Environment and Climate Action under the Instrument for Pre-accession Assistance (IPA II) as set out in the Annex, is hereby approved.

Article 2

Financial contribution

The maximum amount of the European Union contribution for the implementation of the programme referred to in Article 1 is set at EUR 181 890 000 and shall be financed as follows:

EUR 32 860 000 to be financed from budget line 22.02.03.02 of the general budget of the EU for year 2014

EUR 64 390 000 to be financed from budget line 22.02.03.02 of the general budget of the EU for year 2015

EUR 84 640 000 to be financed from budget line 22.02.03.02 of the general budget of the EU for year 2016

The implementation of this Decision is subject to the availability of the appropriations for the year 2015 and 2016 following the adoption of the general budget of the European Union referred to in the first paragraph or as provided for in the system of provisional twelfths.

The financial contributions referred to in the first sub-paragraph may also cover interest due for late payment.

Article 3

Implementation modalities

This programme shall be implemented by indirect management.

The budget implementation tasks under indirect management may be entrusted to the entities identified in the Annex subject to the conclusion of the relevant agreements.

A multi-annual Financing Agreement shall be concluded between the Commission and the Government of Turkey in conformity with the Framework Agreement to be concluded between the same parties.

Article 4

Authorisation of simplified forms of grants

The Commission authorises:

The use of grants in the form of lump sums, reimbursement on the basis of unit costs and flat-rate financing for reimbursement of eligible costs declared by beneficiaries on the basis of lump sums, unit costs and flat-rate financing is authorised for all actions under this Programme, for the reasons and under the conditions set out in the Annex.

Article 5

Non-substantial changes

The following changes shall not be considered substantial provided that they do not significantly affect the nature and objectives of the actions:

- (a) increases or decreases for not more than 20% of the maximum contribution set in the first paragraph of Article 2, and not exceeding EUR 10 million;

- (b) cumulated reassignments of funds between specific actions within each budgetary year not exceeding 20% of the maximum contribution set in the first paragraph of Article 2;
- (c) within the limits of 20% referred to in points a) and b) above, up to 5% of the contribution referred to in the first paragraph of Article 2 of this financing decision may serve to finance action which were not foreseeable at the time the present financing decision was adopted, provided that those actions are necessary to implement the objectives and the results set out in the programme.

The authorising officer responsible may adopt such non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 11.12.2014

For the Commission
Johannes HAHN
Member of the Commission

ANNEX

Multi-annual Action Programme for Turkey on Environment and Climate Action

1 IDENTIFICATION

Beneficiary	Turkey
CRIS decision number	2014/031-878
Total cost	2014 EUR 38 660 000 2015 EUR 75 750 000 2016 EUR 99 580 000
EU Contribution	2014 EUR 32 860 000 2015 EUR 64 390 000 2016 EUR 84 640 000
Budget lines	22.02 03 02 Estimations for 2015 and 2016 subject to availability of funds after vote of annual budget.
Management Mode/ Entrusted entities	Indirect management by the entities listed below: For indirect management with Turkey the Operating Structure responsible for the execution of the actions, is: Ministry of Environment and Urbanisation (MoEU) Indirect management by the entrusted entities listed below: Action 1 and 2: EIB for the part of the actions 1 and 2 related to the Municipal Finance Facility; Action 3: World Bank for the part of action 3 related to the Sustainable Cities Planning and Management Systems.
Timetable for spending allocation of each budgetary commitment	Budgetary commitment 2014 must be spent by 31/12/2019 Budgetary commitment 2015 must be spent by 31/12/2020 Budgetary commitment 2016 must be spent by 31/12/2021
Programming Unit	DG ELARG Unit B.3
Implementing Unit/ EU Delegation	EU Delegation to Turkey

2 DESCRIPTION OF THE ACTION PROGRAMME

2.1 SECTORS SELECTED UNDER THIS ACTION PROGRAMME

- Rationale for the selection of the specific sectors under this programme:

This Sector Operational Programme (SOP) is based on a thorough analysis of the socio-economic situation of Turkey, which needs to continue the intensive process of aligning its national legislation with that of the EU, to bring it into a position where it could take on the obligations of EU membership. Particular efforts will be needed in areas relating to Environment and Climate Change (chapter 27¹), as alignment in these areas will require substantial investments and institutional capacity building to design, implement and monitor climate policies, and improving capacity for transition to low carbon economy through action across a number of sectors.

In this context, achieving a cleaner environment, fighting climate change and meeting the higher standards of the EU will take time. With the aim of creating a liveable environment and taking into account the social and economic conditions of the country, comprehensive studies are needed for implementation of the EU environment and climate *acquis*.

Costs and foreseen financing sources in the Strategy Document “*Republic of Turkey Plan for Setting up Necessary Administrative Capacities at National, Regional and Local Level and Required Financial Resources for Implementing the Environmental Acquis Opening Benchmarks in Chapter 27*” (September 2009) were determined on the basis of the EU Integrated Environmental Approximation Strategy (UÇES. The UÇES indicates that the EU Directives requiring the highest amount of investments are those relating to water management and waste management: the sectoral distribution of environmental investments between 2007 and 2023 is estimated to be EUR 34 billion for the water sector (including wastewater) and EUR 10 billion for the waste sector. According to the most recent data, basic environmental statistics related to water and waste fields are as follows:

- 98% of municipal population is served by a water supply system. Drinking water treatment plants are provided in 411 municipalities, serving 56% of Turkey’s total municipal population.
- In 2012, 92% of the municipal population was connected to a sewerage system and 68% was served by wastewater treatment facilities. In total, wastewater treatment plants are currently in operation, with different treatment levels, in 536 municipalities.
- In 2012, 99% of the municipal population benefits from waste management services through 80 landfills, and 6 composting plants. There are 3 industrial waste incinerations, 32 co-incineration plants, 6 industrial waste landfills and 282 recovery facilities.

Apart from these priority sectors, other risks loom over the country. Economic growth has been highly dependent on (mainly imported) energy and the consumption of natural resources, leading to growing greenhouse gas (GHG) emissions and environmental degradation. The National Climate Change Action Plan identifies greenhouse gas emission reduction activities, including those at the urban/local level.

¹ A “Negotiating Position Paper” was prepared and approved, and the chapter opened to accession negotiations on December 21, 2009

Many natural disasters such as floods, fires and landslides are experienced as a result of climate change, which can lead to both economic and social problems. In the Second Assessment Report of the Intergovernmental Panel on Climate Change (IPCC), it is also emphasized that potential natural disasters depending on climate change, and resulting ecological, economic and social problems should be the severest problems to be experienced in the near future.

Threats and dangers are represented also by chemical, biological, radiological and nuclear substances (CBRN) released to the environment. Developing industrial activities increase the risk of accidental release of those substances.

While in the previous IPA period thematic concentration of the Environment Operational Programme (EOP) was mainly on water and waste, this programme will, in addition, focus on climate action. Moreover, considering the dynamic nature of the EU environment and climate *acquis* which requires substantive improvements in legislation and capacity, ad-hoc activities addressing these needs will be supported.

In order to maximize the impact of the IPA II funds, a geographic concentration has been established: 4 priority South-Eastern regions (having Gross Value Added GVA per capita below 75% of the national average) will receive 10 % from the budget allocated to the investments in the water field.

- Overview of past and on-going EU, other donors' and/or IPA II beneficiary's actions in the relevant sectors:

This programme has been drafted in continuity with and following the lessons learned of the IPA assistance to the sector in the period 2007-2013, whose EOP is still on-going. Under that EOP, 39 environmental infrastructure projects were prepared and submitted to the Commission. Up to the end of the implementation period, 30 projects are planned to be completed. Taking into consideration the perceived needs, the main priority of the environmental infrastructure strategy will be to increase the capacities of local authorities, to strengthen the national framework and to fund the investment requirements at a national level.

At institutional level, the Department of EU Investments (DoEUI) in the MoEU, the already accredited body responsible from the management of IPA funds of the EOP in the 2007-2013 period, will also serve as the Contracting Authority (CA) for IPA II period, fulfilling the duties arising from tendering, contract management, financial management and other relevant functions. In this respect, it is clear that DoEUI will need to increase its administrative, technical and human resources capacities to deal with this newly enlarged workload, including being the CA of *acquis* related institutional building activities of the IPA II period.

The conclusions of a thematic evaluation², contracted to assess the performance of EU pre-accession assistance in the 2002-2010 period in the environment sector, were presented in July 2013. The main lessons learned of this evaluation are summarised below.

- Attention should be paid to the long term strategic programme approach under IPA II.

²“Technical Assistance for Thematic Evaluation on Environment”. Specific contract ALTUN/TATEE/TR2010/0740.01-02/FWC/013

- An effort should be made to make priorities more specific and focused, and to only include areas where concrete support projects are likely to materialise in the coming years, moving away from an approach of listing all potential reform needs.
- There is a need to strengthen sector coordination (of government institutions and other national stakeholders) during programming.
- Administrative capacity of Decentralised Implementation System (DIS) structures is key for the success of the programmes. Loss of “institutional memory” can hamper the impact and sustainability of projects and there is a need to save and strengthen institutional knowledge.
- Delays in tender dossier preparation and contracting need to be minimised, through better forecasting, procurement planning and institutional capacity increased in the national and local authorities managing the funds.

Most of these recommendations have been taken into account during the discussions with the Turkish authorities for the elaboration of the programme. Moreover, IPA II financial assistance will be provided under a sector approach, which shall ensure a more long-term, coherent and sustainable strategy, allow for increased ownership, facilitate cooperation among donors, eliminate duplication of efforts and bring greater efficiency and effectiveness.

Different institutions in the environment sector are experienced in implementing activities with multi-lateral (such as Global Environment Facility GEF) and bilateral funds and International Financial Institutions IFIs (such as World Bank (WB), European Investment Bank (EIB), European Bank for Reconstruction and Development (EBRD), Kreditanstalt für Wiederaufbau (KfW)), as well as with several UN agencies.

The IFIs are active in the country with loan programmes. İllbank A.Ş., as a local investment and development bank that has specific expertise on the finance of municipal infrastructure projects, acts as an intermediary for the use of IFI loans to municipalities and undertakes coordination and monitoring functions during the implementation period. The Bank plans to expand its operations by establishing partnerships with the other IFIs to support sustainable urban infrastructure investments of Turkish local administrations. On the other hand, IFIs which do not seek sovereign guarantees are active in the municipal finance sector lending directly to the municipalities.

List of Actions foreseen under the selected Sectors:

INDIRECT MANAGEMENT WITH THE IPA II beneficiary		OTHER IMPLEMENTATION ARRANGEMENTS	
Action 1 + Water	EUR 60 420 000	EIB - EC's Municipal Finance Facility (MFF)	EUR 7 000 000
Action 2 + Waste	EUR 73 020 000	EIB - EC's Municipal Finance Facility (MFF)	EUR 3 000 000

Action 3 Environmental Management Sustainable Development	+	EUR 13 450 000		WB Sustainable Cities Planning & Management Systems	-	EUR 25 000 000
TOTAL		EUR 146 890 000		TOTAL		35 000 000

2.2 DESCRIPTION AND IMPLEMENTATION OF THE ACTIONS

Action 1	Water	EUR 67 420 000
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(1) Description of the Action, objective, expected results and key performance indicators

This action focuses on achieving and maintaining a good status of waters via an integrated approach to the protection, improvement and sustainable use of surface waters, groundwater, marine, coastal and transitional waters within Turkey. It will address management of water quality and water resources, including both soft activities also related with acquis - taking into account the closing benchmarks of Environment and Climate Change Chapter, "Negotiation Position Paper", and national strategy papers - and hard activities on investments for integrated water projects.

Objective of the action: To increase the overall compliance with EU acquis, strategies and policies related to water and to achieve good water status for waters in Turkey by integrated water management.

Expected results:

- Improved legislation and increased institutional capacity for components of Water Acquis
- Improved infrastructure for delivery of drinking water and waste water treatment

To achieve these results, two kinds of activities are foreseen in the action:

Activity 1.1.: Acquis-related Institution Building activities

Considering the current status of the alignment with environmental acquis, indicative main intervention areas such as river basin management (preparation of River Basin Management Plans RBMPs), flood and drought management and plans for adaptation to the climate change and sectoral water allocation are assessed as fields that need to be supported by the programme. Additionally, ensuring of experienced staff and specialised institutions capable of implementing Water Framework Directive (WFD) and daughter

directives, harmonisation of directives, appropriate planning and smooth implementation of plans will be ensured.

The effects of climate change will be studied and measures for adaptation will be elaborated at national and basin levels. Public awareness, education initiatives and other communication tools in relation to the points mentioned above can also be financed under this activity.

Activity 1.2.: Infrastructure related activities

This activity will focus on ensuring supply of drinking water according to national and EU standards, achieving water savings and promoting actions that will contribute to reducing the pollution load in receiving bodies, preserve drinking water supply systems from potential contamination and help enhance resource efficiency and climate-resilience.

Due consideration will be given to climate-proofing activities as well as climate change mitigation and adaptation measures.

IPA assistance will support the construction, rehabilitation or modernisation of the existing drinking water distribution system as well as establishing adequate water treatment plants. It will also support rehabilitation, upgrading and construction of urban waste water treatment facilities, rehabilitation and extension of the sewerage systems as well as storm water facilities.

The investments to be implemented will be prioritised according to the pre-defined selection criteria.

Key performance indicators for action 1:

- Municipal population served by drinking water treatment plants
- Municipal population benefiting from improved water distribution facilities
- Municipal population served by waste water treatment plants
- Degree of alignment on European acquis in the water sector
- Number of IPA project applications approved by the Commission/EUD
- Number of drinking water treatment plants
- Number of municipalities served by water supply network
- Number of waste water treatment plants
- Population benefiting from improved waste water collection systems
- Number of plans and policy documents prepared and/or updated in line with EU Acquis
- Number of prepared and/or updated RBMPs
- Number of legislation prepared, and/or revised in line with EU Acquis, and submitted to the Prime Ministry

(2) Implementation arrangements of the action

Municipal Finance Facility: indirect management with the EIB

(2)(a) Entity entrusted with budget implementation tasks

Part of this action will be implemented by entrusting the budget implementation tasks to the EIB, to manage the Municipal Finance Facility (MFF). The facility covers the water and waste sectors (action 1 and 2), and aims to assist Turkey in the adoption and implementation of the EU acquis, and in particular compliance with key EU water and waste Directives. This part of the action might include both Institution building activities and infrastructure activities.

The choice of the EIB is justified by the fact that this facility is the continuation of the same activities already successfully implemented under the previous financial period. The experience gained represents a value added compared to other institutions.

(2)(b) Short description of the tasks entrusted to the entity

Managed by the EIB, the MFF will blend:

- EU's resources, which shall reinforce the institutional capacity of Ilbank and improve the affordability of the environmental investments of the municipalities by combining the EIB Loan funding with a grant element covering the cost of the project preparation and related technical studies of the investments ("Investment Support"),
- EIB's loan resources, which shall provide to Ilbank long-term funding for the benefit of the municipal investments.

For this facility and under the responsibility of the EIB, the EIB and Ilbank will carry out the budget implementation tasks consisting of the management, procurement and implementation of technical assistance, studies, impact assessments and similar services necessary for the preparation of investment projects. The Ilbank will provide the service to loan beneficiary Municipalities. The EIB will ensure that the projects proposed by the Ilbank meet the eligibility criteria to qualify for an MFF allocation. The Project Management Unit established within Ilbank by the EIB will implement the capacity building activities to the benefit of Ilbank staff.

Action 1 (all the other activities): indirect management with Turkey:

(2) (c) Short description of the tasks entrusted to the entity

The MoEU has been appointed as Operating Structure and Contacting Authority for the SOP in Environment and Climate Action. The decision on the conferral of tendering, contracting and financial management powers was adopted in January 2011 for IPA I – Component III. The Ministry shall continue being responsible for the contracting, implementation, information and visibility, monitoring and reporting of IPA II activities, and the evaluation thereof whenever relevant, in accordance with the principle of sound financial management, and for ensuring the legality and regularity of the expenditure incurred in the implementation of the programme.

Action 2	Waste	EUR 76 020 000
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(1) Description of the Action, objectives, expected results and key performance indicators

The action addresses the identified weaknesses, i.e. the inadequate waste management practices leading to limited collection of waste as well as the operation of a large number of non-compliant landfills. It will focus on promoting an efficient and improved integrated waste management system through the establishment of well-managed bodies which are financially sustainable, along with the necessary improvements in the current legislative framework, taking into account the closing benchmarks of the Environment Chapter, "Negotiation Position Paper", and national strategy papers.

Activities related both with capacity building and investment will be conducted.

Objective of the action: To increase the overall compliance with EU Acquis, strategies and policies related to waste.

Expected results:

- Increased the capacity of the institutions involved in the waste management
- Efficient, affordable and sustainable waste management services provided to the population, improved integrated waste management systems, including separate collection and reduced amount of waste disposed in uncontrolled landfills, reduced greenhouse gas emissions from waste facilities

To achieve these results, two kinds of activities are foreseen in the action:

Activity 2.1.: Acquis-related Institution Building activities

Considering the dynamic status of the Environmental Acquis, indicative main intervention areas as Waste Electrical and Electronic Equipment (WEEE) and reuse and recovery of waste by-product and end-of-waste are assessed as activities that need to be supported by the programme. Hence, these activities will focus upon promoting an efficient and improved quality of service delivery. Increasing capacity of institutions both central and local level will be ensured.

Activity 2.2.: Infrastructure related activities

This action will focus on regional landfills and optimisation of the collection of waste by using all means for reducing the quantity of waste to be landfilled. Eligible interventions will be:

- Extension and rehabilitation of existing landfills, increasing recycling and improving collection systems and separation methods;
- New constructions of sanitary landfills;

- Closure of old dumpsites, including gas recovery and utilisation systems, where appropriate.

Due consideration will be given to climate-proofing activities as well as climate change mitigation and adaptation measures.

The investments to be implemented under the SOP will be prioritised according to the pre-defined selection criteria.

Key performance indicators for action 2:

- Municipal population served by municipal waste services
- Municipal population benefiting from waste disposal and recovery facilities
- Degree of alignment on European acquis in the waste management sector
- Number of IPA project applications approved by the Commission/EUD
- Number of municipal waste collection systems established in line with WEEE
- Number of controlled landfill sites
- Number of plans and policy documents prepared and/or updated in line with EU Acquis, and submitted to the Prime Ministry

2) Implementation arrangements of the action

Municipal Finance Facility: indirect management with the EIB

(2)(a) Entity entrusted with budget implementation tasks

Part of this action will be implemented by entrusting budget implementation tasks to the EIB, to manage the Municipal Finance Facility (MFF). The facility covers the water and waste sectors (action 1 and 2), and aims to assist Turkey in the adoption and implementation of the EU acquis, and in particular compliance with key EU water and waste Directives. This part of the action might include both Institution building activities and infrastructure activities.

The choice of the EIB is justified by the fact that this facility is the continuation of the same activities already successfully implemented under the previous financial period. The experience gained represents a value added compared to other institutions.

(2)(b) Short description of the tasks entrusted to the entity

Managed by the EIB, the MFF will blend:

- EU's resources, which shall reinforce the institutional capacity of Ilbank and improve the affordability of the environmental investments of the municipalities by combining the EIB Loan funding with a grant element covering the cost of the project preparation and related technical studies of the investments ("Investment Support"),

- EIB's loan resources, which shall provide to Ibank long-term funding for the benefit of the municipal investments.

For this facility and under the responsibility of the EIB, the EIB and Ibank will carry out the budget implementation tasks consisting of the management, procurement and implementation of technical assistance, studies, impact assessments and similar services necessary for the preparation of investment projects. The Ibank will provide the service to loan beneficiary Municipalities. The EIB will ensure that the projects proposed by the Ibank meet the eligibility criteria to qualify for an MFF allocation. The Project Management Unit established within Ibank by the EIB will implement the capacity building activities to the benefit of Ibank staff.

Action 2 (all the other activities): indirect management with Turkey:

(2) (c) Short description of the tasks entrusted to the entity

The MoEU has been appointed as Operating Structure and Contacting Authority for the SOP in Environment and Climate Action. The decision on the conferral of tendering, contracting and financial management powers was adopted in January 2011 for IPA I – Component III. The Ministry shall continue being responsible for the contracting, implementation, information and visibility, monitoring and reporting of IPA II activities, and the evaluation thereof whenever relevant, in accordance with the principle of sound financial management, and for ensuring the legality and regularity of the expenditure incurred in the implementation of the programme.

Action 3	Environmental Management for Sustainable Development	EUR 38 450 000
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(1) Description of the Action, objectives, expected results and key performance indicators

The action particularly addresses EU legislation and policies (including relevant strategies) on industrial pollution and risk management, resource efficiency, chemicals, air quality, noise, nature and soil protection, horizontal legislation as well as climate acquis (emission trading, monitoring and reporting, ozone layer protection fluorinated gases, fuel quality, low carbon technologies, and others including EU Adaptation Strategy) and civil protection. Under this action, all fields of environmental and climate acquis as well as the environmental issues related to civil protection and disaster risk management will be covered.

Objective of the action: To develop alignment with the EU's environment and climate change acquis and further enhance the implementation capacity of related institutions towards a resource efficient, climate and disaster resilient green economy in Turkey.

Expected results:

- Increased environmental protection in line with EU Acquis, and enhanced policy and strategy frameworks and implementation plans for putting EU Acquis into practice

- Enhanced climate action on climate change adaptation and mitigation

Activity 3.1.: Acquis-related Institution Building activities

Concerning the sectors covered by action 3, drafting of by-laws, capacity building and awareness raising activities were addressed during IPA 2007-2013 period. The main current need, apart from transposition of EU acquis into national legislation is to ensure their smooth implementation with competent human and institutional resources at national and local levels.

The activity will cover, among others, the following sub-sectors: industrial pollution, chemicals, air and noise pollution, horizontal legislation, resource efficiency, nature protection and conservation and ecosystem services (including integrated marine environment protection), soil pollution.

On **climate change**, besides aligning to EU climate acquis, enhancing the capacity to adaptation to climate change is crucial. The National Climate Change Adaptation Strategy needs to be updated according to the EU strategy; alternative financing mechanisms need to be determined and priority investments and capacity building activities need to be supported in order to implement the strategy. The existing legislation and national mechanisms need to be harmonised with the EU Emission Trading Directive and the rest of EU climate acquis.

Mitigation and adaptation activities will focus on strengthening institutional capacity at the urban, local and national level to design, implement and monitor policies, and for a transition to a low carbon economy in Turkey. With the engagement of the private sector, the action will aim at enhancing the resilience of vulnerable economic sectors and infrastructures to climate change.

On **disaster management and civil protection** the activities aim at enhancing the capacity of relevant national and international institutions on disaster prevention, preparedness as well as mitigation, response and recovery capacity, which are specified by the strategic reference documents (e.g. National Disaster Management Strategy Document and National Disaster Response Plan).

Disaster and risk management activities will be essential to support Turkey's cooperation with the EU in order to cover EU civil protection policies.

Under this activity the capacity building support to the CA on implementing, monitoring and evaluating, updating, tendering and the visibility of the SOP and associated actions will be financed.

Activity 3.2.: Infrastructure related activities

Activities which necessitate establishment of physical infrastructure, such as small scale investments and supplies, will be covered. Grant programmes will be established for promoting resource efficiency and cleaner production practices; to extend market-based instruments such as labelling, and for supporting activities of local and grassroots organisations on climate action and nature protection.

Key performance indicators for action 3:

- Degree of alignment on European Environment and Climate Change Acquis

- Number of legislation prepared, and/or revised in line with EU Acquis, and submitted to the Prime Ministry
- Number of plans and policy documents prepared and/or updated in line with EU Acquis
- Number of implemented measures identified by the National Climate Change Action Plan
- Number of environmentally sound technical, financial and governance mechanisms developed for effective implementation and replication of the EU environment and climate Acquis and policies
- Number of measures identified on disaster management and risk reduction

(2) Implementation arrangements of the action:

Part of activity 3.1.:Sustainable Cities Planning and Management Systems: indirect management with the World Bank

(2)(a)Entity entrusted with budget implementation tasks

Part of the activity 3.1. will be implemented by entrusting budget implementation tasks to the WB, to manage the first component of the Sustainable Cities Programme of the WB “Sustainable Cities Planning and Management Systems”.

The WB has been chosen because of the advanced status of its discussions with the Turkish authorities on this programme. In fact, the Bank already reached an agreement with the MoEU Directorate General for Spatial Planning (DGSP) on its role as the policy level counterpart for the Comprehensive Integrated Metropolitan Municipality Plans (CIMMP) initiative, and Iler Bank and participating municipalities will be the project implementation counterparts.

WB has considerable experience and operational capacity working with Iler Bank and other stakeholders in Turkey for supporting programmatic and stand-alone projects on urban infrastructure, transport, climate change, renewable energy and energy efficiency which are essential parts of the CIMMP.

Also, it should be considered that one core element of the Sustainable Cities Planning and Management Systems will be the Energy Efficiency measures, a field where there is already cooperation on-going between the WB and the EU under the IPA National Programme 2013, and which shall be further financed by the WB in the future.

(2)(b) Short description of the tasks entrusted to the entity

The European Commission shall conclude with the World Bank the Administration Agreement, entrusting budget implementation tasks for the part of Action 3 related to the Sustainable Cities Planning and Management Systems. Under the responsibility of the World Bank, the IPA funds will be transferred to a "Recipient-executed Trust Fund." The World Bank will under its responsibility sign a Grant Agreement with Iler Bank for the Sustainable Cities Planning and Management Systems.

The Iler Bank will establish an account to receive the grant funds. The Iler Bank would provide these funds to cover the cost of implementing planning work including preparation in each of the participating cities.

Under the project design, all participating municipalities will adapt the master Terms of Reference (ToR) to their specific technical needs in scope and content, and send the bidding package to Ilker Bank, who will review and submit to the World Bank for its review.

The Ilker Bank, under the supervision and responsibility of the WB would be in charge of implementing all aspects of the activity with all technical support from the WB. It will sign the contracts with the consultants providing the relevant services to the participating cities and will honour payment requests based on the consultant deliveries.

WB will supervise the activity by reviewing technical outputs of consultants and provide guidance to participating municipalities, including technical support missions to individual cities, and joint training sessions and capacity building for participating municipalities.

Action 3 (all the other activities): indirect management with Turkey

(2)(c) Short description of the tasks entrusted to the entity

The MoEU has been appointed as Operating Structure and Contacting Authority for the SOP in Environment and Climate Action. The decision on the conferral of tendering, contracting and financial management powers was adopted in January 2011 for IPA I – Component III. The Ministry shall continue being responsible for the contracting, implementation, information and visibility, monitoring and reporting of IPA II activities, and the evaluation thereof whenever relevant, in accordance with the principle of sound financial management, and for ensuring the legality and regularity of the expenditure incurred in the implementation of the programme.

2.3. PROVISIONS APPLICABLE TO ALL ACTIONS:

(1) Assumptions and conditions

- Sufficient level of integration of environmental requirements into sectoral policies e.g. agriculture, energy, tourism, transportation;
- Smooth adoption of the legislation, plans and policy documents prepared and/or updated;
- The possession of necessary resources by the final beneficiaries in order to operate the environmental infrastructure properly (Co-financing from the national budget available);
- Staff (technical and management level) remaining at their posts following the termination of activities who are able to contribute to the relevant subsequent work through the skills and information obtained during the activities;
- No substantial price escalations (e.g inflation) or economic crises impacting upon present and future investments;

- The willingness and active participation of related stakeholders to the studies within the activities;
- Satisfactory level of access to required data;
- No substantial price escalations (e.g inflation) or economic crises impacting upon present and future investments;
- Tolerable periods of adoption and approvals compared to project life cycles;
- Quality staff assigned who are able to contribute to the relevant activities through the skills and information obtained during the activities.

Failure to comply with the requirements set out above may lead to a recovery of funds under this programme and/or the re-allocation of future funding.

(2) Authorisation for the use of simplified forms for grants included in the actions to be awarded by the entrusted entity under indirect management:

a) Forms of grant and categories of costs covered:

The grants for the actions under this programme shall take either of the following forms:

- (a) lump sums, reimbursement on the basis of unit costs and flat-rate financing calculated in accordance with the beneficiaries' historical data or usual cost accounting practices for the categories of eligible costs specified below;
- (b) the reimbursement of eligible costs actually incurred for all other categories of eligible costs.

The categories of eligible costs that may be covered by the lump sum, reimbursement on the basis of unit costs and flat-rate financing are the following: support staff costs, local transportation, local office consumables and supplies, communication activities and visibility events.

Other categories of eligible costs shall be reimbursed on the basis of eligible costs actually incurred.

The amounts of the lump sums, unit costs and flat rate financing to be used shall be calculated in accordance with the method set out in point c. The amounts of the lump sums, unit costs and flat rate financing to be declared by the beneficiaries shall be calculated in accordance with the method set out in point c.

b) Justification:

Given the nature of the supported activities, and in order to simplify the management of the grants expected under this programme, some costs may be identified in each grant's action budget per unit, global price or as a percentage of other eligible direct costs.

When grants or parts of grants are based on simplified cost options, these amounts shall be established in such a way as to exclude fraud and profit *a priori*. The costs shown in

the contract should not be challenged by ex post controls, i.e. through comparison with the actual costs they cover.

Verifications/audits may be performed to check whether the formulas used by the beneficiary to determine unit costs, lump sums or flat-rates are compliant with the contractual conditions or the generating events have occurred at all. Any undue payment made to the final beneficiaries, may be recovered by the contracting authority up to the amount of the simplified cost options.

c) Method to determine and update the amounts :

Amounts will be determined by reference to statistical data, factual information or similar objective means, and/or to the historical data of each beneficiary.

d) No-profit and co-financing principles and absence of double financing:

Grant applicants will need to explain the methods proposed to calculate the amounts of unit costs, lump sums and/or flat-rates, to which costs they refer, and clearly explain all formulas for calculation of the final eligible amount.

2.4. MAJOR PROJECTS

(1) DEFINITIONS AND THRESHOLD

A Major Project comprises a series of works, activities or services and is intended, in itself, to accomplish a definite and indivisible task of a precise economic or technical nature, which has clearly identified goals and whose total cost exceeds EUR 30 million as defined in the Framework Agreement for IPA II between the Commission and the Government of Turkey.

The calculation of the threshold is based on an assessment of the overall allocations (three years) to a given sector of the IPA II beneficiary.

(2) INDICATIVE LIST OF MAJOR PROJECTS

Main list	Reserve list
Action 1 - Water	
<ul style="list-style-type: none"> o Erzurum Drinking Water Supply Project 	<ul style="list-style-type: none"> o Yüksekova Integrated Water Project o Şırnak Integrated Water Project o Rize Integrated Water Project o Giresun Integrated Water Project o Iğdır Integrated Water Project o Niksar Integrated Water Project o Kırıkhan Integrated Water Project o Kastamonu Integrated Water Project

	<ul style="list-style-type: none"> ○ Bandırma Integrated Water Project ○ Çankırı Integrated Water Project
Action 2 – Waste	
<ul style="list-style-type: none"> ○ Ordu Integrated Waste Management Project ○ Elbistan Integrated Waste Management Project 	<ul style="list-style-type: none"> ○ Siverek Integrated Waste Management Project ○ Hakkari Integrated Waste Management Project ○ Viranşehir & Ceylanpınar Integrated Waste Management Project ○ ÇOKAB Integrated Waste Management Project ○ Bodrum Integrated Waste Management Project

3 BUDGET

MULTI-ANNUAL INDICATIVE BUDGET TABLE FOR THE SECTOR OPERATIONAL PROGRAMME IN ENVIRONMENT AND CLIMATE ACTION

	2014			2015			2016			Total EU Contribution	
	where applicable	where applicable		where applicable	where applicable		where applicable	where applicable		Indirect Management with the Operating Structure	Indirect Management with other institutions to be signed in 2015
	EU Contribution	IPA II beneficiary Co-financing	Total expenditure	EU Contribution	IPA II beneficiary Co-financing	Total expenditure	EU Contribution	IPA II beneficiary Co-financing	Total expenditure		
Action 1 Water	31 370 000	5 540 000	36 910 000	13 100 000	2 310 000	15 410 000	22 950 000	4 050 000	27 000 000	60 420 000	7 000 000 (EIB)
Action 2 Waste	0	0	0	26 290 000	4 640 000	30 930 000	49 730 000	8 780 000	58 510 000	73 020 000	3 000 000 (EIB)
Action 3 Environmental Management for Sustainable Development	1 490 000	260 000	1 750 000	25 000 000	4 410 000	29 410 000	11 960 000	2 110 000	14 070 000	13 450 000	25 000 000 (World Bank)
TOTALS	32 860 000	5 800 000	38 660 000	64 390 000	11 360 000	75 750 000	84 640 000	14 940 000	99 580 000	146 890 000	35 000 000

Total EU Contribution	181,890,000.00
Total IPA II beneficiary co-financing	32,100,000.00
Total programme	213,990,000.00

4 IMPLEMENTATION MODALITIES AND GENERAL RULES FOR PROCUREMENT AND GRANT AWARD PROCEDURES

INDIRECT MANAGEMENT:

Part of this programme shall be implemented through indirect management by Turkey in accordance with Article 58(1)(c) of the Financial Regulation and the corresponding provisions of its Rules of Application.

Part of this programme shall be implemented by indirect management with entrusted entities other than the IPA II beneficiary in accordance with Article 58(1)(c) of the Financial Regulation and the corresponding provisions of its Rules of Application.

The general rules for procurement and grant award procedures shall be defined in the Financing Agreement and the relevant delegation agreements between the Commission and the entrusted entity implementing such action.

5 PERFORMANCE MONITORING ARRANGEMENTS

As part of its performance measurement framework, the Commission shall monitor and assess progress towards achievement of the specific objectives set out in the IPA II Regulation on the basis of pre-defined, clear, transparent measurable indicators. The progress reports referred to in Article 4 of the IPA II Regulation shall be taken as a point of reference in the assessment of the results of IPA II assistance.

The Commission will collect performance data (process, output and outcome indicators) from all sources, which will be aggregated and analysed in terms of tracking the progress versus the targets and milestones established for each of the actions of this programme, as well as the Country Strategy Paper.

In the specific context of indirect management by IPA II beneficiaries, National IPA Coordinators (NIPACs) will collect information on the performance of the actions and programmes (process, output and outcome indicators) and coordinate the collection and production of indicators coming from national sources.

The overall progress will be monitored through the following means: a) Result Orientated Monitoring (ROM) system; b) IPA II Beneficiaries' own monitoring; c) self-monitoring performed by the EU Delegations; d) joint monitoring by the Commission and the IPA II Beneficiaries, whereby the compliance, coherence, effectiveness, efficiency and coordination in implementation of financial assistance will be regularly monitored by an IPA II Monitoring committee, supported by Sectoral Monitoring committees, which will ensure a monitoring process at sector level.