

## Project Fiche – IPA decentralised National programmes

### **1. Basic information**

**1.2 Title:** Implementation of Export and Import of Dangerous Chemicals Regulation

**1.3 ELARG Statistical Code:** Environment

**1.4 Location:** TURKEY

### **Implementing arrangements:**

#### **1.5 Implementing Agency:**

The Central Finance and Contracts Unit (CFCU) will be Implementing Agency and will be responsible for all procedural aspects of the tendering process, contracting matters and financial management, including payment of project activities. The director of the CFCU will act as Programme Authorizing Officer (PAO) of the project. The contact details of the CFCU Director are given below.

Mr. Muhsin ALTUN (PAO-CFCU Director)

Central Finance and Contracts Unit

Tel: +90 312 295 49 00

Fax: +90 312 286 70 72

e-mail: [pao@cfcu.gov.tr](mailto:pao@cfcu.gov.tr)

Address: Eskişehir Yolu 4.Km. 2.Cad. (Halkbank Kampüsü) No:63 C-Blok 06580

Söğütözü/Ankara TURKEY

#### **1.6 Beneficiary (including details of SPO):**

Ministry of Environment and Urbanization (MoEU) (as its former name Environment and Forestry)

Official contact details:

Sedat KADIOĞLU, Deputy Undersecretary of Ministry of Environment and Urbanization

Ministry of Environment and Urbanization

Address: Vekaletler Caddesi, No:1 Kızılay/ANKARA

Tel : +90 312 4101372

Fax : +90 312 4178719

e-mail: [sedat.kadioglu@csb.gov.tr](mailto:sedat.kadioglu@csb.gov.tr)

**1.7 Overall cost (VAT excluded)<sup>1</sup>:** 1 000 000 EUR

**1.8 EU contribution:** 950 000 EUR in line with the Financing Proposal

**1.9 Final date for contracting:** 2 years after the signature of the Financing Agreement.

**1.10 Final date for execution of contracts:** 3 year following the final date for contracting

**1.11 Final date for disbursements:** 1 year after the end date for the execution of contracts

## **2. Overall Objective and Project Purpose**

### **2.1 Overall Objective:**

To protect human health and the environment from potential harm of certain hazardous chemicals subjected to international trade by promoting shared responsibility and cooperative efforts in the international movement of hazardous chemicals with contributing the environmentally sound management, use and trade of hazardous chemicals concerned.

### **2.2 Project purpose:**

To establish the necessary capacity for effective management of chemicals in Turkey, in order to prevent harmful environmental impact and in line with the EU's legislation on chemicals (Export and Import of Dangerous Chemicals Regulation no 689/2008/EC) at national level taking into account social and economic impacts.

### **2.3 Link with NP/NPAA/EP/SAA/Progress Report**

Negotiating Position of The Republic of Turkey, 13 November 2009  
Chapter 27-Environment:

“Export notification mechanism will be established in Turkey with the implementation of Rotterdam Convention .When such a procedure is established, the implementation of the EC Regulation 689/2008 in Turkey shall be more efficient. A project is being planned to be submitted to IPA 2011 Programme to strengthen institutional capacity required in the Convention and the Regulation. The new DNAs and the authorities to control import and export of the chemical substances mentioned in Annex I of Regulation 689/2008 will be identified until 31 December 2012. Implementation of Rotterdam Convention and establishment of counselling mechanism to serve exporters will be possible on 31 March 2013. Implementation of efficient inspection and sanction systems shall be ensured until 31 December 2014. All these time schedule depends on the ratification date of Rotterdam Convention.

Turkey is planning to rearrange import and export notification mechanism by the end of 2015 regarding the Regulation 689/2008 in the framework of the planned IPA Project. This mechanism will be in use by the accession date. The European Database on Export and Import (EDEXIM) system is the joint system used by Member States and is a very important tool for the implementation of the Regulation. In order to implement the Regulation 689/2008 by the accession date, Turkey should be included to EDEXIM before accession in order to establish the necessary system.”

Turkey 2010 Progress Report, Environment:

“There has been some progress in the field of chemicals. Legislation on biocidal products was adopted. The capacity is insufficient for effective implementation.

Conclusion:

Overall, progress was made towards further alignment. Preparations in the field of environment are at an early stage. Turkey has made good progress on waste management whereas limited progress can be reported on horizontal legislation, air and water quality, industrial pollution, chemicals and administrative capacity.”

Screening Report Turkey, Chapter 27-Environment:

“Turkey’s level of alignment with the chemicals acquis is low. Substantial work is required to reach full alignment. With regard to the Regulation (EC) No 304/2003 on import and export of dangerous chemicals, Turkey informed that MoEU has the leading role in implementation of the regulation and co-ordination of work of other administrative bodies. The Ministry of Labour and Social Security is in charge of controls on asbestos fibers imports, whereas Ministry of Food, Agriculture and Livestock (MoFAL) and the Ministry of Health share the responsibility for controls on pesticides and similar products. Market surveillance is carried out in line with the provisions of the Law on Environment, the By-law on Dangerous Chemicals and the Communiqué on Safety Data Sheet. According to the information provided, Turkey signed the Rotterdam Convention in 1998, whereas the ratification will follow after the establishment of the legal framework and other necessary arrangements related to the acquis on dangerous chemicals.”

### **NPAA priority**

The Turkish Government approved National Programme published in Official Gazette of the Republic of Turkey dated 31 December 2008 numbered 27097(5.Bis.) for the Adoption of the Acquis (NPAA). One of the main priorities within the NPAA includes the development of detailed rules and principles on import and export of dangerous chemicals regarding Regulation (EC) No. 689/2008 after 2011.

## **2.4 Link with MIPD**

Turkey MIPD 2011-2013 “Environment and Climate Change sector.

Sector Objectives for EU support over next three years:

The objective in this sector is for Turkey to fully comply with EU environmental and climate change legislation upon accession requiring adoption of all relevant Directives and legislation, including the necessary investments.

This project responds to the following Indicator to measure developments towards these objectives include, inter alia:

- Effective management of chemicals in order to prevent harmful environmental impact and in line with the EU’s legislation on chemicals.

## **2.5 Link with National Development Plan (where applicable)**

Ninth Development Plan (2007-2013) designed as the basic strategy document that would contribute to the EU accession process approved by Turkish Grand National Assembly on 28.06.2006 with Law No: 877:

“10. Natural resources, cultural assets and the environment will be protected considering the future generations, as well.

52. The necessary administrative capacity will be set up for the effective implementation of the legal arrangements for harmonization and the problems arising from implementation will be identified and eliminated

54. Effective measures will be taken in order to educate the work force required for new duties and responsibilities. In this context, the number of qualified public sector personnel will be increased and necessary steps will be taken for continuous training of the existing personnel.

454. Fulfillment of international obligations will be realized in the framework of the principle of sustainable development and the principle of common but differentiated responsibility.

474. Training and informing activities for public will be realized to increase the environmental consciousness.

671. Cooperation and partnerships among public institutions and organizations, private sector and the NGOs will be supported and information exchange will be encouraged by setting up cooperation networks.”

## **2.6 Link with sector strategies and national/sectoral investment plans (where applicable)**

According to “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” submitted to the commission in September 2009:

“Turkey is aware of the Regulation EC/689/2008 has priority and it is independent from ratification of the Rotterdam Convention. Bearing in mind the one of the objectives of this Regulation is to implement the Rotterdam Convention, as stated in this document and as well as in the Turkish National Programme, Turkey is planning to implement the Regulation afterwards the Ratification of the Convention by Turkey.

In current situation, there is no export notification mechanism established in Turkey. Such a procedure should be implemented to comply with the Rotterdam Convention. When such a procedure is established, the implementation of the EC Regulation No. 689/2008 in Turkey shall be more efficient. Turkey needs a Technical Assistance to provide necessary technical infrastructure to implement the Convention and the Regulation.”

## **3. Description of project**

### **3.1 Background and justification:**

The European Parliament and Council Regulation 689/2008/EC on “Export and Import of Dangerous Chemicals” is an implementing legislation of the UN “Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade” entered into force in 2004.

The objectives of this Regulation are to implement the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade; to promote shared responsibility and cooperative efforts in the international movement of hazardous chemicals in order to protect human health and the environment from potential harm; and to contribute to their environmentally sound use.

In Turkey, during the interim implementation stage of Rotterdam Convention and while responding the notifications received from the EU and other parties of the Convention, Designated National Authorities (DNAs) have been designated. The Ministry of Environment and Urbanization (MoEU) is DNA for Industrial and Consumer Products and Pesticides (CP), the Ministry of Health and Ministry of Food, Agriculture and Livestock (MoFAL), and are DNAs for the Pesticides (P).

The Convention has been signed by Ministry of Environment and Urbanization in 1998, but has not been ratified yet. According to the sub-paragraph (i) of Article 3 of the Law on Environment No. 2872 (Official Gazette: 11 August 1983, no18132) "Required technical, administrative, financial, and legal arrangements pursuant to fulfillment and utilization of national rights and obligations arising from international conventions to which we have become the party for the solution of regional and global environmental problems shall be fulfilled under the coordination of Ministry", the studies concerning Rotterdam Convention are fulfilled under the coordination of Ministry of Environment and Urbanization.

The studies for ratification of the Convention by Turkish side have been started since the beginning of the year 2009. The date of Ratification of the Rotterdam Convention by the Turkish side is foreseen as the end of the year 2012.

Turkey is aware of the Regulation EC/689/2008 having priority and it is independent from ratification of the Rotterdam Convention. Bearing in mind the one of the objectives of this Regulation is to implement the Rotterdam Convention, as stated in this document and as well as in the Turkish National Programme, Turkey is planning to implement the Regulation afterwards the Ratification of the Convention.

In the ratification process, Turkey shall re-designate one or more national authorities that shall be authorized to act based on the administrative functions required by the Rotterdam Convention. This issue is important, because the new DNAs shall be the competent authority for the EC Regulation No. 689/2008.

When the chemicals listed in the Annex III of the Convention, when exported; they need to be labeled subject to labelling requirements that ensure adequate availability of

information with regard to risks and/or hazards to human health or the environment, taking into account relevant international standards. With respect to the chemicals used for occupational purposes, when an export takes place, safety data sheets shall be required, follow an internationally recognized format, setting out the most up-to-date information available. For these purposes, the By-law on "the Classification, Packaging and Labelling of Dangerous Substances and Preparations" (transposes EC Directives No 67/548 and 99/45) and the By-law on "Compilation and Distribution of Safety Data Sheet" (transposes EC Directive No. 91/155) were published (Official Gazette: 26 December 2008, 27092).

The "Communiqué on Standardization of Foreign Trade Concerning The Environmental Protection of The Import of Chemicals Under Control", which has been published yearly by the Ministry of Economy to control the import of some of the chemicals which are substances given in the Annex of the Regulation. In this scope, Chemical Substance Import Certificate is issued to the importers for the period of one year, and thus the information regarding imported chemical substances are ensured to be communicated to the Ministry of Environment and Urbanization. In addition, the "Communiqué on the Standardization in Foreign Trade Regarding Import of the Products" which are subject to the inspection of the Ministry of Food, Agriculture and Livestock", the "Communiqué on the Standardization in Foreign Trade Regarding Import of the Products" which are subject to the Inspection of the Ministry of Health and "Communiqué on Import of Certain Substances which affect worker's health and safety" have been published yearly by the Ministry of Economy.

Certification, import, export, production, sale, and control services of plant protection products are carried out by the Ministry of Food, Agriculture and Livestock in frame of the Law on Agricultural Combat and Agricultural Quarantine No. 6968 (Official Gazette: 24 May 1957, 9615). Draft "By-law Regarding Supply of Plant Protection Products" has been prepared to transpose the Council Directive 91/414/EEC on the marketing and control of plant protection products. This draft By-law is expected to be published in the end of 2010.

The Ministry of Health prepared a draft By-law on Biocidal Products which transposes the Directive 98/8/EC. This draft By-law was published in the beginning of 2010.

The Ministry of Customs and Trade is the responsible institution for ensuring of authorization of all exports and preventing the illegal international trafficking.

In current situation, there is no export notification mechanism established in Turkey. Such a procedure should be implemented to comply with the Rotterdam Convention. When such a procedure is established, the implementation of the EC Regulation No. 689/2008 in Turkey shall be more efficient.

Regarding to the points mentioned above, Turkey needs a Technical Assistance to provide necessary technical infrastructure to implement the Convention and the Regulation. This project will provide institutional and technical capacity building by trainings that will be given to the relevant staff of MoEU with line ministries and other institutions will facilitate the import and export mechanism of dangerous chemicals and will also increase the efficiency of the implementation of the Regulation.

In addition to above explanations, implementation of the said Regulation and the Convention needs practical applications like customs controls or operating the export notification mechanism. In the implementation phase of the Regulation, most of the Member States had difficulties due to lack of previous experience on the above mentioned issues. Therefore, the Turkish National Authorities on Chemicals, Customs and Trade should experience the relevant applications of EU on-site by practicing the real situations and application conducted by relevant institutions of EU. For this reason, the submitted project shall include study visits (calculated as 110 man-day) to certain EU Member States, Customs and relevant institution body of European Commission.

MoEU shall ensure that five staff member of the Chemicals Management Department of MoEU working full-time in this project.

### **3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact (where applicable)**

#### **Project Impact:**

The project is expected to produce several outcomes:

- 1- Effective implementation of the Rotterdam Convention will be achieved,
- 2- Required institutional arrangement for the implementation of EU Regulation on Export and Import of Dangerous Chemicals will be determined and institutional capacity will be enhanced to implement the EU Regulation on Export and Import of Dangerous Chemicals,
- 3- Requirements for full accessing and using the European Database for Export and Import of Dangerous Chemicals (EDEXIM) will be completed by Turkish Side,
- 4- Public awareness will be increased about the dangerous chemicals,
- 5- Effective control of import and export of dangerous chemicals in customs will be achieved, and therefore illegal traffic of these substances will be prevented,
- 6- Guidelines for especially Designated National Authorities, exporters and importers will be prepared,
- 7- Awareness on import and export of dangerous chemicals will be raised by workshops and seminars,

#### **Catalytic Effects:**

- 1- The effective customs control of chemicals other than substances in scope of the related regulation will be achieved,
- 2- Effective management of chemicals in order to prevent harmful environmental impact and in line with the EU's legislation on chemicals,
- 3- Public health will be improved.
- 4- Public awareness on dangerous chemicals will be raised.

**Sustainability:**

Sustainability of the project outcomes will be provided by the implementation of the EU Regulation on Export and Import of Dangerous Chemicals. The continuing studies towards further increasing the implementation capacity at regional levels are foreseen to be undertaken by both utilizing national resources and through a new IPA project. Sustainability will also be in the form of improved capacity, including the infrastructure of the Turkish Government for implementation of the environmental *acquis*. Training of trainers activities will also be important element for sustainability.

**Cross-border Impact:**

In the current situation, Turkey is responding the Export Notifications sent by EU voluntarily. Within this project, Turkey will establish export notification mechanism that would give opportunities to send and receive the notifications bilaterally with EU Member States.

The effective control of certain hazardous chemicals covered by both Rotterdam Convention and Regulation No 689/2008/EC will be achieved at the customs. Therefore, illegal international movement of these chemicals will be prevented accordingly.

By taking into account the outputs of the project, the national authorities of the third countries (Non-EU Countries that Turkey is exporting chemicals covered in this Regulation) will be informed by Turkey about the health and environmental risks of these dangerous chemicals. Therefore, they would be encouraged to establish their own national decision making process on their import and export mechanism and chemical management measures for these dangerous chemicals.

**3.3 Results and measurable indicators**

**Results 1:** Required institutional arrangement for the implementation of EU Regulation on Export and Import of Dangerous Chemicals will be determined. The institutional capacity for effective implementation of the Rotterdam Convention and EU Regulation on Export and Import of Dangerous Chemicals will be enhanced.

***Measurable indicators are;***

- By the end of the project, competent authorities and their roles will be defined By the end of the project, in 7 (seven) different trainings, capacity of 210 experts will be enhanced on implementation of the Regulation on Export and Import of Dangerous Chemicals,
- By the end of the project, 2 x 100 copies of guidelines will be used for increasing the resource capacity of MoEU and relevant institutions.
- By the end of the project, in 1 (one) training capacity of 40 experts will be enhanced on the preparation of Regulatory Impact Assessment (RIA) and Legislative Gap Analysis (LGA).
- By the end of the project the RIA and LGA will be prepared.
- By the end of the project a draft By-law will be prepared.



(Above mentioned indicators will be verified from progress reports and final report of the project, declarations of the related institutions and project reports.)

**Result 2:** Requirements for full accessing and using the European Database for Export and Import of Dangerous Chemicals (EDEXIM) will be completed by Turkish Side *Measurable indicators are;*

- By the end of the project, in 1 (one) training capacity of 30 experts will be enhanced on the use of and access to EDEXIM.
- By the end of the project, total of 22 experts will examine the experience of the Designated National Authority (DNA) of a EU Member State, examine the experience of the Health and Consumer Protection in Joint Research Centre of European Commission who has the central role among EU to conduct relevant works towards Rotterdam Convention and said Regulation and examine the experience of the Customs' Role towards the Regulation by 3 distinguished study visits to relevant institutions of EU.

(Above mentioned indicators will be verified from missions' reports of the experts who will be joined to study visits.)

**Result 3:** The institutional capacity for effective control of import and export of dangerous chemicals in customs will be enhanced.

*Measurable indicators are;*

- By the end of the project, in 3 (three) different training capacity of 120 experts will be enhanced for effective control of import and export of dangerous chemicals in customs,

(Above mentioned indicators will be verified from progress reports and final report of the project, declarations of the related institutions and project reports.)

**Result 4:** Awareness of exporters on import and export of dangerous chemicals will be raised by workshops, seminars and pilot studies.

*Measurable indicators are;*

- By the end of the project, in 1 (one) workshop, 50 representatives of exporters' associations will be informed. A guideline will be published for the exporters regarding Export Notification and Explicit Consent procedures and Draft By-law.
- By the end of the project, 1 (one) guideline will be published and 200 (two hundreds) copies of the guideline will be distributed to exporters' associations.
- By the end of the project, 2 (two) pilot studies will be conducted.

### **3.4 Activities:**

**Activity Set 1:** Required institutional arrangement for the implementation of EU Regulation on Export and Import of Dangerous Chemicals will be determined. Trainings, preparation of guidelines and draft By-law, RIA and LGA analysis will be carried out for enhancing the institutional capacity for effective implementation of the Rotterdam Convention and EU Regulation on Export and Import of Dangerous Chemicals.

### **Activity 1.1**

- Assessment of the institutional structures in field of chemicals and existing procedural arrangements prepared
- Competent authorities and their roles/responsibilities defined
- SWOT analysis prepared
- Recommendation for additional capacity needed for implementation prepared
- New or additional procedural arrangements developed.

Training activities (total of 7 trainings) on the following items:

- Training on the missions, responsibilities and duties of the Designated National Authorities with the participation of 30 experts.
- Training on the procedures of the Export Notification, Explicit Consent, and notification of banned or severely restricted chemicals under the Rotterdam Convention and Prior Informed Consent (PIC) Notification with the participation of 30 experts.
- Training on the chemicals subject to export notification, chemicals qualifying for PIC Notification and chemicals subject to the PIC Procedure with the participation of 30 experts.
- Training on the obligations participation of the Member States and Community in the Rotterdam Convention with the participation of 30 experts.
- Training on the information on export and import of chemicals and information to be transmitted to the Convention Secretariat concerning banned or severely restricted chemicals not qualifying PIC Notification with the participation of 30 experts.
- Training on the information on transit movements and information to accompany exported chemicals with the participation of 30 experts.
- Training on the exchange of information, technical assistance, monitoring and reporting with the participation 30 experts.

**Activity 1.2.** Two guidelines will be published for the Designated National Authorities (Communication from the Commission Technical Guidance Notes for Implementation of Regulation (EC) No 689/2008) and other relevant institutions regarding the submission procedures of Final Regulatory Actions and Final Import Decisions to the Convention Secretariat.

### **Activity 1.3.** Activities related to RIA and LGA

- Training on the preparation of the RIA and LGA with the participation 40 experts.

- Preparation of the RIA and LGA.

**Activity 1.4** A draft By-law in line with the Regulation for the pre-accession period will be prepared by MoEU and other line ministries and relevant institutions with the help of project team.

**Activity Set 2:** Training and study visits will be carried out for accessing and using of European Database for Export and Import of Dangerous Chemicals (EDEXIM).

- Training on the use and access of EDEXIM by Designated National Authorities, Customs personnel and exporters with the participation 30 experts.
- 1 study visit to one of the EU Member States Designated National Authorities (DNAs) with the participation 6 experts.
- 1 study visit to Institute for Health and Consumer Protection in Joint Research Centre of European Commission with the participation 10 experts.
- 1 study visit to one of the EU Member States' Customs with the participation 6 experts.

**Activity Set 3:** Trainings will be carried out for enhancing the effective control of import and export of dangerous chemicals in customs.

Training on the obligations in relation to imports and exports of chemicals, obligations of the authorities of the Member States for controlling imports and exports of certain chemicals and articles containing chemicals with the participation 30 experts.

- Training on effective control of import and export of dangerous chemicals with the participation 40 experts.
- Training on preparation of inventory for exported and imported dangerous chemicals with the participation 40 experts.

**Activity Set 4:** Workshops and pilot studies will be carried out and guideline will be prepared for awareness raising on import and export of dangerous chemicals.

- Workshop on the obligations of the exporters defined under the Regulation with the participation 50 representatives of exporters' associations.
- With the participation 50 representatives of exporters' associations a workshop will be conducted on the prepared draft By-law in line with the Regulation for the pre-accession period.
- A guideline will be published for the exporters regarding Export Notification and Explicit Consent procedures.
- Two pilot studies will be conducted with selected exporters to test the export procedure established within the project.

### **3.5 Conditionality and sequencing:**

The tender for this project can be launched on the condition that, by submitting a formal Declaration of Assurance to the PAO, showing that at least four staff of the Chemicals Management Department of the Beneficiary are full-time responsible for this project, including the tender preparation phase and technical implementation and monitoring of the contract.

### **3.6 Linked activities:**

#### **TAIEX Workshop:**

A workshop was organized on the subject of Export and Import of Dangerous Chemicals Regulation (689/2008/EC) by means of TAIEX on 6-7 November 2008 in Ankara Turkey. The aim of the workshop was to take in hand the functioning of the EC Regulation No. 689/2008/EC concerning the export and import of dangerous chemicals in line with Rotterdam Convention and to share Turkey's preparations and to discuss the next steps to be taken for Turkey regarding harmonization of this Regulation as well as other related EU legislation on chemicals.

#### **REACH Project:**

REACH Chemicals Project was submitted in scope of IPA Financial Assistance Instrument 2008 Programming with the purpose of implementation of REACH Regulation and strengthening the chemicals management in Turkey. The Project is envisaged to start in the fourth quarter of 2011.

The "Export and Import Regulation" has close connections with the related EU chemicals' legislation. For instance, in the article 16 of the Regulation "Information to accompany exported chemicals" there are important provisions referring the restricting/banning and safety data sheets provisions of REACH Regulation about the dangerous chemicals. Therefore, Export and Import of Dangerous Chemicals Regulation (689/2008/EC) would be affected by REACH Regulation and outputs of REACH Chemicals Project.

#### **Biocidals Directive Project:**

The scope of the Biocides Directive is very wide, covering 23 different product types like e.g. disinfectants, chemicals used for preservation of products and materials, non-agricultural pesticides and anti-fouling products used on hulls of vessels.

There is a close linkage of the Biocides Directive with the relevant Directives in the field of chemicals, plant protection products (PPP Directive), food additives, drugs and cosmetics.

A wide range of biocidal products is being used in Turkey. Some of these biocides may be harmful for public health and/or for the environment. Import, production and inspection procedures of biocides and pesticides are not on the required level, which is causing direct health risks. Besides this the current situation as regards biocides and pesticides is not in accordance with the acquis.

The import, production and inspection procedures of pesticides and other such substances used in the field of Public Health are currently run by the Ministry of Health, Primary Health Care. General Directorate based on the Public Hygiene Law no.1593, the Foodstuffs Regulation and on a notice served upon the basis of each. The principle analyses relating to permits and market surveillances concerned are carried out by the Refik Saydam Hygiene Center. The application form attached to this notice does not address the administrative and technical needs. It is crucial that a new Legislation relating to such substances and products, directly concerned with human and public health, is drawn up and put into force.

In Turkey, all arrangements concerning the manufacture, import, export and sales of all pesticides for agricultural use as defined under the Agricultural Struggle and Animal Health, reside within the competence and responsibility of the Ministry of Food, Agriculture and Livestock. It should also be noted that the competent authority for the classification, packaging and labelling of dangerous chemicals is the Ministry of Environment and Urbanization. Therefore, Export and Import of Dangerous Chemicals Regulation (689/2008/EC) will affect and be affected by Biocides Directive and also the project on harmonisation of this directive.

### **3.7 Lessons learned:**

This project will be the first project regarding the Export and Import of Dangerous Chemicals Regulation. An effective implementation and enforcement should be achieved while taking into account the current position of Turkey on the subject of export and import of dangerous chemicals.

The technical staff in the Ministry should work as active as the designated experts throughout the project. Trainings in scope of this project will help to improve technical and administrative capacity of the experts in the Ministry.

The translations of the documents and the interpretation of the trainings given by the foreign experts are indeed crucial, and the translation and the interpretation should be made by the qualified people. It is important to pay attention for the selection of the qualified people for translation of documents and interpretation of trainings. All people should be selected among experienced translators.

The close-cooperation with the stakeholders in the implementation of the project is the key aspect for the project success. A core-team will be established for better communication within the stakeholders. Each stakeholder will be represented in this team.

An e-mail list will be composed for this project. This e-mail list can also be used after the completion of the project in order to continue the information exchange.

#### 4. Indicative Budget (amounts in €)

*It is TW therefore co-financing should be 5 %*

ACTIVITIES			TOTAL EXP.RE		IPA COMMUNITY CONTRIBUTION		SOURCES OF FUNDING					PRIVATE CONTRIBUTION	
	IB	INV	EUR	EUR	EUR	%	Total	%	Central	Regional/	IFIs	EUR	%
	(1)	(1)	(a)=(b)+(e)	(b)=(c)+(d)	(c)	(2)	EUR (d)=(x)+(y)+(z)	(2)	EUR (x)	Local/ EUR (y)	EUR (z)	EUR (e)	(3)
Activity 1- 4													
	TOTAL IB		1 000 000	1 000 000	950 000	95	50 000	5	50 000				
	TOTAL INV		-	-	-	-	-	-					
	<b>TOTAL PROJECT</b>		1 000 000	1 000 000	950 000	<b>95</b>	50 000	<b>5</b>					

NOTE: DO NOT MIX IB AND INV IN THE SAME ACTIVITY ROW. USE SEPARATE ROW

Amounts net of VAT

(1) In the Activity row use "X" to identify whether IB or INV

(2) Expressed in % of the **Public** Expenditure (column (b))

(3) Expressed in % of the **Total** Expenditure (column (a))

1

The Turkish authorities commit themselves to provide national co-financing according to the above provisions. The NAO will verify that co-financing has been provided in line with the above provisions before submitting requests for funds and final declarations adjusting payment requests to the above ratio as necessary.

For Twinning contracts joint co-financing will be provided to cover 10% of the cost of the Twinning contract. Additional parallel co-financing will be provided in order to cover costs of the activities not eligible for IPA support in line with the Twinning Manual.

In the context of beneficiary staff participating in missions outside of Turkey paid for under a contract, the maximum amounts eligible for accommodation costs and daily allowances ("per diems") are the official rates provided for by EuropeAid for the destination country (see website for the latest rate). Provided the total cost of daily allowance and accommodation charged to the contract remains below these maximum rates, the applicable Turkish rules and regulations for per diems shall be applied when reimbursing these costs for public servants from the beneficiary institutions. Where a contract foresees the reimbursement of such expenses for Turkish public servants and other beneficiaries of IPA projects during missions inside of Turkey, the maximum costs reimbursed under the contract will be those provided for domestic missions under the applicable Turkish legislation provided that they are subject to the same ceiling for maximum rates. This provision cannot be construed and applied in contradiction with the IPA Framework Agreement and in particular the IPA Implementing Regulation.

**5. Indicative Implementation Schedule (periods broken down per quarter)**

Contracts	Start of Tendering	Signature of contract	Contract Completion
Contract 1.1	IQ 2012	IIQ 2012	IIQ 2014

Duration of the project: 24 months

All projects should in principle be ready for tendering in the 1<sup>st</sup> Quarter following the signature of the FA. Tender dossier will be drafted by the beneficiary.

**6. Cross cutting issues (where applicable)**

**6.1 Equal Opportunity**

Gender equality and equal opportunity will be taken into consideration during the project implementation. Equal participation of women and men will be secured through appropriate information and publicity material. An appropriate men/women balance will be sought in all activities of this project. Women/girls will not be negatively affected by the project activities.

## **6.2 Environment**

The Project itself is focused on the achievement of long-term environmental improvements in Turkey. The Project itself will probably not have any adverse environmental impacts, other than those due to normal activities (e.g. transport). Nevertheless, as an example to others and as a matter of principle, the environmental impact of activities must be minimised as far as possible, e.g. by conserving paper.

## **6.3 Minority and vulnerable groups**

According to the Turkish Constitutional System, the word minorities encompass only groups of persons defined and recognized as such on the basis of multilateral or bilateral instruments to which Turkey is a party.

This project has no negative impact on minority and vulnerable groups. Environmentally vulnerable groups are the parties who are most affected by the increase of environmental pollution and degradation of environmental quality. The project aims to increase environmental quality and will have highly positive effect on the life quality of vulnerable groups such as infants, youngsters, the elderly, and people whose immune systems are suppressed typically more susceptible to many kinds of pollutants, especially persistent organic pollutants.

Additionally; it will be assured that vulnerable groups such as disabled people will be fully involved in this project and will not be excluded in whatever form.

## **6.4 Civil Society/Stakeholder involvement**

NGOs such as exporters' and importers' unions/associations and chemical manufacturers' associations/unions will be informed about the project and their comments on finalization of it will be taken into consideration.

In addition, all relevant institutions below will take active role during project;

- The Ministry of Health
- The Ministry of Food, Agriculture and Livestock
- The Ministry of Science, Industry and Technology
- The Ministry of Economy
- The Ministry of Customs and Trade



ANNEX 1: Logical framework matrix in standard format

<b>LOGFRAME PLANNING MATRIX FOR Project Fiche</b>	<b>Programme name and number</b> Implementation of Export and Import of Dangerous Chemicals Regulation	
	Contracting period: 2 years after the signature of the Financing Agreement.	Disbursement period: 3 years following the final date for contracting
	<b>Total budget : 1 000 000</b>	<b>IPA budget: 950 000Euro</b>

<b>Overall objective</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	
To protect human health and the environment from potential harm of certain hazardous chemicals subjected to international trade by promoting shared responsibility and cooperative efforts in the international movement of hazardous chemicals with contributing the environmentally sound management, use and trade of hazardous chemicals concerned.	<ul style="list-style-type: none"> <li>- By the end of the project, considerable progress will have been recorded by EU regarding management of the environmental impacts of import and export of dangerous chemicals.</li> <li>- By the end of the project, the capacities of 6 (six) Public Institutions and minimum 2 (two) NGOs will be increased by 50% about effective implementation of Export and Import of Dangerous Chemicals Regulation no 689/2008/EC in Turkey.</li> </ul>	<p>Commission progress reports on Turkey.</p> <p>Agreed document</p> <p>Workshop Reports</p> <p>Related web pages</p> <p>Monitoring data</p> <p>Training activity records</p> <p>Training Documents</p> <p>Education documents</p> <p>Progress reports</p> <p>Project reports</p> <p>Final report of the project</p> <p>Mission reports</p> <p>Participant certificates and/or signature list</p>	

		Environmental Sustainability Index	
<b>Project purpose</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>
To establish the necessary capacity for effective management of chemicals in Turkey, in order to prevent harmful environmental impact and in line with the EU's legislation on chemicals (Export and Import of Dangerous Chemicals Regulation no 689/2008/EC) at national level taking into account social and economic impacts,.	<p>- By the end of the project, the 50 % institutional capacity for effective implementation of the Rotterdam Convention will be enhanced and requirements will be fulfilled to implement the EU Regulation on Export and Import of Dangerous Chemicals.</p> <p>- By the end of the project, 100 % access and use of European Database for Export and Import of Dangerous Chemicals (EDEXIM) will be experienced by stakeholders of Turkish Side.</p> <p>- By the end of the project, the 50 % institutional capacity for effective control of import and export of dangerous chemicals in customs will be enhanced.</p> <p>By the end of the project, awareness of exporters on import and export of dangerous chemicals will be raised 70 % by workshops, seminars and pilot studies.</p>	<p>Commission progress reports on Turkey.</p> <p>Workshop Reports</p> <p>Related web pages</p> <p>Monitoring data</p> <p>Training activity records</p> <p>Training Documents</p> <p>Education documents</p> <p>Progress reports</p> <p>Project reports</p> <p>Final report of the project</p> <p>Mission reports</p> <p>Participant certificates and/or signature list</p>	<ul style="list-style-type: none"> <li>• The Government of Turkey remains committed in order to continue political and economic stability and to access to the European Union;</li> <li>• Close collaboration and consensus between relevant environmental institutions and stakeholders in Turkey is maintained.</li> <li>• Ministerial staffs are assigned for training and they are open to and capable of developing new skills.</li> <li>• Governmental institutions are willing to access, exchange and use all related information.</li> </ul>
<b>Results</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>

<p><b>Results 1:</b> Required institutional arrangement for the implementation of EU Regulation on Export and Import of Dangerous Chemicals will be determined. The institutional capacity for effective implementation of the Rotterdam Convention will be enhanced and requirements will be fulfilled to implement the EU Regulation on Export and Import of Dangerous Chemicals.</p>	<ul style="list-style-type: none"> <li>- By the end of the project, competent authorities and their roles will be defined.</li> <li>- By the end of the project, in 7 (seven) different trainings, capacity of 210 experts will be enhanced on implementation of the Regulation on Export and Import of Dangerous Chemicals,</li> <li>- By the end of the project, 2 x 100 copies of guidelines will be used for increasing the resource capacity of MoEU and relevant institutions.</li> <li>- By the end of the project, in 1 (one) training capacity of 40 experts will be enhanced on the preparation of Regulatory Impact Assessment (RIA) and Legislative Gap Analysis (LGA).</li> <li>- By the end of the project the RIA and LGA will be prepared.</li> </ul> <p>By the end of the project a draft By-law will be prepared.</p>	<p>Report on the institutional, administrative and procedural arrangements  Training activity records  Training Documents  Progress reports  Final report of the project  Participant certificates and/or signature list  Draft By-law</p>	<ul style="list-style-type: none"> <li>• Trained staff of the Competent Authorities will stay present for dissemination of obtained knowledge and experience to colleagues;</li> <li>• The project results will be used by the Turkish authorities and end up on the bookshelf</li> <li>• Ministries at the entity level accept a wide stakeholder involvement.</li> <li>• The key stakeholders (e.g. Ministries and other local and regional institutions) fully support the implementation of the Chemicals Directives</li> <li>• There is good and close co-operation between the Twinning experts, the relevant ministries and institutions in Turkey and the chemical industry;</li> </ul>
---	---	--	---

<p><b>Result 2:</b> : Requirements for full accessing and using the European Database for Export and Import of Dangerous Chemicals (EDEXIM) will be completed by Turkish Side</p>	<ul style="list-style-type: none"> <li>- By the end of the project, in 1 (one) training capacity of 30 experts will be enhanced on the use of and access to EDEXIM.</li> <li>- By the end of the project, total of 22 experts will examine the experience of the Designated National Authority (DNA) of a EU Member State, examine the experience of the Health and Consumer Protection in Joint Research Centre of European Commission who has the central role among EU to conduct relevant works towards Rotterdam Convention and said Regulation and examine the experience of the Customs' Role towards the Regulation by 3 distinguished study visits to relevant institutions of EU.</li> </ul>	<p>Related web pages Monitoring data Mission reports</p>	<ul style="list-style-type: none"> <li>• Trained staff of the Competent Authorities will stay present for dissemination of obtained knowledge and experience to colleagues;</li> <li>• The project results will be used by the Turkish authorities and end up on the bookshelf</li> <li>• JRC and Member States Authorities visited at the entity level accept a wide stakeholder involvement.</li> <li>• The key stakeholders (e.g. Ministries and other local and regional institutions) fully support the implementation of the Chemicals Directives</li> <li>• The permission for the full access of the EDEXIM will be provided by the EU.</li> <li>• There is good and close co-operation between the Twinning experts, the relevant ministries and institutions in Turkey and the chemical industry;</li> </ul>
<p><b>Result 3:</b> The institutional capacity for effective control of import and export of dangerous chemicals in customs will be enhanced.</p>	<ul style="list-style-type: none"> <li>- By the end of the project, in 3 (three) different training capacity of 120 experts will be enhanced for effective control of import and export of dangerous chemicals in customs,</li> </ul>	<p>Training activity records Training Documents Participant certificates and/or signature list</p>	<ul style="list-style-type: none"> <li>• Trained staff of the Competent Authorities will stay present for dissemination of obtained knowledge and experience to colleagues;</li> <li>• The project results will be used by the Turkish authorities and end up on the bookshelf</li> <li>• Ministries at the entity level accept a wide stakeholder involvement.</li> </ul>

			<ul style="list-style-type: none"> <li>• The key stakeholders (e.g. Ministries and other local and regional institutions) fully support the implementation of the Chemicals Directives</li> <li>• There is good and close co-operation between the Twinning experts, the relevant ministries and institutions in Turkey and the chemical industry;</li> </ul>
<p><b>Result 4:</b> Awareness of exporters on import and export of dangerous chemicals will be raised by workshops, seminars and pilot studies.</p>	<ul style="list-style-type: none"> <li>- By the end of the project, in 1 (one) workshop, 50 representatives of exporters' associations will be informed. A guideline will be published for the exporters regarding Export Notification and Explicit Consent procedures and Draft By-law.</li> <li>- By the end of the project, 1 (one) guideline will be published and 200 (two hundreds) copies of the guideline will be distributed to exporters' associations.</li> <li>- By the end of the project, 2 (two) pilot studies will be conducted.</li> <li>-</li> </ul>	<p>Workshop Reports Guidelines Pilot studies' reports</p>	<ul style="list-style-type: none"> <li>• The project results will be used by the Turkish authorities and end up on the bookshelf</li> <li>• The key stakeholders (e.g. Ministries and other local and regional institutions) fully support the implementation of the Chemicals Directives</li> <li>• There is good and close co-operation between the Twinning experts, the relevant ministries and institutions in Turkey and the chemical industry;</li> </ul>
<b>Activities</b>	<b>Means</b>	<b>Costs</b>	<b>Assumptions</b>

<p><b>Activity 1.</b> Required institutional arrangement for the implementation of EU Regulation on Export and Import of Dangerous Chemicals will be determined. Trainings, preparation of guidelines and draft By-law, RIA and LGA analysis will be carried out for enhancing the institutional capacity for effective implementation of the Rotterdam Convention and EU Regulation on Export and Import of Dangerous Chemicals.</p> <p><b>Activity 1.1.</b></p> <ul style="list-style-type: none"> <li>• Assessment of the institutional structures in field of chemicals and existing procedural arrangements prepared</li> <li>• Competent authorities and their roles/responsibilities defined</li> <li>• SWOT analysis prepared</li> <li>• Recommendation for additional capacity needed for implementation prepared</li> <li>• New or additional procedural arrangements developed.</li> </ul> <p>Training activities on the following items:</p> <ul style="list-style-type: none"> <li>• Training on the missions,</li> </ul>	<p>1 x Twinning</p>	<p>Twinning</p> <p>1 000 000 Euros</p>	<ul style="list-style-type: none"> <li>• There will be interest from counterparts to cooperate with the project team</li> <li>• Other relevant institutions will be able to provide and sustain their staff</li> <li>• Staff will be released for training</li> <li>• There will be a willingness to cooperate with project team at provincial and local level</li> </ul>
--	---------------------	--	---

<p>responsibilities and duties of the Designated National Authorities with the participation 30 experts.</p> <ul style="list-style-type: none"> <li>• Training on the procedures of the Export Notification, Explicit Consent, and notification of banned or severely restricted chemicals under the Rotterdam Convention and Prior Informed Consent (PIC) Notification with the participation 30 experts.</li> <li>• Training on the chemicals subject to export notification, chemicals qualifying for PIC Notification and chemicals subject to the PIC Procedure with the participation 30 experts.</li> <li>• Training on the obligations participation of the Member States and Community in the Rotterdam Convention with the participation 30 experts.</li> <li>• Training on the information on export and import of chemicals and information to be transmitted to the Convention Secretariat concerning banned or severely restricted chemicals not qualifying PIC Notification with the participation 30 experts.</li> <li>• Training on the information on transit movements and information to accompany exported chemicals with the</li> </ul>			
---	--	--	--

<p>participation 30 experts.</p> <ul style="list-style-type: none"> <li>• Training on the exchange of information, technical assistance, monitoring and reporting with the participation 30 experts.</li> </ul> <p><b>Activity 1.2.</b> Two guidelines will be published for the Designated National Authorities (Communication from the Commission Technical Guidance Notes for Implementation of Regulation (EC) No 689/2008) and other relevant institutions regarding the submission procedures of Final Regulatory Actions and Final Import Decisions to the Convention Secretariat.</p> <p><b>Activity 1.3.</b> Activities related to RIA and LGA</p> <ul style="list-style-type: none"> <li>• Training on the preparation of the RIA and LGA with the participation 40 experts.</li> <li>• Preparation of the RIA and LGA.</li> </ul> <p><b>Activity 1.4</b> A draft By-law in line with the Regulation for the pre-accession period will be prepared by MoEU and other line ministries and relevant institutions with the help of project team.</p> <p><b>Activity 2.</b> Training and study visits will be</p>			
---	--	--	--



<p>carried out for accessing and using of European Database for Export and Import of Dangerous Chemicals (EDEXIM).</p> <ul style="list-style-type: none"> <li>• Training on the use and access of EDEXIM by Designated National Authorities, Customs personnel and exporters with the participation 30 experts.</li> <li>• 1 study visit to one of the EU Member States Designated National Authorities (DNAs) with the participation 6 experts.</li> <li>• 1 study visit to Institute for Health and Consumer Protection in Joint Research Centre of European Commission with the participation 10 experts.</li> <li>• 1 study visit to one of the EU Member States' Customs with the participation 6 experts.</li> <li>• <b>Activity 3.</b> Trainings will be carried out for enhancing the effective control of import and export of dangerous chemicals in customs. Training on the obligations in relation to imports and exports of chemicals, obligations of the authorities of the Member States for controlling imports and exports of certain chemicals and articles containing chemicals with the participation 30 experts.</li> </ul>			
---	--	--	--

<ul style="list-style-type: none"> <li>• Training on effective control of import and export of dangerous chemicals with the participation 40 experts.</li> <li>• Training on preparation of inventory for exported and imported dangerous chemicals with the participation 40 experts.</li> </ul> <p><b>Activity 4:</b> Workshops and pilot studies will be carried out and guideline will be prepared for awareness raising on import and export of dangerous chemicals.</p> <ul style="list-style-type: none"> <li>• Workshop on the obligations of the exporters defined under the Regulation with the participation 50 representatives of exporters' associations.</li> <li>• With the participation 50 representatives of exporters' associations a workshop will be conducted on the prepared draft By-law in line with the Regulation for the pre-accession period.</li> <li>• A guideline will be published for the exporters regarding Export Notification and Explicit Consent procedures.</li> <li>• Two pilot studies will be conducted with selected exporters to test the export procedure established within the project.</li> </ul>			
---	--	--	--

ANNEX II: amounts (in €) Contracted and disbursed by quarter for the project

(IPA contribution only)

<b>Contracted</b>	<b>1q/2012</b>	<b>2q/2012</b>	<b>3q/2012</b>	<b>4q/2012</b>	<b>1q/2013</b>	<b>2q/2013</b>	<b>3q/2013</b>	<b>4q/2013</b>	<b>1q/2014</b>	<b>Check</b>
Twinning Contract	EUR 950 000	0	0	0	0	0	0	0	0	EUR 950 000
<b>Cumulated</b>	EUR 950 000	EUR 900 000	EUR 900 000	EUR 900 000	EUR 900 000	EUR 900 000	EUR 900 000	EUR 900 000	EUR 900 000	EUR 900 000
<b>Disbursed</b>										
Twinning Contract	EUR 200 000	0	EUR 175 000	0	EUR 175 000	0	EUR 175 000	0	EUR 175 000	EUR 950 000
<b>Cumulated</b>	EUR 200 000	EUR 200 000	EUR 375 000	EUR 375 000	EUR 550 000	EUR 550 000	EUR 725 000	EUR 725 000	EUR 900 000	EUR 950 000

