

TURKEY'S PROGRESS IN CHAPTERS OPENED FOR NEGOTIATION

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Betam has recently published the general tableau showing comparatively the ongoing negotiations of Turkey and Croatia with European Union. Now we are taking a closer look at the progress in the chapters that Turkey has opened to negotiation. As of 15 April 2009 Turkey has opened ten chapters and closed 1 of these. Science and Research chapter has been temporarily closed and the following chapters are still negotiated: Company Law, Intellectual Property Law, Statistics, Trans-European Networks, Enterprise and Industrial Policy, Consumer and Health Protection, Financial Control, Information Society and Media and Free Movement of Capital.

The below table illustrates the European Council's closing benchmarks and Turkey's progress in open chapters in a comparative manner, using fresh data from the General Secretariat for EU Affairs.

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	COUNCIL	TURKEY
Open Chapters	Chapters with closing benchmarks	Ongoing work
Company Law (17.06.08)	<p>a) The approval of the Turkish Commercial Draft Law, draft law on its implementation and other related regulations.</p> <p>b) The harmonization of Capital Market Law with the EU.</p> <p>c) The full harmonization of related regulations on accounting, financial reporting and inspection with the EU.</p> <p>d) Establishing the Turkish Inspection Standards Institution as the highest authority of determining the inspection standards and ethics, licensing independent inspectors and monitoring their activities.</p> <p>e) Strengthening the administrative capacity</p>	<p>a) The New Turkish Commercial Draft Law is on the Turkish Grand National Assembly's (TGNA) agenda</p> <p>b) -----</p> <p>c) The Turkish Accounting Standards Institution Draft Law on the TGNA's agenda.</p> <p>d) The Turkish Inspection Standards and Public Monitoring on The TGNA's agenda</p> <p>e) -----</p>
Intellectual Property Rights (IPR) (06.05.2008)	<p>a) Providing an efficient dialogue on IPR</p> <p>b) Strengthening the capacity of executing institutions on the implementation of rights related to the struggle against pirate and counterfeit.</p> <p>c) Providing a substantial progress report including an important decrease of pirate and counterfeit goods imported to Europe and a performance record on investigation, prosecution, juridical violation and efficient implementation of IPR</p> <p>d) The completion of the harmonization of related regulations on the consumption of rights at the community level and the implementation of additional protection certificates and application of rights by adhesion.</p>	<p>a) This will be evaluated by Intellectual Property Coordination Board after a technical meeting with the EU Commission</p> <p>b-c) The administrative capacity is being improved mainly in the Ministry of Justice and Directorate General of Security according to the "Action Plan" presented to the EU.</p> <p>d) -----</p>
Statistics (26.06.2007)	<p>a) Establishing and completion of the Farming Registration System</p> <p>b) Presentation of the basis national account indicators appropriate to Eurostat and ESA 95.</p>	<p>a) The strategy prepared by Turkish Statistical Institution (TÜİK) and Ministry of Agriculture (TKIB) is delivered to the Commission. The Commission requested additional information related to the document. TÜİK has done its contribution. TKIB revised the document according to the Commission's comments and it has been presented to the assessment of corresponding institutions before delivering it to the EU.</p> <p>b) A partial adjustment has been assured as a result of the revision by TUIK in collecting national accounts appropriate to ESA 95.</p>
Trans-European	<p>a) Reconciliation between Turkey and the Commission on the future of TEN-T network according to the revised version of 1692/96 decision and on a project giving priority to European interests.</p>	<p>a) On May 2008, working with the Commission have been started in order to meet the criterion and a group of corresponding institutions has been established. Information - required by the Commission on updating the data towards defining the TEN in Turkey- has been</p>

Networks TEN's (19.12.2007)		delivered. But, a new assessment regarding the EU's updated guides has been required and both sides agreed on accelerating the technical meetings/work.
Enterprise and Industrial Policy (29.03.2007)	Preparation of an Industrial Policy Strategy.	Last phase in preparing the strategy.
Consumer and Health Protection (09.12.2007)	<p>a) The revision of the legislation on general product safety, the harmonization of consumer protection with the EU; demonstrating that creating necessary tools and administrative capacity to take part in RAPEX will be set up by accession.</p> <p>b) The harmonization of blood and blood products ,traceability necessities, declaration of serious contraindication and events, facilities about blood with related directives on technical quality</p> <p>c) Beginning by 30 years of recording period, production cells, declaration of serious contraindication and events, standard procedures of protection of data, processing and testing tissues and cells, Turkey has to accept the legislation on harmonizing the Acquis on tissue and cells. Turkey has to prove that by the time of accession it will create the administrative capacity that will assure the right implementation of the legislation.</p> <p>d) Beginning by high tar rates and smokeless tobacco, harmonization with the Acquis on the advertisement of tobacco production and products.</p> <p>e) Participation in the Early Warning and Response System, providing the creation of institutional and administrative capacity that will ensure the coordination of reporting concerning infectious diseases.</p>	<p>a)-----</p> <p>b)-----</p> <p>c) A Draft Law on organ, tissue transplantation and cell treatment has been prepared in accordance with the EU legislation. The process of receiving opinions on draft law is ongoing. Simultaneously draft law has been delivered to the EU during a technical meeting with the European Commission on 24 September 2008. The law is to be approved in 2009. On the other hand, in order to maintain the coordination at the national level "National Cell Coordination Center" (TÜRKÖK) is about to be established.</p> <p>d) High tar rates is to be harmonized on January 2009 and tobacco use in 2008.</p> <p>e) Legislation on the working principals of "Public Health Laboratories" and on the establishment and working principals of "Microbiological Diagnostic Laboratories for strengthening of the control system and the surveillance of contagious disease will be published. An electronic early warning system is to be set up in 2009.</p>
Financial Control (26.06.2007)	<p>a) The approval and implementation of Public Internal Financial Control Policy Paper and the related legislation.</p> <p>b) Assuring the coherent cooperation of Count of Accounts with INTOSAI standards and guides.</p> <p>c) Harmonization of the EU's financial interests with PIF Conventions and Protocols with the Turkish Penal Code.</p> <p>d) Concerning the harmonization with European Community Foundation Treaty article 280(3) and providing the implementation of the Regulation 2185/96 (EC) on on-site control and inspection conducted by the Commission, effective and productive coordination needs to established by accession in order to help the Commission inspectors</p> <p>e) Regulation no: 1338/2001 arranging the protection of Euro</p>	<p>a) To be assured in the first half of 2008</p> <p>b) Count of Accounts Law is in the Turkish Grand National Assembly</p> <p>c) A workshop with Ministry of Justice and OLAF has been carried out.</p> <p>d) A draft law in the law no: 3056 that envisages delegating "Prime Ministry's Inspection Committee" as "Corruption-Fighting Unit" is on the TGNA's Justice Commission.</p> <p>e) A working group has been established. A draft law envisaging a change in misdemeanor law has been prepared in order to punish the credit institutions that do not pull the counterfeit money out of circulation.</p>

	<p>from counterfeiting</p> <p>f) Legal and administrative harmonization of regulation no: 2182/2004 - concerning the medallions similar to Euro and souvenir money - enters into force at the latest by adhesion</p>	
<p>Information Society and Media (19.12.2007)</p>	<p>a) Beginning by the universal service, consumer rights, spectrum management, completion of the EU harmonization on electronic communication and information society services.</p> <p>b) Implementation of competitive protection measures against the operators having substantial power in the market, providing the implementation of general permission in accordance with the Acquis. In particular, a good performance is needed in protecting the execution of new actors' rights entering the electronic communication market</p> <p>c) Creating the administrative capacity assuring the implementation of Acquis regarding the independency of the regulatory institution on electronic communication, transparency, legal security and telecommunication.</p> <p>d) Beginning by the audio-Visual Media Services directive, transmission of the Acquis to legislation in this field and taking the measures ensuring the harmonization of national legal framework with the liberty of receiving and transmitting tv broadcast.</p> <p>e) Completing the consultation with partners about impacts of the measures in increasing the transparency of the regulation process in audiovisual field and the independency of the authorized regulatory institution and reflecting the outputs as required.</p>	<p>Concerning the closing benchmarks, a meeting with related institutions has been carried out on the 10th of February, 2008.</p> <p>a) -----</p> <p>b)-----</p> <p>c)-----</p> <p>d)-----</p> <p>e)-----</p>
<p>Free Movement of Capital (19.12.2000)</p>	<p>a) A substantial progress regarding the harmonization with the EU Acquis and implementation on capital movement payments.</p> <p>b) An Action Plan and an agenda on the gradual liberalization of acquiring real estate property by real and legal persons from EU countries.</p> <p>c) A progress in harmonization with the EU Acquis and recommendations of "Financial Action Task Force" in fighting money laundering including confiscation.</p> <p>d) Administrative capacity is to be set up in order implement the legislation.</p>	<p>a) -----</p> <p>b)-----</p> <p>c)-----</p> <p>d)-----</p> <p>e)-----</p>