

STRUCTURAL PROBLEMS IN EFFECTIVE UTILIZATION OF THE EU'S STRUCTURAL AND THE COHESION FUNDS AND NON-GOVERNMENTAL ORGANIZATIONS AS A BETTERMENT FACTOR

Yrd. Doç. Dr. Adnan ERDAL

Celal Bayar Üniversitesi, Salihli Meslek Yüksekokulu

ABSTRACT

The EU's The cohesion and the structural funds could be used in wasteful and deviated projects that are out of the Union's common interests. Evidences in hand are coerced structural amendments and new arrangements in making use of the funds. The aim at this study is, by acting from financial aids and instruments that the EU is forwarding to Turkey in the course of candidacy, to analyze the basic characteristics of potential problems and institutional mistakes in the utilization of these funds and, to discuss solution proposals.

Initially, the generating aims of the cohesion and the structural funds then the characteristics of structural weaknesses in the process of utilization will be treated. In the course of preparation of new financial and politic framework that will be in force between 2007 and 2013 in the EU, the basic features of structural corrections in the cohesion and the structural funds will be studied. By dealing with the arguments advocated by a coalition that is consisted of a great number of NGOs from 27 member countries to join process in a very stage in order to provide proper use of the funds, the topic will be analyzed in the context of the project cases with problems.

These funds constitute substantial financial assistance to the recipient countries and regions that shapes the long-term economic, environmental and social development as long as they are used properly. Unfortunately, in some cases, the funds are being disbursed at some projects that are harmful to the environment and unsustainable development in the transport and construction sectors. If they are not subject to full public scrutiny and consultation, they may end up supporting private rather than public interests and even be subject to fraud and corruption. . At this point, non-governmental organizations (NGOs) play an important role in securing the proper use of EU funds. In Turkey as well, NGOs involvement helps secure transparent and democratic decision-making and contributes overall to a better use of the funds by bringing independent expertise, raising public awareness and monitoring the workings of authorities.

At the scope mentioned above, in the course of restructuring the funds, fundamental problems and basic characteristics of the process will be discussed to bring forth some proposals for implications in Turkey.

Keywords: *Fraud and corruption, irregularities, public watchdog, public scrutiny*

AB YAPISAL VE UYUM FONLARININ ETKİN KULLANIMINDAKİ YAPISAL SORUNLAR VE İYİLEŞTİRİCİ FAKTÖR OLARAK SİVİL TOPLUM ÖRGÜTLERİ

ÖZ

AB yapısal ve uyum fonlarının, birliğin ortak çıkarlarının dışında, hedefinden sapmış ve savurgan projelerde kullanılması mümkün olabilmektedir. Eldeki veriler fonların kullanılmasıyla yapısal değişiklikleri ve yeni düzenlemeleri zorunlu kılacaktır. Bu çalışmanın amacı, adaylık sürecinde AB'nin Türkiye'ye yönelik uygulamakta olduğu mali yardımlar ve mali araçlardan hareketle bu fonların kullanılmasındaki potansiyel problemlerin ve kurumsal yanlışlıkların temel niteliklerinin analiz edilmesi ve çözüm önerilerinin tartışılmasıdır.

Önce, AB yapısal ve uyum fonlarının oluşturulma amaçları sonra da bu fonlardan faydalanma sürecindeki yapısal zaafiyetlerin nitelikleri ele alınacaktır. AB'de 2007-2013 yılları arasında geçerliğini koruyacak yeni mali ve politik çerçeve hazırlanırken, yapısal ve uyum fonlarının geçirmekte olduğu yapısal değişikliklerin temel unsurları irdelenecektir. Üye 27 ülkeden çok sayıda sivil toplum örgütlerinin meydana getirdiği bir koalisyonun bu fonların gereği gibi kullanılması amacıyla, sürece bir çok aşamada dahil olmak için ileri sürdükleri argümanlar ele alınarak konu problemleri proje vak'aları bağlamında analiz edilecektir.

Bu fonlar gereği gibi kullanıldığı ölçüde alıcı ülke ve bölgelerdeki uzun vadeli ekonomik, çevresel ve sosyal gelişmenin biçimlendirilmesinde oldukça önemli bir mali destek sağlamaktadır. Ne yazık ki, fonların bazı durumlarda inşaat ve taşımacılık sektörlerinin gelişmesini ketyen ve çevreye zarar verici bazı projelerde harcadığı görülmektedir. Fonlar, bütünüyle halkın istişare ve gözetimi konusu dışında kaldığında, kamusal çıkar yerine özel çıkarları destekler duruma gelebilmekte ve hatta sahtekarlık ve yozlaşma konusu olabilmektedir. Bu noktada, Sivil Toplum Örgütleri (STÖ) AB fonlarının yerinde kullanılmasını güvence altına alan önemli bir rolü oynarlar. Türkiye'de ki STÖ de, bağımsız uzmanlıklarını kullanarak, kamusal bilinci artırarak, yetkililerin faaliyetlerini izleyerek demokratik karar vermede ve fonların güvenli, şeffaf ve daha isabetli kullanılmasına katkıda bulunabilirler.

Yukarıda belirtilen çerçevede, fonların yeniden yapılandırılması sürecindeki temel problemler ve yapısal karakteristikler, Türkiye' de ki uygulamalara yönelik bazı öneriler geliştirmek amacıyla tartışılacaktır.

Anahtar Kelimeler: Yolsuzluk ve rüşvetçilik, usulsüzlük, kamusal izleme, kamusal inceleme

I. Introduction

In the treaties that establishing European Union and in the fundamental documents it is expressed that the differences of interregional economic development must be remedied in the frame of 'solidarity model' in order for being of integration in the member states and, this approach has been inseparable part of EU. Acting from that point, to remedy of social and economic differences in the member states, European Union Regional Policy has been generated on the basis of the context of 'solidarity and cohesion'.

Pre-accession financial distribution funds, structural funds and cohesion fund that generated to finance EU regional policies are cover one third of EU

budget. Total amount of structural and cohesion funds to be utilized between the years of 2007 and 2013 are 339 Billion Euro (<http://europa.eu.int/scadplus/leg/en/lvb/l34004.htm>). Instead of being utilized of these funds appropriately, effectively, sensitively toward environment and transparent manner, very problems are faced in practice. Merely, the number of reported irregularities in 2004 is 3.339 and amounted to 695 million Euros (DOC, SEC(2005) 974). Environmental NGOs request to be quitted of those investments such as uneconomic, harmful for environment and ecologic stability and, wasteful investment expenditures of millions Euro for infrastructures like motorway and expressway that weakening the existing public transportation infrastructures in new member countries of the East and West Europe and, being prevented the lobbying of construction sector on the funds.

In the measures that the Union trying to develop to tackle these kind problems and, in the regulations concerning to Civil Society Organizations (SCO) as a social partner that should be complementary element in the course of programming, implementation, monitoring and assessment; particularly, how to fulfill the structural lacks are still being debated. Because these organizations are advocating that as social partners, the participation of EU citizens in the process by Civil Society Organizations could be unique assurance towards all kind of irregularities, corruptions and abuses.

According to partnership agreements, to contribute to rapid development of Turkey's economy and, to make Turkey be able to fulfill its accountabilities arose from "partnership relation"; the Community has committed financial help to Turkey. This financial contribution has commenced when Ankara Treaty that signed between sides got in force in 1963. Turkey has been utilizing these EU financial sources on the basis of protocols signed in various dates associated with its function and scope since that date.

By 2004, total contribution provided in the manner of donation is 1.456 Billion Euro. At the same time, annual average of the financial contribution amount portioned from Phare, Ispa, Sapard programs for the Central and the East European countries are 1.8 Billion Euro during the years of 1990-2006.

The financial support and contribution programs shall be detailed below. To tackle structural problems in Turkey, properly and effectively use of pre-and-post accession financial contributions that are important financial resource is desired. However, by taking into account of not having rooted tradition of political participation in Turkey, to prevent irregularities, corruptions and abuses which are a systemic problem in Turkey, it should be stated that there are considerable responsibilities on the shoulder of Civil Society Organizations.

II. The objective of EU's Regional Policies

The objective of EU's Regional Policies is to provide the regional policies developed by member countries be harmonious and be coordinated with

basic principles and values that yielding essence to the Community and, to guide them in order to eliminate interregional differences by developing essential principles.

Until Maastricht treaty that come in the force in 1993, while the basic efforts were to prevent the expanding of differences among regions, later in order to accelerate harmonized development entirely in the Community, to strengthen the economic and social equivalence among member states and, to help for improvement of less developed and rural regions has been the objective of EU regional Policies. After 5. extension in 2004 that included Central and East European countries, the South Cyprus and Malta, the number of the country consisting of the Union has been 25 and the number of the region has been 254. Thus, disparity among the interregional development levels of socially and economically has been twofold. Wealthy regions are generally in the EU-15 (EUROSTAT, 2004: 11).

Due to Eurostat's (European Statistic Office) data dated 25 January 2004, there is a disparity of tenfold between the wealthiest region (London center) and the poorest region (Poland-Lubelskie). While purchasing power of an average Londoner is three times more than an average EU citizen, of Lubelskie residents are about one third.

Despite with the new joined countries that caused an increase of 20 % in population of the Union has been 453 million; GNP has only increased 5 %. Per capita income in these new countries are less than half of initial 15 EU countries. In this frame, Regional Policy comprises firstly financial aid and lots of other.

Together with pre-accession financial aids, Structural funds and Cohesion fund being utilized by Union countries are important instruments of EU's Regional Policy.

A- EU Structural Funds

Structural funds, as an element of Union's structural policy, have been generated for the purpose of narrowing the gabs of development levels among the EU member states. Primary targets, functions and organizations, management rules and utilization terms of the Structural funds have been treated in a detail manner in the regulation of 99/1260/EC that is approved by European Council in 1999. There are four financial instruments under the umbrella of Structural Funds. As a result of new orientation policy that developed for 2007-2013 in EU, there has been an agreement on cohesion fund to act in concert with the structural funds in that period which is including European Regional Development Funds and European Social Fund.

EU's financial instruments of regional policy for 2007-2013 consist of three structural funds (Council Regulation (EC) No 1260/1999).

- European Regional Development Fund
- European Social Fund,
- Cohesion Fund

B- European Regional Development Fund (ERDF)

ERDF is established in 1975. The fund has been contributing for basic remedy of regional imbalance by improvement of less developed regions and structural ameliorating and, for helping in restructuring industrial regions which is in regression (Regulation (EC) No 1783/1999). Via ERDF, resources are being delivered to projects that generating employment by way of making competition increased and providing sustainable development. Objectives of fund are determined as follows.

1. to support Small and Medium Seized Business
2. to encourage productive investments
3. to improve infrastructures
4. to accelerate local development.

C- European Social Fund (ESF)

ESF has allocated for struggling against unemployment, improvement in working conditions, providing vocational education for worker, increasing life standards and, income delivery for jobless. The fund has been established to create solutions for unemployment problems in less developed regions and in the regions that being lost briskness of economy (Council Regulation (EC) No 1257/1999).

D- European Union Cohesion Fund

In the Art. 130A of Maastricht Treaty (European Union Treaty) that is in force in 1993, in order to accelerate harmonic development in the entire community, it is proclaimed that the Community is to strengthen economic and social convergence inside and, to pursue generated policies and actions to remedy under-development in the less developed regions. Even though It is expected that the Community's policies shall contribute the said balanced and harmonic development, the mainstream role in this field is of structural funds by Art.130A. However, some member countries are requested a particular contribution mechanism in order to be able to execute the essentials of 'convergence Criteria' which is a must in the third period for accession of Economic and Monetary Union that stated in the Maastricht Treaty. So, by the regulation of (EC) 1164/1994, 'Cohesion Fund' is generated. This fund is generally used for transport infrastructure and environmental protection. Together with new 10 members, Greece, Spain and Portugal are taking advantage of this fund as well.

The Cohesion Fund contributes to interventions and modernizations in the field of the environment and trans-European transport networks. It applies to member states with a Gross National Income (GNI) of less than 90% of the EU average (Bozdoğan, 2008: 68).

In accordance with Lisbon strategies, EU at the time of determining financial aid criteria from structural and cohesion funds has designated that the cohesion fund will be used together with ERDF and ESF in 2007-2013 period (Atak, 2009: 62).

For the 2007-2013 period the Cohesion Fund concerns Bulgaria, Cyprus, the Czech Republic, Estonia, Greece, Hungary, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia and Slovenia (Cihangir, 2011: 20).

The European Agricultural Fund for Rural Development (EAFRD) is a new legislature of European agricultural fund which was set up for the financing of Rural Development Programme (RDP) actions and the European Fisheries Fund (EFF) is the new instrument for fisheries programming under the Financial Perspective for the EU replacing the Financial Instrument for Fisheries Guidance.

Independent legislative bodies of these funds are become a complementary instruments which will be implemented for common agricultural policy in member countries for multi-year programs (Can ve Kocagül, 2008: 79).

E- European Agricultural Guidance and Guarantee Fund (EAGGF),

EAGGF is a main financial instrument for rural development policy and in the same time, it is second pillar of Common Agricultural Policy. It provides resources to rural improvement endeavors.

F- Financial Instrument for Fisheries Guidance (FIFG)

FIFG generally contributes enterprises that aiming at increasing competition power in the fishery sector and industry (Target 1 programs and national programs which are out of Target 1). But, FIFG and EAGGF funds were cancelled and set out from structural funds as of 2007 (Council Regulation (EC) No 1260/1999).

G- Other Policy Instruments

As supplementary instruments, Interreg III, Leader+, Equal and Urban II were being used for encouraging sustainable development and, cooperating borderline regions of member countries during 2000-2006 periods in EU. But for the period of 2007-2013, these instruments have been placed into European regional Development Fund.

Furthermore, for Target I that covering 2000-2006 period (which is created to encourage structural cohesion and development in less favored regions), the cohesion fund, the European Regional Development Fund and the European Social Fund have been generated for the period of 2007-2013.

Target II (which is created for remedy by supporting those regions that facing structural problems during social and economic transformation and, Target III (which is created to support education and employment policies and modernization of systems and structural harmonization) have been included in the European Regional Development Fund and the European Social Fund for the period of 2007-2013.

Consequently, different funds in the previous period have been consolidated under three headings as the European Regional Development Fund, the European Social Fund and the Cohesion Fund (Cihangir, 2011: 22).

The European Commission approved an EU-wide co-operation programme (INTERREG IVC). This programme involves Community support for all EU Member States under the European Territorial Co-operation objective. Additionally, The Instrument for Pre-Accession Assistance (IPA) is planned to offer assistance to countries engaged in the accession and cohesion process (Can ve Kocagül, 2008: 79).

III- Essential Process in Utilization of EU Funds

Member state governments and authorized institutions and initially involve negotiations with the EU Commission to seek agreement after determining regional needs. The merely communication between national institutions and Civil Society Organizations and the EU Institutions is established during these negotiations in which designing of regional policies and their applications are treated by allies.

After agreement, on account of being determined of funds' allocation by the EU Council, as a first step, proposals are presented to the Commission and then, are granted to local and regional concerned bodies to come in force. These bodies are responsible for execution. Regional policy keeps essential authorization in hand to intervene to regional subjects (Brasche, 2001: 2). To delegate this authorization to which institution is depend on administration structure of the states. Thus, EU has no any direct accountability in the subject of regional development towards local, regional and central institutions.

A- Partnership Principle

From institutional perspective, of importance of these negotiations that fulfilling with the Commission is a must for involvement of local and regional bodies. This approach that is based on the EU principle of 'subsidiarity principle' aims to provide the decisions concerning to region being made at closest level to people. But, it should be underlined that social partners (CSO) which are selected or invited by member state are not competent authority in decision making but are only consultants and advisers. Because they are unable to influence and to lead process as de-facto, they only state their opinions and thoughts.

To success social and economic cohesion in the EU depends on the accomplishment of the basic principles that are backbone of the regional policy of the Community. These principles are for contribution to and coordination of regional policies in concerning countries. Partnership principle as one of them announces that the Commission, the member states and competent organization and authorities at regional-local level shall act collectively in management of the funds.

Participation principle of social partner into process in the regulations regarding to funds-particularly in the directive of 1260/99/EC has been described as consultation responsibility in all decisions at the programming level and, partners have been determined as representatives of public authority, social and economic circles, entrepreneurs, professional organizations and

academic circles. But, authorization in nominating of partners that are to take place at various levels in structuring of any given region is given to member state (e.g. to central authority). In other words, member state is only authority to designate partners. The implementation of the partnership principle depends on institutional solutions, political culture and experiences in conducting social dialogue in a particular member state (Stoczkiewicz, 2004).

In the regulation of 1164/94/EC regarding to Cohesion fund, neither partnership principle nor social and economic partners has been articulated. Because of being made strategic decisions at the programming stage of these funds that utilized in financing of transportation and environmental amelioration investment, particularly active participation of Environmental Non-Governmental Organization in the process are inevitable. Due to sensitivity of the subject, some member countries have generated steering and monitoring committees by their own decisions and, included environmental NGOs into their bodies. Unless rules state otherwise, member states might freely perform in participation of partnership.

B- Social and Economic Partners: Definition of Civil Society Organization in the EU

Concept of Social partner is enunciated in practice in a prevalent manner: for instance, this term includes a number of civil organizations such as Civil Society Organizations, Non-Governmental Organizations.

According to the Commission, CSOs include the labor-market players (i.e. trade unions and employers federations -the social partners.); Organisations representing social and economic players, which are not social partners in the strict sense of the term (for instance, consumer organizations); NGOs (nongovernmental organizations) which bring people together in a common cause, such as environmental organizations, human rights organizations,, charitable organizations, educational and training organizations, etc.; CBOs (community-based organizations, i.e. organizations set up within society at grassroots level which pursue member-oriented objectives), e.g. youth organizations, family associations and all organizations through which citizens participate in local and municipal life; religious communities (COM (2002)0704).

In this context, the concept of social partner, as an umbrella concept, includes numerous Civil Society Organizations. Thus, Non-Governmental Organizations, by reason of its contents, are treated under the umbrella of Civil Society Organizations. Generally, partnership activity involves cooperation at the stages of readiness, financing, monitoring and evaluation. The regulations concerning this matter gives responsibility to bring together relevant parties to member state, thus, in conformity with the said stages, special advising and proposal units such as steering committees, consultative groups within the frame of working groups should be generated.

On the other side, because of being included employer organizations and associations, the concept of economic partner is not a reason for any misunderstanding.

C- The emancipation of the member states in commenting of the concept of partner and its some negative outcome

Of being created significant added value, effective and transparent using of funds in the operations and, of describing of primary targets regarding to strengthening of partnership has been treated in preamble of the regulation of 1260/99/EC in the art. of 26. and 27.; and there is an indefinite description to the partnership principle as: "... regional and local authorities, other competent authorities, including those responsible for the environment and for the promotion of equality between men and women, the economic and social partners and other competent bodies." Article 8 (1) stipulates that the partners should include .authorities and bodies designated by the Member State within the framework of its national rules and current practices.. This clearly provides a Member State with power to designate its partners and refers to national provisions and practices as far as interpretation of the following legal terms is concerned:

- a) the regional and local authorities and other competent public authorities,
- b) the economic and social partners,
- c) any other relevant competent bodies within this framework.

Of willingly or unwillingly misinterpretation of these terms, depending on the member states' social-economic and political backgrounds and their systemic problems, is causing negative impacts on the utilization of the funds.

Implementations that are far from public scrutiny and control foster malpractices and irregularities. Besides, any wrong or badly preferred investment projects could be harmful for society and environment and to remedy these problems may be almost impossible.

D- Irregularity in Utilization of the Funds

The European Community's financial interests, which are closely intertwined with those of the Member States, are exposed to various forms of fraud and other illegal activities which damage the Community's budget income and expenditure. The fight against fraud is a common concern and a common challenge both for the Member States and for the Commission. It is more than ever an important element on the commission's political agenda (2004/0172 (COD)).

Due to the Commission regulation of (EEC) No.168/94 which is established information systems concerning irregularities, the member states should report any irregularities regarding to the Structural funds and Cohesion funds according to regulation of No.183/94 to European Anti-Fraud Office (OLAF).

Table.1:

Year	Number of Irregularities*	Amount x EUR 1,000	Total Budget x EUR 1,000,000	Share in the Budget
2004	3,339	695,611	35,665	% 1,95
2003	2,487	482,215	30,764	% 1,57
2002	4,656	614,094	30,556	% 2,01
2001	1,194	201,549	29,823	% 0,68
2000	1,217	114,227	25,556	% 0,45
1999	698	120,633	30,654	% 0,39
1998	407	42,838	28,366	% 0,15

Resource: SEC (2005) 974, 2004 Report from the Commission Protection of the European Communities' financial interests and the fight against fraud

*"irregularity" means fraud and any other illegal activities with particular relevance at Community level, affecting the financial interests of the Community.

Table 2: Most common irregularities reported by member states

Resource: SEC(2005) 974, 2004 Report from the Commission Protection of the European Communities' financial interests and the fight against fraud

1	Not eligible expenditures
2	Action not completed
3	Action not carried out in accordance with rules
4	Failure to respect other regulation/contract conditions
5	Irregular termination
6	Failure to respect deadlines
7	Missing or incomplete supporting documents
8	Other irregularities concerning the right to aid
9	False or falsifying supporting documents
10	Over financing
11	Other irregularities

As seen Table1 above, total irregularities reported according to the said regulations in 2004 are 3,339 and of 290 was under the administration of cohesion fund. Total 532 million EURO of abuse and irregularities are from the administration of structural funds and, 163 million EURO is of cohesion funds. Total irregularities and abuse are 695 million EURO and consists of 1, 95 % of 2004 budget. After establishing information systems, of 15,476 irregularities reported by the member states consist of 15,123 reports of structural funds and 353 reports of cohesion funds.

E- Improper and/or Dubious Utilization of the funds in Investment

Regulations, measures and systems established for effective, properly and in conformity with the Union and Regional Policy are continuously being reviewed and new strategies and implementation policies are being fostered.

In the proposal of sustainable development strategy of the Commission that is presented to the Council in May 2001, due to the statement regarding to transportation, transport **congestion** has been rising rapidly and is approaching gridlock. This mainly affects urban areas, which are also challenged by problems such as inner city decay, sprawling suburbs, and concentrations of acute poverty and social exclusion. Many of the trends that threaten sustainable development result from past choices in production technology, patterns of land use and infrastructure investment, which are difficult to reverse in a short timeframe (Commission's Proposal To The Gothenburg European Council, 2001).

The Council has stated a strategy for sustainable development in Gothenburg in June, 2001. One of the environmental priorities is 'to ensure sustainable transportation'. Due to this policy,

The Common Transport Policy should tackle rising volumes of traffic and levels of congestion, noise and pollution and encourage use of more environmentally-friendly modes of transport and particularly, public transportation, railway and inland water transportation methods.

The Council invites the European Parliament and the successor Council to adopt by 2003 revised guidelines for trans-European transport networks on the basis of a forthcoming Commission proposal, with a view to giving priority, where appropriate, to infrastructure investment for public transport and for railways, inland waterways, short sea shipping, inter modal operations and effective interconnections (Gothenburg European Council, 2001).

However, The Commission's proposal for the "European Growth Initiative" of November 2003 seriously contradicts sustainable development policy of the Council. Because of the commission identifies transport infrastructure building as a means to catalyze economic growth and competitiveness in the Union.

Contrary to the request for amending the Community guidelines for the development of the Trans-European Transport Network (TEN-T), the Commission states that in the future transport volumes will grow, thus more infrastructures is needed to solve problems of congestion and bottlenecks, and to provide better connections for peripheral areas. the estimated amount of investment required to carry out all the transport infrastructure projects declared to be of European interest is around EUR 220 billion (<http://europa.eu.int/scadplus/leg/en/lvb/l34004.htm>).

Until 1989 after II.World War, in the Central and Eastern Europe countries that was governed by central planning economy, public and railway

transportation was prevalent but since 1997, Trans-European Transport Network (TEN-T) and express ways constructions has considerably changed the face of these countries. Constructions are continuing by the contribution of the European Bank for Reconstruction and Development (EBRD), the European Investment Bank (EIB). But these investments are causing serious debates for region and local community members (CEE Bankwatch Network, 2004).

Not having been transferred sufficient financial aid, railway networks suffers from unstable financial conditions and abandoned decaying, on the other hand, dependency to private car such as life style in the West is growing rapidly. Some extreme examples: in the short interval between 1997 and 2001 private car ownership rose by 36% in Latvia, 29% in Lithuania and 24% in Romania; In railway passengers with the worst cases being a 49% drop in Bulgaria and a 38% drop in Latvia. Despite having environmental advantages, these countries have been gradually exposing environmental degradation. Passenger and freight transportation on the roads are increased rapidly. In the same period the share of road in freight traffic rose by 38% in Lithuania and by 25% in Poland. Meanwhile the volume of freight transported by rail dropped by 19% on average across the CEE region.

While EU-15 countries (particularly Greece, Ireland, Portugal, Spain) suffers from reaching Kyoto goals in keeping greenhouse gas emissions under +8%, encouragement for road transport in new countries in the frame of sustainable development is increasing rapidly. *Greenhouse gas emissions between 1990 and 2000* Greece: +24%: Ireland: +24%: Portugal: +30%: Spain: +35%: EU-15 average: -4%) (New Europe' Smells Of Fresh Asphalt Foe Bulletin, 2005).

F- Civil Society Organizations as Remedial Factor

Representing more than one third of the EU's budget, the funds constitute substantial financial assistance that eliminates the social, economic and environmental differences and, cures the conditions among regions. It is accepted that if the funds are used properly, sensitively to environment and transparent manner, then will be an effective resources for 'sustainable policy' that is a motto of EU's structural policies (COM (2001) 264).

In application to funds to generate economic and social cohesion, to participate in the course of planning and monitoring is a must. At that point, importance of Civil Society Organizations to sustain social dialogue becomes evident.

It is accepted that the specific role of civil society organizations in modern democracies is closely linked to the fundamental right of citizens to form associations in order to pursue a common purpose, as highlighted in Article 12 of the European Charter of Fundamental Rights (COM (2002)0704).

To reach sustainable development aim in the long run, meaning of the term of partnership principle as an important condition must be clear. This principle should basically describe that Civil Society Organizations (CSOs) and

other activity committees are active parts in the course of programming, implementing, monitoring and assessing from environmental perspective of the projects that are to utilize the funds. In an evaluation report on the partnership principle presented to the European Commission, the reasons why partnership imported is as the key of the success are as follows:

- 1- Broadening participation will bring about more legitimate to the EU cohesion policy.
- 2- A properly implemented partnership will foster more coordination in the EU funds.
- 3- Participation of partners in the monitoring of the funds will increase the transparency during utilization of the funds.
- 4- Participation of partners in the process will provide the selection of advanced projects and well absorption of the funds by means of disseminations informing prospects enterpriser of projects (Kelleher vd., 1999).

The Community has underlined the culture of consultation and dialogue by partnership principle. However, point to be kept in mind that this principle is merely indicating consultation responsibility in some important decisions, thus, social organizations has been reduced one of those actors that should be consulted such as academics, technicians in the operations regarding to funds. Although, Civil Society Organizations are requesting to gain a new identification that are not only partners that bringing fort advice, opinion, consultation and criticizing mistakes, showing negative influence of stages, rather they want to join and to transform the process and policies of the Union de-facto and to produce alternative solution (http://www.coalition-on-eufunds.org/Delivering_sustainable_development_NGO_Statement.pdf, www.socialplatform.org).

By bringing independent expertise, raising public awareness, initiating debates, and monitoring the workings of authorities responsible for the funds, NGO involvement helps secure transparent and democratic decision - making and contributes overall to a more effective use of scarce public resources. The participation of NGOs also leads to an improved quality for selected projects, helps offset the disproportionate influence of construction lobbies (e.g. construction sector) on the use of the funds, and curbs potential cases of fraud or corruption (Civil Society Involment In EU Funds Operations, 4). Because, public scrutiny demand on the funds is arising from the faulty and deficiency of partnership terms in the regulations of the Community.

IV- The EU Structural and Cohesion Funds in the Period of 2007-2013

New decisions are made on how the fifth phase runs and how to finance of the new generation funds covering the period of 2007-2013 concerning in the 2005 and 2006. Allocated funds for this period are 364 billion EURO. New regulations are proceeding, thus, new rules have not been described. The

Commission has disseminated its proposal concerning to new arrangements and opened to negotiations for new member states. After arrangements, The Community Strategic Directive is disseminated as draft by the Commission in July 2005. This directive states priorities concerning utilization of funds for member states and regions. The Directive will be put in force after dissemination of the regulation upon negotiations in the Parliament and Council up to mid of 2006.

‘Coalition for sustainable EU Funds’ consist of very International organizations such as Friends of the Earth Europe, CEE Bankwatch Network, World Wide Fund for Nature , BirdLife International, Milieukontakt Oost-Europa, CEEWEB and European Environmental Bureau and numerous other Civil Society Organizations from 25 member countries, keeping in mind the problems in the past has four top recommendations for 2007-2013 period:

1. The Commission must be able to **suspend payments where environmental law is breached** or where serious concern is raised about the environmental impacts of a project.

2. Member States must show how they intend to **finance the needs of the environment**, in particular, supporting the Natura 2000 network, implementing the Water Framework Directive and achieving Kyoto targets, as a condition for the approval of national strategic reference frameworks and operational programmes.

3. **Environmental NGOs** must be recognized as equal **partners** to their social and economic colleagues, and enabled to participate fully through training, capacity building and coverage of direct costs.

4. The Structural Funds and the Cohesion Fund must be evaluated for their contribution to the EU **Sustainable Development Strategy**, and positive actions must be acknowledged and rewarded through the Community **Performance Reserve**.

A- Partnership in new Arrangements

The European Commission is planning to transfer management control on the funds on to the member states and regions in this period. However, there is very less healing in the existing partnership principals (COM (2004)492). In spite of “any relevant competent body”, expression of “any other convenient body representing civil society, environmental partners, Non-Governmental Organizations and responsible bodies in improvement of equality between men and women” has been used. Although, in this expression is not bring about any requirement in inclusion of civil society organizations into the process.

V- Financial aids to Turkey and Probable Problems

Along with the acceptance to candidate for membership of European Union in Helsinki in December 1999, Turkey has commenced to benefit from “Pre-Accession Financial Aids” dating from 2002 that formed in the frame of status quo of partnership. In fact, financial contribution of European Union to

Turkey was commenced when Ankara Treaty signed between the sides in 1963 came into force.

Table given below indicates financial contributions are received or being received since 1963.

Table-3 : Financial aid received from 1963 to today

1	1964-1995	Financial aids in the period of pre-custom Union	833
2	1996-1999	Financial aids in the period of post-custom Union	920,5
3	2000-	Financial aids after Helsinki	3.613

Ressource: www.btso.org.tr/ document (12.01.2006).

Turkey has consciously arranged the pre-accession aids oriented towards structural funds in order to generate capacity. In utilization of Structural Funds, macro-economic capacity may reach up to 4 % of GDP depending on absorption capacity of this country. This ratio for Turkey, in 2014 that is the date of estimated membership of Turkey, along with forecasting of an average plus one in GDP, is about 15-17 billion EURO per year (www.btso.org.tr/ document). Being used of these resources together with national funds effectively and appropriately by sounds decisions is a great opportunity for Turkey. It is expected that Turkey should display its economic performance in a best way.

To prevent resources be devastated by means of maltreatment, irregularities and corruption that are encountered rather frequently, it is essential to join process and take effective role with conscious of citizenship. Under the cover of Copenhagen criteria, to strengthen and to foster democratic participative tradition, one of the most important formations to show the way to Turkish citizens is Civil Society Organizations. CSO may be described as “those are bodies and activities that are consisting of association, foundation, civil initiative, platform, relation network etc. in which the citizens come together voluntarily on the basis of common point of view, interest, sensitivity, request e.g. and excluded judicial, administrative, productive and cultural organs of the state.” (Uğur, 69). However lots of the Civil Society Organizations oriented to social target are not sound. Data in hand regarding to ability and capacity of Civil Society Organizations in Turkey are as follow (www.chp.org.tr/trrapor).

- 1- Two thirds of Civil Society Organizations were established in last 15 years.
- 2- Number of people working in Civil Society Organizations are 130.000.
- 3- They are effective in activities last 5 years.
- 4- One fourths of CSOs in Turkey are in relation with other countries’.
- 5- About 300 CSOs has been developing collective project with CSOs that are in abroad.
- 6- Of 15 % of CSOs have their own social facilities.

7- About half of the CSOs benefits from computer technology.

Numbers of CSOs in Turkey are as follow: Association: 50.000; Foundation: 2.700; Cooperative, Labor union, Professional Chamber: 1.200.

To become organized to save a right and to advocate an idea means to be existent in democracies. This existence, at the same time, is an indicator that democracy is being performed in healthy manner in that country. According to our topic, in considering the steps to be taken forward, it is clear that there is urgent and important responsibility standing in front of Civil Society Organizations in Turkey.

VI- Conclusion

In effective and appropriately utilization of funds that are regional policy instruments of European Union, active participation of community members as social partner by Civil Society Organizations in programming, financing, implementation and evaluation process may both contribute and foster democratic and participative political culture. Despite the fact that partnership principle in existing arrangements put barriers in front of active participation to process, Decentralization and strengthening of localization in the management of fifth generation funds (2007-2013) should be account an important step. On the other hand, ability to generate a capacity parallel to the Union policy is likely limited for most of the Civil Society organizations in Turkey where participative democratic political culture has not become a tradition in. However, by using their own independent specialization, by fostering public conscious and by monitoring activities of authorized bodies, Civil Society organizations in Turkey may contribute to democratic decisions and, to utilization of the funds, carefully, transparent and more appropriate, as well.

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