THE GOVERNANCE OF STANDARDISATION IN TURKISH GREEN BUILDING CERTIFICATION SCHEMES

Mehmet Cetik[1]

[1]*PhD Researcher, Tilburg Sustainability Centre, Law and Economics Research Centre, University of Tilburg, Warandelaan 2, 5037 AB, Tilburg, the Netherlands*
Foreign Trade Specialist, Turkish Ministry of Economy, DG Free Zones, Overseas Investment and Services, Unit of Overseas Contracting and Engineering Consultancy, Inonu Bulvari, No: 36, 06510 Ankara, Turkey

Globally-known green building certification schemes have become dominant in the Turkish market. However, Turkey desires its own national scheme not only to deliver at home but also if possible to sell this label abroad. Three national schemes aim to be "Turkey's label" while competing against each other as well as global schemes operating in Turkey. The first national scheme is "Green Building Certification System", governed by an association called "Turkish Green Building Council (CEDBIK); secondly, "Safe Green Building Certificate" governed by "Turkish Standards Institute" (TSI); and finally, "Sustainable Energy Efficient Buildings-Turkey" (SEEB-TR), a scheme mainly run by a state university.

During this competition, what is mostly overlooked is the fact that globally-known green building labels like LEED as well as other well-known voluntary initiatives respect good governance criteria while preparing their standards. They even compete in terms of such criteria to gain more recognition both by the market and public authorities.

Similarly, the good governance of those national schemes becomes an essential element for more recognition. As a benchmark, the US Green Building Council (USGBC) – preparing standards for the mostly preferred label, LEED both in Turkey and the world – is analyzed in relation to well-established good governance principles of openness, transparency, participation, consensus, effectiveness and relevance and development dimension. Next, the three national voluntary schemes are analysed and compared to USGBC on the basis of same criteria. To that end, any formal founding or implementing acts of voluntary schemes is surveyed in terms of procedures. Besides, relevant managers and state officials are interviewed on the basis of same set of criteria. Overall, it is found that CEDBIK is the closest scheme to USGBC – though lagging significantly behind USGBC. None of them seems to be capable of beating any competition against LEED and become Turkey's label.

Keywords: Building regulation, green buildings, standardization, and sustainability.

INTRODUCTION

Certification has long been used by the legislature. Since the beginning of the 19th century where industrial products and food were sought to be certified as "safe", legal systems often made use of certification to grant manufacturers "the presumption of conformity" to relevant legislation should they prove to have complied with certain standards and indicated a label on their products.

Until today, the subject of certification has been diversified significantly. In 1950s-60s, certification was sought for consumer products' safety. Subsequently, as the world witnessed the global energy crises and other environmental issues, certification was used to render either energy efficiency or other ecological properties of products visible to consumers. Some of those

[1] **cetikm@uvt.nl** ; **cetikm@ekonomi.gov.tr** *The views expressed in this paper are solely those of the author and not reflect those of the Turkish Ministry of Economy. All errors and omissions are the author's own.*

certifications like product safety, energy efficiency are mandatory while some like ecolabelling are largely voluntary today.

Voluntary certification programs have emerged either for important part of global biodiversity (e.g. Marine Stewardship Council program for marine products, and Forest Stewardship Council program for forestry) or significant sources of environmental emissions (e.g. Leadership in Energy and Environmental Design-LEED programme of USGBC for buildings). These programs are based on several standards which are commonly not prepared by any official government entities but non-state government organisations (NGOs).

Given the lack of comprehensive command-and-control government regulations, several NGOs have been seeking to fill in the legal vacuum through their own governance structures which is responsive to its constituents (Gulbrandsen, 2010). These NGOs provide communication platforms to their stakeholders with a view to set global standards and apply them through institutionalised licensing and inspection. In other words, they try to "govern without government" (Rosenau & Czempiel, 1992). They constantly monitor each other, re-assess and revise their governance structures to maintain balanced governance for the sake of both efficiency and accountability (Meidinger, 2006). In the end, what they seek is not only more certification clients but also more approval and legitimacy in various arenas like their respective business sectors, government policy and public opinion. Accordingly, they aim to be linked with government regulatory instruments and if possible to become mandatory in time.

The Turkish market has also taken its share from such global developments in the field of green building certifications. Globally-known certification schemes, like BREEAM and particularly LEED have become dominant in the Turkish market. As of June 2013, the number of certified buildings per certification scheme is as follows: 34 LEED and 19 BREEAM (Building Research Establishment Environmental Assessment Methodology). Besides, 1 DGNB (German Sustainable Building Council) certification is expected in 2014. The potential certification market is much larger. Under the rural transformation plan of the Turkish Ministry of Environment and Urbanisation (TMEU), existing 6.5 million houses may be re-built as green in addition to about 600.000 new houses built per year in Turkey. Besides, Turkish construction and engineering consultancy sector has achieved to undertake about 374 projects with a total value of more than 30 billion $ in 2013. The most part of the market is scattered around the neighbouring countries, Russia and countries of former Soviet Republics (TMoE, 2014).

Overall, Turkey has clear market motives for desiring its own national scheme firstly to deliver at home but also if possible to export abroad, primarily to countries with arguably a good image of the Turkish construction sector, e.g. Algeria, Georgia, Russia, and Turkmenistan.

RESEARCH OBJECTIVE

Three national schemes aim to be "Turkey's label" while competing against each other as well as LEED, BREEAM and DGNB. The first national scheme is "Green Building Certification System", governed by an association called "Turkish Green Building Council" (CEDBIK), an extension of worldwide green building councils; secondly, "Safe Green Building Certificate" governed by "Turkish Standards Institute" (TSI), the national standardisation body; and finally, SEEB-TR (Sustainable Energy Efficient Buildings-Turkey), a scheme mainly run by the "Construction Applications and Research Centre" established under a state university.

During this competition, what is mostly overlooked is the fact that globally-known green building schemes as well as other well-known voluntary certification initiatives respect good governance criteria and even compete in terms of such criteria to gain more recognition both by the market and public authorities (Meidinger, 2006; Senden, 2011). Accordingly, this study aims to compare the governance structure of a globally-known green building certification scheme, namely LEED (AJ, 2013) to Turkish ones on the basis of good governance criteria.

RESEARCH METHODS

The research applies both quantitative and qualitative approaches. It includes a fieldwork approach, dedicated internet queries, structured and unstructured individual interviews, and critical approach. The interviews took place wherever and whenever suitable for the participant, after she or he agreed to be interviewed personally. The interviews are primarily based on the questionnaire in Annex while additional comments are also exchanged according to any experiences and points of view.

In total, 5 interviews are held. Interviewee-1 is a manager of a company, being a member of USGBC. Interviewee-2 is a manager of a company, a member of both USGBC and CEDBIK. Interviewee-3 is an urban regeneration expert at the TMEU. Interviewee-4 is a manager at DGNB. Interviewee-5 is an environmental engineer at TSI. Despite a number of requests, personal interviews could not be held with any experts of TSI or SEEB-TR that directly deal with green building schemes.

The questionnaire aims to measure the level of good governance through a defined set of governance criteria. The criteria are derived through an analysis of the established rules on international standardisation which is set by the World Trade Organisation (WTO), the Technical Barriers to Trade Agreement (TBT) and its Code of Good Practice (TBT-Annex 3).

These criteria are applied firstly to the USGBC, i.e. the governing body of LEED which is considered by far the most widely used global certification (AJ, 2013). Each criterion is assumed to rank equally important for an internationally recognizable standardizing activity. Any founding or implementing acts of the scheme is surveyed in terms of procedures. The mere presence of any formally written procedures corresponding to each criterion is graded with 1 point since it is assumed that the NGO takes relevant measures at any cost and avoids discretionary decisions in favour of any of its interest groups.

Internet queries of procedural acts are assumed to be the primary source of information since any procedural information on standardizing activity should be public to any interested third parties. If procedures are not in written form, but implemented in practice, no point is granted – but taken into account for general assessments. Subsequently, relevant criteria are applied to those three Turkish green building certification schemes. In the end, final results are compared with a view to make some concluding remarks. Technical and scientific details of schemes are ignored.

IMPORTANCE OF THE GOVERNANCE OF STANDARDISATION

The governance of standardisation in such NGOs could be regarded as the most important aspect of any state or non-state regulations. In today's world where the main concern of regulators has long been closing the gap between the regulator and the regulated (Ayres & Braithwaite, 1992;

Schepel, 2005), standardization could offer a sample ground where this gap could be alleviated by having any stakeholders to enter into discursive decision-making procedures of social, industrial, political, scientific and legal character (Schepel, 2005) – i.e. the "reflexive centre" (Teubner, 1986; Majone, 1984) of a regulation.

Understanding such reflexive centres could be so essential for the regulator that this could limit the necessary amount of information for drawing up an effective regulation down to only "general forms of procedure and organization" (Teubner, 1986). This would alleviate the burden of regulators to gather somewhat perfect information, e.g. on the *measurement* of the level of private law failure, market failure and regulatory failure which may actually be a never ending exercise before deciding whether or not to intervene through regulation (Ogus, 2004; Morgan & Yeung, 2007; Asch, 1988). Thus, learning about how the organization and procedures for standardization are set may offer the best proxy for estimating the level of efficiency and effectiveness of regulation.

DEFINITION OF A STANDARDIZING BODY AND STANDARD

Standards are simply any documents created by standardizing bodies. This approach calls for a definition for "standardizing bodies". The WTO-TBT Agreement and its Code of Good Practice, which can be comfortably taken as a reference text for standards, mentions "standardizing body" twenty times, however, without any explicit definitions. This flexibility is a necessity since "standardizing bodies" may take a variety of legal forms, e.g. public, private or hybrid (Schepel, 2005; Schepel & Falke, 2000). Thus, the right approach is to define the "standardizing body" according to its output rather than legal status. If the output is a standard, the entity should be called as a "standardizing body".

International Standardisation Organisation (ISO) defines standards as "a document that provides requirements, specifications, guidelines or characteristics that can be used consistently to ensure that materials, products, processes and services are fit for their purpose (ISO, 2014)." Clearly, what LEED and other green building certificates offer the industry is a document providing certain conditions, material specifications or guidelines to achieve a certain level of "green". Therefore, call it green building criteria, guide or assessment systems, whatever documents green building councils or other NGOs prepare and deliver to the industry to be able to label their buildings as "green" are standards and those entities are "standardizing bodies".

The fact that those "green building standards" are voluntary does neither change this definition nor diminish their importance. On the contrary, it complies with the well-established approach that standards should be voluntary in order to ensure innovation.

GOOD GOVERNANCE CRITERIA

If a standardizing body aims for a widely-accepted and legitimate standard, how and through what procedures it is prepared is more essential than the legal form of who prepares it (Schepel, 2005). Indeed, the quality and standardisation profession is always concerned with the existence and implementation of certain procedures to ensure final output.

Absence of any formal and transparent procedures would mean that a standardizing body may not explicitly create a record for internal and external review of their standardisation decisions. Subsequently, if a green building scheme provides a contractor with a certificate on the basis of

those standards, third parties including engineering consultancy companies will have little or no means to review or verify that certification decision as well as the standard itself objectively, because all reports and minutes from that standardizing/certification body will be effectively confidential.

Therefore, it should not be a surprise that the last revision to LEED standard has been subject to several criticisms particularly on grounds of not following some procedures on consensus and transparency. The absence of explicit decision-making procedures would suggest for any standardizing body incl. USGBC that it would retain a great deal of discretion, which would mean a great deal of market power compared to other green building certification schemes. In contrast, the presence of relevant procedures would alleviate, if not eliminate the potential for politicization (regulatory capture) from the stakeholders with higher financial and professional resources, to present the most influential arguments during the preparation of LEED standards.

However, LEED has clearly achieved to dominate global markets (AJ, 2013) given more than 20,000 building projects LEED-certified and an additional 37,000 projects in the pipeline for certification (USGBC, 2014). In other words, it is not only the *de facto* standard at the national level but also at the global level.

At this instance, it is important to recall the WTO-TBT Agreement for standardizing activity. Several established criteria for good governance in standardizing activity are clearly laid down in the said Agreement, its Code of Good Practice (TBT-Annex 3) and additional recommendations of TBT Committee (TBT Committee, 2011).

One concern could be that the scope of TBT is limited to goods. However, the concept of standards and standardizing is wide enough to apply TBT to services as well. Besides, standards or related performance criteria on green buildings as a service are closely related to the products. Clearly, building standards stimulate market transformation also through the use of innovative construction products.

Accordingly, the minimum procedural criteria (TBT-Annex 3) set out at the WTO level for preparing international standards should be satisfied by USGBC, as well. Likewise, given the Turkish green building schemes aim to compete against USGBC & LEED successfully either in the domestic or international markets, those national schemes should at least satisfy those minimum procedural criteria at least at the level USGBC does.

According to the Code and latest TBT Committee Decision (TBT Committee, 2011), good governance criteria can be summarized as follows:

Criterion 1: Transparency

1.a: At least once every 6 months, standardisation work programme, including information on the standards currently being prepared and adopted, should be published periodically,
1.b: A notice regarding a standard proposal should be published at an early appropriate stage,
1.c: Upon request, the draft standard should be provided to members,
1.d: Draft standards should be communicated to members explaining its objective, scope and rationale via established mechanisms to consider comments and if necessary, make amendments,

1.e: Adequate time (at least 60 days) and opportunities should be provided for at least all members to make comments in writing,
1.f: Written comments should be taken into account in the further consideration of the standard, and should, if so requested, be replied as with an explanation,
1.g: The standard should be published upon adoption,
1.h: Any procedures, comments and other related documents (e.g. minutes of technical committees) should be effectively communicated preferably via the internet and upon request make hard copies available,
1.i: All essential information on standardizing programme, proposals for standards, guides, recommendations under consideration and the final results should be easily accessible.

Criterion 2: Openness and participation

2.a. Membership should be open on a non-discriminatory basis to all stakeholders with respect to the participation at the policy development level and at every stage (proposal, technical discussion, submission of comments, reviewing, and voting, etc.) of standards development,
2.b: Any interested member of the standardizing body with an interest in a specific standardization activity should be provided with meaningful opportunities to participate at all stages of standard development.

Criterion 3: Impartiality and consensus

3.a: All members should be provided with meaningful opportunities to contribute to the elaboration of a standard so that the standard development process will not give privilege to, or favour the interests of, a particular supplier(s), country(ies) or region(s),
3.b: Consensus procedures should be established that seek to take into account the views of all parties concerned and to reconcile any conflicting arguments,
3.c: Impartiality should be accorded throughout the standards development process.

Criterion 4: Effectiveness and relevance

4.a: Standardizing bodies should take account of regulatory or market needs, as feasible and appropriate, as well as scientific and technological developments in the elaboration of standards,
4.b: Whenever possible, standards should be performance based rather than based on design or descriptive characteristics,
4.c: Standardizing bodies should put in place procedures to identify and review standards that have become obsolete, inappropriate or ineffective for various reasons,
4.d: Standardizing bodies should establish procedures at improving communication with ISO and other officially recognised standardisation bodies.

Criterion 4.d originally asks for communication only with WTO. In WTO context, the international standardisation system is coordinated by the International Standardisation Organisation (ISO) which is granted an official recognition by WTO. However, in the green building field, WTO has yet to have any solid role so far. Therefore, communication rather with ISO as well as other national and regional standardizing bodies is essential for a coherent green building standardisation system. Thus, instead of WTO alone, "ISO and other officially recognised standardizing bodies" is checked as Criterion 4.d.

Criterion 5: Development dimension

5.a: Constraints on developing countries, in particular, to effectively participate in or de facto not excluded from standards development, should be taken into consideration in the standards development process.
5.b: Standardisation bodies may apply capacity building and technical assistance to developing countries.

LEED – US GREEN BUILDING COUNCIL (USGBC)

USGBC is established as a non-profit corporation "to develop standards for the design, construction and renovation of "green buildings" and their associated surroundings" (USGBC, 2013a). It started working on green building metrics and rating systems through a committee established less than a year after its formation in 1993 (USGBC, 2009).

Standards are firstly developed by USGBC member-based volunteer committees, subcommittees, and working groups, and are then subject to review and approval by the LEED Steering Committee and the USGBC Board of Directors prior to a vote by USGBC members (USGBC, 2009).

"Since its beginnings, USGBC has used a consensus process to develop the LEED Green Building Rating System," says USGBC (Fedrizzi, 2005). In view of that, it applied to become an accredited by the American National Standards Institute (ANSI) as a recognised standards developer in 2005. After about 2 years of detailed assessment (ANSI, 2014.a), ANSI confirmed USGBC's dedication to good governance criteria throughout all its standardizing procedures (SMACNA, 2007: ANSI, 2014.b).

Criteria 1 to 3: It is important to emphasize that most of the good governance criteria proposed in previous section match the ones set by ANSI. ANSI criteria of openness, lack of dominance, balance of participants, consideration of views and objections, consensus, and appeals match to Criteria 1 to 3 above closely. Indeed, detailed by-laws and other governing documents of USGBC as well as interviews prove this consistency. For instance, USGBC is clearly concerned with transparency, openness and participation as it clearly defines "public openness and transparency" in its USGBC Policies and Procedures for Committees and Working Groups (USGBC, 2013b).

Interviewee-1 confirms that "USGBC is very sensitive about publishing notices about standard proposals. Since the very start of drafts, everyone including non-members is aware of the proposals as each member is asked through e-mail whether she may volunteer or not."

USGBC clearly specifies up to four public comment periods each of which lasts from 45 days to 15 days for reviewing drafts that are to be revised each time. It actively addresses the USGBC website for receiving and communicating all comments (USGBC, 2009). Through the official website, all comments and corresponding responses, minutes of the LEED Steering Committee and other technical committees and working groups as well as public statements from committees or working groups are publicly made available (USGBC, 2013b).

USGBC seeks to ensure impartiality at any committees and the board as its By-laws make a special emphasis on "multiplicity of viewpoints" as well as a balanced committee composition (USGBC, 2013c). It defines voting, quorum, and consensus in detail (USGBC, 2013c) and it establishes "a consensus body" to consider and evaluate "*expressed objections made by commenters"* (USGBC, 2009). It is worth noting that LEED v4 has passed by 86% of members consensus body (Fedrizzi, 2013). Achieving such a high level of consensus owes also to the existence of safeguard procedures for "appeal" that ensures fair treatment of affected stakeholders (USGBC, 2009).

Criterion 4: Market and regulatory needs are a clear concern for USGBC in its main policy documents (USGBC, 2009), (Criterion 4.a). It does not directly encourage firms to use certain products but makes its sole emphasis on performance-based criteria to drive market transformation and decision-making for product specification (USGBC, 2012); (Criteria 4.b). It has established an established track record of revising and publishing its new versions of LEED standards regularly and continually (Criteria 4.c).

As Interviewees 1 to 3 emphasize, USGBC bases its all standardisation work on previous scientific studies including those of the US Environmental Protection Agency, National Institute of Standards and Technology as well as the United Nations Environment Program ((Criterion 4.a). Besides, it has a very good communication with other standardisation institutes like the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) at the US level and other national green building standardizing bodies like DGNB in Germany (Criterion 4.d).

Interviewees 1 and 3 add that its members follow relevant technical committees at the ISO level (e.g. ISO 15392 on sustainability in building construction) and benefit technical work as such in its own standards. USGBC also follows relevant standardisation developments (e.g. EN 15643 on sustainability assessment of buildings) at the EU level. LEED V4 adopted an international equivalence system which embraces the standards already available in, for instance, the German Blue Angel or elements existing in EN 15643 (Criterion 4.d).

Criterion 5: "The development criterion" lacks among ANSI criteria which are rather set for American federal standards. Still, USGBC acts as if it is an international standardizing body rather than a national one. Firstly, anyone be it from developing countries or not "who has or creates a free a site-user account on the USGBC website may review and comment" on the draft standards and may also become a member of USGBC (Criterion 5.a).

Above all, USGBC has had a clear global perspective by initiating the establishment of the World Green Building Council in 1998. Today, USGBC is an active and leading member of World Green Building Council (WGBC) with more than 90 members. USGBC seeks further collaboration with other globally-active organisations like the International Finance Corporation which invested more than half billion dollars in resource-efficient buildings through working with the governments of Colombia, Indonesia, the Philippines, and Vietnam to help develop their regulatory environments (USGBC, 2013d).

Besides, it coordinates the LEED International Roundtable and the LEED International Program. The former is composed of representatives from green building councils and other local supporting organizations to advice on the approach to global consistency, regional standards, and

other regionally-appropriate alternative compliance paths to relevant standards. The roundtable provides regular feedback on the non-country-specific options for global consistency (USGBC, 2009). The latter is to provide resources, education tools including translation of LEED materials into difference languages, and other outreach to help advocates and project teams applying LEED standards (Criterion 5.b). LEED for Brazil is a clear example of an adaptation to USGBC standards to a developing country context.

Overall, each of sub-Criteria 1 to 5 is graded with 1 point. Last but not least, USGBC implements "pilot testing", an additional form of public comment to test substantive revisions to LEED on the field (USGBC, 2009). This aims to support USGBC criteria of openness, transparency and participation. Pilot testing, as the additional criterion, is graded with an extra 1 point. In total, USGBC is granted full points of 21 (see Table 1).

GREEN BUILDING CERTIFICATION SYSTEM (GBCS)

CEDBIK was established in September 2007 as an association. It aims "to launch an environmentally friendly green building certificate and to lead the market transformation in Turkey with buildings and cities designed with sustainability principles" (CEDBIK, 2007). A year after in July 2008, it applied for WGBC membership and it was granted an emerging member status in September 2009. In the meantime, it organized several awareness-raising activities, and signed a memorandum of understanding with BRE-GLOBAL in September 2009, DGNB in November 2010, and USGBC in March 2011. Finally, it became a full member of WGBC in June 2012. In February 2013, it signed a protocol of cooperation with the TMEU (CEDBIK, 2014).

As of April 2014, its membership is composed of 170 entities, including 148 private sector companies on architecture, construction materials, engineering consultancy, banks and real estate, 6 universities or research institutes, 12 NGOs of manufacturers or environmentalists, and 4 press entities. Its members are not only national companies, but also international ones like BASF, Siemens and Schneider (CEDBIK, 2014).

CEDBIK's studies on its own national certification system date back to 2009. As a starter, it first examined the leading certification schemes with respect to their technical and governance structure. Next, it has worked on a draft CEDBIK Green Building Guide (the Guide) which is publicly available as of November 2012 (CEDBIK, 2013). The Guide aims to "exceed existing standards, decrease environmental impact at every step of design and construction and create a more healthy society, environment and developed economy (CEDBIK, 2014)"

Criteria 1-3: Full-membership to WGBC is an important seal of approval that CEDBIK has "a consensus-based and transparent decision-making processes" as well as "a diverse and open membership that is represented in an integrated fashion in its internal governance" since these are clearly mentioned among WGBC's conditions of membership (WGBC, 2012).

On the other hand, despite its WGBC full-membership, the By-Laws of CEDBIK seem to be clearly incomplete compared to USGBC. For instance, the phrase "technical committees" is not even mentioned in the By-Laws. Accordingly, no written obligations regarding how often or when to publish draft standards or a related notice (criteria 1.a, b, c and g), what mechanisms are employed to communicate draft standards (criterion 1.d), how much time should be allowed for

members to make comments (criterion 1.e), whether comments should be replied (criterion 1.f), and any essential information like on procedures, minutes of committees are communicated (criteria 1.g and h) are not encountered in the By-laws. For instance, unlike USGBC, neither any minutes of the technical committees nor any important documents like the cooperation protocol with the TMEU are publicly available in internet. To compare, USGBC's cooperation protocol with DGNB is publicly available in internet – like any procedures or decisions of the former.

This raises the question whether WGBC conducts any comprehensive assessments of CEDBIK's internal governance regulations. Actually, WGBC checks whether a candidate meets the membership conditions "in general" – a phrase which may be stretched as needed (WGBC, 2012). A supporting example can be given with respect to the WGBC condition of being a non-profit entity. Obviously, CEDBIK's non-profit identity is not mentioned in its existing By-Laws. Similarly, the assumption that CEDBIK's primary strength for WGBC membership is the Protocol signed with the TMEU is on doubt. Interviewee-1 informs that the Protocol has not been signed by the Minister but the TMEU Istanbul Directorate, and to be renewed in a year, i.e. February 2014. The Protocol is not yet renewed." Interviewee-3 confirms this argument and does not attach any legal value to the Protocol. Last but not least, the Protocol is not made publicly available.

WGBC's membership condition of possessing "a diverse and open membership" can also be questioned. Interestingly there are 10 entities that are still not members of CEDBIK despite being a member of USGBC. The reason behind this intriguing fact is explained by Interviewee-1 on grounds of CEDBIK's disappointing behaviour towards potential members particularly during its pre-WGBC full membership period. It is claimed that CEDBIK firstly rejected membership applications on grounds that "it did not decide yet who to select as members and it would choose its members on the basis of a new By-Laws". Interviewee-1 adds that "CEDBIK has never revised its By-Laws and only upon its WGBC full-membership and the emerging competition with TSI and SEEB-TR, CEDBIK has started an aggressively open membership policy."

Interviewees 1 and 3 refer to an important concern of conflict of interest at this instance. They argue that "DGNB or BREEAM are originally designed for the German or English climatic conditions, respectively. However, the current president of CEDBIK is one of the initiators to apply BREEAM and her company, TURKECO is known to be the sole certification company promoting the use of DGNB in Turkey. This raises suspicions on the conflict of interest between the CEDBIK's governance and what certifications CEDBIK may prefer promoting."

The output is that the business interests of the current CEDBIK president clearly avoids new members and thus diminishes its level of participation and the quality of balance in its membership. As a similar case, in USGBC, at the start of each committee meeting, participants are expected to declare if there are any conflicts of interest with any of the agenda items. Should there be any conflict; the participant is requested to be excluded from voting.

Interviewee-2 confirms this approach and states that "the policy towards new members has not been institutional enough as it may change from president to president". It seems that the incomplete set of formal written procedures causes similar problems at other stages of standards development as well. Interviewee-2 adds that "work in technical committees serves rather for the interests of closer business circles. But this is the way how associations are usually run in

Turkey. Since the president does not earn any fee, the management policy is biased in line with certain business interests and the choice of president."

Still, Interviewee-2 adds that CEDBIK is the best compared to the other two national schemes since there is hardly any procedural and technical information publicly available about the other two. He states that "we may criticise CEDBIK because we know something about it." Interviewee-3 also grants CEDBIK an exceptional position since it seems to value "consensus" more than the other two organisations in Turkey.

Indeed, CEDBIK possesses a few features that remind some of Criteria 1 to 3. For instance, a survey is still made publicly available on the CEDBIK official website asking for comments on the Guide. Interviewee-2 adds that "the deadline for making comments has ended, however, any additional comments would be taken into account even today". Similarly, CEDBIK has shared all revised versions of the Guide publicly as of November 2012, September 2013 and January 2014 accompanied with an explanation of contributing organisations and persons.

However, these examples still fall behind USGBC in terms of transparency, participation, impartiality and consensus. Firstly, as of today, no general assessment of comments, responses or replies to participants is provided publicly, or no satisfactory information can be found explaining through what procedures of elaboration, consensus or conciliation the Guide was drafted. This is in contrast to the very good feedback mechanisms of USGBC, as Interviewee-1 also emphasizes.

Secondly, USGBC guides have always announced participants in relevant technical works committee by committee, and in LEED V4 guides, even criteria by criteria. Besides, USGBC relies heavily on government institutions like the US Environmental Protection Agency (EPA). USGBC takes any scientific studies of EPA as a benchmark for its LEED criteria. EPA representatives also join on USGBC technical committees per demand. The last two features clearly do not exist in CEDBIK's work.

Overall, given the non-presence of written formal procedures but the WGBC membership, criteria 1 to 3 are graded with half-points without any points for any sub-criteria.

Criterion 4: Interviewees commonly state that the Guide widely copies the LEED criteria since there is no sufficient funds and labour to fully consider regulatory or market needs, scientific and technological developments. Through following LEED criteria, it respects criteria of considering scientific and technological developments indirectly. Besides, as interviewee-2 suggests "many companies on the field take role in CEDBIK's governance, and what they provide is surely a perspective of market relevance and regulatory need". Still, as CEDBIK official webpage provides no relevant rules, Criterion 4.a is graded with zero.

Criterion 4.b: The Guide follows the standards' performance approach of USGBC since it widely copies the LEED. It is graded with 1.

Criterion 4.c: CEDBIK reports in one of its hard copy information documents that the Guide will be revised according to any feedback received through each year (CEDBIK, 2014). However, due to non-presence of any written procedures, it is graded with zero.

Criterion 4.d: CEDBIK is a member of the WGBC and its sub-entity of the European Green Building Councils' Network. Thanks to that, CEDBIK is capable of being informed of the standardizing developments at the global and regional level. Interviewee-3 notes that CEDBIK's Guide has indeed benefitted some technical conclusions of European-wide discussions like the European Commission's Open House project that aims to merge existing methodologies for sustainability assessment of buildings in Europe.

However, CEDBIK does not follow, or its institutional capacity is not yet sufficient for following the Turkish leg of European and international standardisation activities regularly. No CEDBIK participation is reported to any TSI mirror committees for the international standard work of ISO15392 on sustainability in building construction or the European standardisation work of EN15643 on sustainability assessment of buildings. Thus, this one is graded with half-points.

Criterion 5: The development dimension lacks to a large extent in CEDBIK. According to its By-laws, "non-Turkish persons may only become a member when she has the right of residence in Turkey" (CEDBIK, 2007). Therefore, the primary concern of CEDBIK is domestic and not international yet. Interviewee-2 states that "Turkey would perhaps need at least 15 years to be concerned with having an international development perspective even given the very right legislation and policy-making".

Criteria 6: Unlike USGBC, no formal procedures on piloting are available yet. However, it is noteworthy that CEDBIK has not achieved such a mature stage for piloting its Guide either. Criterion 6 is graded with zero.

Overall, it seems that the most encouraging aspect of CEDBIK is its full membership to the WGBC and thus, its membership to the European Green Building Councils' Network. It is also noteworthy that the current president of CEDBIK is elected as a director of the USGBC Board in 2014. Despite potential conflicts regarding the president's certification business, these are still significant advantages to further the good governance of CEDBIK. However, as of today, CEDBIK scores only 9 as it lacks most written formal procedures.

SUSTAINABLE ENERGY EFFICIENT BUILDINGS-TURKEY (SEEB-TR)

SEEB-TR stands for "sustainable energy efficient buildings". Rather than a certification system in use, it is still at the level of a university project, a part of R&D activities developed mostly by academicians. It is governed by the "Construction Applications & Research Centre" (CARC) which was established to raise awareness regarding sustainability in buildings in 2008 under Istanbul Mimar Sinan University of Fine Arts (the University). It started its technical work on SEEB-TR in 2010. As it undertook the project, "Research and Development in Energy Efficiency in Buildings and the Formation of Information Sharing System" that is financed by the Istanbul Development Agency, the project gained pace (Yesil Bina, 2014).

SEEB-TR is formed after criteria laid down in LEED and other leading certification schemes are examined and adapted to Turkish environmental conditions. CARC deletes the criteria irrelevant to Turkish environmental conditions. However, Interviewee-2 claims that SEEB-TR has largely copied the CEDBIK's guide.

Nevertheless, the governing regulations of CARC do not seem transparent. It is stated that the weightings of criteria are determined after the assessments of the scientific board, sectoral working groups and NGOs of diverse membership (Yesil Bina, 2014). However, the composition of the board or committees as well as voting and other decision-making procedures are not announced clearly anywhere if not available through its online portal <http://www.seebtr.com> which is still closed to participants outside the university. Likewise, the legal status of the scientific board is unclear. SEEB-TR states that it is independent from the University, however, it also emphasizes the role of the scientific board for preparing criteria (EkoYapi, 2014).

Interviewee-1 accepts that she does not know much about it. Interviewee-2 states that she acquires information on SEEB-TR through limited personal contacts rather than any institutional or public mechanisms. Interviewees 1 to 3 state that they have not heard about SEEB-TR until a green building seminar held by TMEU on December 2013. According to them, SEEB-TR has at least 3-5 years to achieve any good governance criteria. Interviewees even claim that SEEB-TR may not really involve as many academicians as it advertises.

Overall, SEEB-TR is graded poorly. Due to lack of any written procedures open to third parties, its technical work is open to any speculations. Thus, all criteria are graded with zero (Table 1).

SAFE GREEN BUILDING CERTIFICATE (SGBC)

SGBC is developed by Turkish Standards Institute (TSI) which has acquired the official status as the national standardisation institute by the Organisation Law 132 on 22 November 1960, however administered under the provisions of Civil Law. According to several press releases, it is reported that TSI completed the technical work regarding the SGBC in about 2 months and TSI introduced the scheme to the public in June 2013. As of September 2013, TSI reported that it started certifications (Haberler, 2013) – though no certifications are known to be granted yet.

According to Interviewee-4 from the German green building certification scheme, it takes around 2 years to prepare a certification scheme on *core* sectors. It is also noteworthy that USGBC could adopt the last LEED version in 5 years starting from 2009. This comparison alone raises doubts on not only by whom SGBC was prepared but also the technical rigour. TSI replies similar criticisms of the industry and other national certification schemes stating that "TSI is in the certification business not for a few years but 50 years" (MEU, 2013).

Indeed, TSI is a well-established institution with full memberships to a number of international and European standardisation organisations. Therefore, it is reasonable to expect TSI to have in place well-established and transparent procedures on preparing criteria, openness and participation, effectiveness and so on.

Conversely, it has not been possible to find any written procedural rules with respect to how and by whom underlying criteria are drafted, discussed or voted. According to all interviewees, TSI makes a lot of press releases, but avoids sharing complete technical information and procedural discussions about SGBC. However, TSI claims that SGBC was prepared with the participation of a few institutions including universities, Ministries and other state institutions, NGOs and some contractors (MEU, 2013). In other words, from the viewpoint of TSI, SGBC seem to respect good governance criteria.

On the other hand, according to a personal communication with the TMEU, TSI does not share its presentations on SGBC even with the Ministry. Interviewee-2 states that "I would not know how to provide any consultancy with respect to SGBC as what energy models or other scientific criteria it uses are not public". Likewise, Interviewee-1 states that she does not know much about it. She adds that TSI relies on its monopoly position as the sole national standardisation organisation rather than an ethical green building scheme. Interviewee-1 states that "if requested even I can prepare a rating system in a day, however, this would be illegitimate and lack public opinion and participation".

The monopolistic attitude of TSI is a well-known fact in the construction products industry, e.g. the market for the European Technical Approval in Turkey (CRA, 2013). Besides, the industry complains of "conflicts of interest" issues in other fields like product conformity and market surveillance. The Turkish Construction Materials Manufacturers Association drafted a roadmap on safe buildings stating that "TSI should not be the institution that both grants conformity to standards and controls conformity as such (Yeşil Bina, 2013)."

TSI is accused of additional conflicts of interest issues. Most importantly, Interviewee-1 argues that the role of TSI should be limited to preparing basic standards for green building certification schemes – like LEED refers to ISO standards and BREEAM refers to standards prepared by the British Standards Institute. Interviewee-1 argues that TSI doesn't prepare such basic standards in time; instead it runs a certification system on its own, competes with other schemes and thus abuses its monopoly position and thus raises competition law concerns.

This argument has a merit. Interviewee-4 states that DGNB and DIN follow the standardisation work of each other closely as common experts may participate to both DGNB and DIN technical committees. DIN prepares basic standards for DGNB to refer to in its own eco-criteria while DGNB aims to influence DIN as the latter may adopt what DGNB has prepared as a federal standard.

Likewise, USGBC aims its LEED standards to be adopted by ANSI as a federal standard. The standard, "ANSI/ASHRAE/USGBC/IES 189.1 on the Design of High-Performance Green Buildings-Except Low-Rise Residential Buildings" is a nice example. The standard is created through a collaborative effort of USGBC and two other US standardizing associations, subsequently recognized as "a national voluntary consensus standard" and made ready for States and local jurisdictions within the US that wish to adopt into law. It was developed in about 3 years, after 4 public reviews in which some 2,500 comments were received.

Last but not least, TSI grants applicant firms with bonus points should they use 15 products that certified with other TSI certificates regarding product safety and quality. All interviewees regard this criterion as "unethical" and not parallel to the USGBC approach (cf. Criterion 4.b).

Overall, the absence of any explicit procedures suggests that TSI possesses a great deal of discretion, which translates into a great deal of power – particularly when considered with its monopoly power as the sole national standardizing body in Turkey. To be sure, there may be some reasons to believe that TSI will exercise its power wisely, but for those who may not *believe* so easily, TSI's scheme suggests that the market and the TMEU should maintain a vigilant eye on its actions. Overall, it is graded zero (see Table 1).

COMMON NOTES OF CAUTION

Before finishing, 4 remarks/observations need to be made as common for all Turkish schemes:

1- Interviewees 1 to 3 highlight that LEED criteria are essentially based on several scientific studies on toxicology, global warming potential, ozone layer depletion, and etc. that are previously conducted by EPA and other recognised research organisations. They, however, state that what scientific data CEDBIK, SEEB-TR or SGBC rely on is highly questionable if not incomplete. They add that this problem is not an issue to be solved in a day. This needs a comprehensive research on side of the Turkish universities, NGOs, research institutes to conduct similar researches taking into account the Turkish climatic and environmental conditions.

2- As Interviewee-2 reminds, the civil society in Turkey is significantly weak. She adds that "no one wants to work for nothing". Indeed, Interviewees 3 and 5 note that participation to TSI technical committees on environmental topics lack active participation despite several calls to the industry. This approach alone conflicts with the established understanding that participation itself has a value in itself to further business interests of your own – like USGBC embraces as well.

3- Membership of foreigners is an essential element to export your certification services to their countries. The Turkish Civil Law no 4721 allows only those foreigners with rights of residence in Turkey to establish an association or to become a member to associations. To compare, any non-US citizen may become a member to USGBC and vote. However, the Turkish legal infrastructure is not that open and avoids any national schemes to go beyond Turkish borders.

4- Finally, none of the Interviewees are fully aware of the importance of the good governance criteria in standardisation. It is widely accepted that the real market value of any standards does not depend on confidentiality but the level of transparency in its procedures, level of participation, and impartiality, etc. In contrast, Interviewee-1 argues that "national organisations claiming to prepare a green building scheme do not publicize their internal governance and decision making procedures with a view not to lose marketing value". Likewise, Interviewee-2 proposes that the existence of big international companies on CEDBIK's board is a sign of "transparency" – overlooking the impartiality and balance criteria.

CONCLUSIONS

USGBC is apparently ranked the best in terms of good governance. Indeed, it is widely known that LEED is recognised through several pieces of US legislation as well as private contracts all over the world. However, in Turkey, TSI and SEEB-TR are found to be quite far from attaching any concrete value to the same criteria. One exception seems to be CEDBIK as the closest follower of USGBC. However, it has still more to do, particularly in terms of formalizing and publishing its decision-making procedures.

Currently, in the absence of clear procedural rules, it is likely that all national green building schemes would be abused either by domestic political stakeholders or companies with stronger financial power to pursue their own interests. Even disregarding those common fundamental challenges, such likelihood is not acceptable for either a nationally or an internationally legitimate scheme.

Annex: Table 1

	USGBC	CEDBIK	SEEB-TR	TSE
1. Transparency	**9**	**4.5**	**0**	**0**
a: Standards work programme published periodically	1		0	0
b: Notice regarding a proposal published	1		0	0
c: Provide members with the drafts upon request	1		0	0
d: Have established mechanisms to notify drafts, consider comments, make necessary amendments	1		0	0
e: Provide adequate time & opportunities for at least members to make comments	1		0	0
f: Take into account written comments, and reply with an explanation	1		0	0
g: Publish standards/criteria upon adoption	1		0	0
h: Communicate any procedures and documents effectively and make hard copies available	1		0	0
i: All essential information on standards, documents being considered and final results easily accessible	1		0	0
2. Openness & participation:	**2**	**1**	**0**	**0**
a: Membership open on a non-discriminatory basis at the policy development level and at every stage of standards development	1		0	0
b: Any interested member of the standardisation body participate at all stages of standard development	1		0	0
3. Impartiality & consensus:	**3**	**1.5**	**0**	**0**
a: Members contribute to the standardizing activity whilst avoiding dominance of any stakeholders	1		0	0
b: Consensus & reconciliation procedures established	1		0	0
c: Impartiality through all standardisation process	1		0	0
4. Effectiveness & relevance:	**4**	**2**	**0**	**0**
a: Consider regulatory or market needs, scientific and technological developments	1	0	0	0
b: Standards based on performance rather than design or description	1	1	0	0
c: Have procedures to review obsolete, inappropriate or ineffective standards	1	0	0	0
d: Have procedures to improve communication with standardising bodies, e.g. ISO, WGBC, etc.	1	0.5	0	0
5. Development dimension:	**2**	**0**	**0**	**0**
a: Consider constraints on developing countries to participate in standards development	1	0	0	0
b: Apply capacity building to developing countries	1	0	0	0
6. Any additional criteria	**1**	**0**	**0**	**0**
a: Application of "Piloting" to support public comment	1	0	0	0
Total Scores	**21**	**9**	**0**	**0**

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