



Mr. Maros Šefčovič

Commissioner for Trade and Economic Security
European Commission

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BELGIUM

12 October 2026

Dear Commissioner,

I would like to address this letter to you on the occasion of the 3rd EU-Türkiye High-Level Trade Dialogue taking place in Brussels on 13 October 2026.

The EU and Türkiye are natural partners not only due to geographical proximity but, most importantly, due to our closely interlinked economies. The EU-Türkiye Customs Union Agreement is a cornerstone in the bilateral relationship, while Türkiye is also a candidate country to the EU. In this framework, BusinessEurope remains a strong advocate for closer EU-Türkiye relations based on mutual benefits of economic integration, but also on sharing values and respecting the rules.

BusinessEurope recognises that since entering into force in 1995, the Customs Union has contributed to increased bilateral trade, investment and the development of resilient regional supply chains. Nevertheless, despite its achievements, the Customs Union is far from reaching its full potential. In addition to the challenges impeding the effective implementation of the current Customs Union, the changing nature of the geopolitical context compels to rethinking how the Customs Union can be optimised and modernised in a mutually beneficial manner. From the European Industry's perspective, we would like to outline a three-pronged solution:

1. Addressing current implementation challenges

European companies often report a number of challenges affecting the smooth functioning of the Customs Union, including disproportionate checks on EU goods at the border, discriminatory requirements for EU products, additional customs duties and additional administrative procedures. Concerns have been also raised regarding the introduction of local requirements by Türkiye in different sectors. At the same time, Turkish operators complain about limited access to relevant EU databases, information systems and agencies. Other practical concerns raised on the Turkish side include transit fees and road transport quotas. A further concern for both sides is the insufficient pace of digitalisation of customs procedures, which continues to affect the smooth flow of trade. Taken together, such barriers and frictions on both sides are not compatible with the spirit of the Customs Union and hinder its effective functioning.

We recognise that the bilateral dialogue at technical level and the work conducted in the framework of the Market Access Advisory Committee and the TAREKS, as well as the



EU-Türkiye High-Level Trade Working Group delivers concrete results. These efforts should be intensified and focused on areas such as:

- Certification of traded goods, for instance promoting product compliance with CE marking and alignment to Digital Product Passport requirements.
- Ensuring that conformity checks via the TAREKS are based on an appropriate risk analysis, while valid A.TR certificates should in principle be considered as sufficient for the free circulation of goods.
- Building on the decision adopted in July 2026 on the mutual recognition of the EU and Türkiye's Authorised Economic Operator programmes by swiftly completing the necessary information exchange arrangements.
- Advancing the digitalisation of customs and conformity assessment procedures and promoting electronic exchanges of technical and conformity documents.

More examples and a detailed analysis of these issues is provided in the separate Annex to this letter.

2. Advancing Regulatory Cooperation in key areas

Facing similar challenges in an increasingly complex environment – competitiveness pressures, climate change, economic security – the EU and Türkiye strive to develop their policy agendas to address these challenges by attracting investments, maintaining jobs and growth and continuing to innovate. These objectives need to be pursued in a way that improves stability and predictability for businesses and promotes further alignment and integration between our economies. A few areas that could be considered in this context are the following:

- Green transition, with a particular attention to the EU's Carbon Border Adjustment Mechanism (CBAM) and circular economy policies – Address competitiveness challenges on both sides, including issues related to CBAM implementation, through increased dialogue and cooperation; and promote predictable, consistent and proportionate implementation; and strengthen cooperation on circular economy policies, including by supporting circular value chains and greater regulatory alignment.
- Public procurement – explore opportunities for mutually beneficial arrangements in the context of the EU's Industrial Accelerator Act (IAA). In our view Customs Union partners should receive equivalence under the Union origin qualifications of the proposed Regulation, while ensuring effective reciprocity. Türkiye has signalled its willingness to address this issue with the EU, and we believe that we should seize this momentum.
- Digital transition – Strengthen regulatory alignment and technical cooperation on industrial data governance, cybersecurity and digital supply-chain traceability, and work towards arrangements for secure and predictable cross-border data flows, reflecting their growing importance for the free circulation of goods and integrated EU-Türkiye value chains.



- Exploring opportunities for regulatory alignment and addressing non-tariff barriers across sectors, including through closer cooperation on technical regulations, conformity assessment and market-access requirements.

Across these and other areas affecting the Customs Union, early information-sharing should be a guiding principle of EU–Türkiye regulatory cooperation, allowing both sides to identify and address potential implications of new legislative and policy initiatives at an early stage.

A more detailed assessment of these proposals may be found at the separate Annex to this letter.

3. Modernising the Customs Union Agreement

BusinessEurope supports a modernised Customs Union Agreement that includes all EU Member States and is expanded to cover trade in all goods and services, including public procurement, intellectual property rights and State aid. It should also be adjusted to today's ambitions in the areas of sustainability and the digital economy and include an effective and de-politicised dispute settlement mechanism, the absence of which in the current framework prevents us from solving the implementation problems that both sides complain about. We encourage both sides to make progress on the outstanding issues and pave the way for the resumption of the Customs Union modernisation process.

BusinessEurope remains committed to advancing EU-Türkiye dialogue and cooperation and we hope that you will find our proposals useful in the deliberations with your counterparts during the High-Level Dialogue on Trade. My team and I would be happy to continue this constructive discussion with you.

Yours sincerely,

Markus J. Beyrer
Director General



ANNEX

1. Addressing current implementation challenges

Certification of goods – Product compliance with EU legislation and rules of origin. For instance, right certification and CE marking is critical to benefit from tariff preferences.

Customs – TAREKS is an electronic risk-based import control system in place since 2011. Importers are required to register on the system and submit their applications through it. Based on a risk analysis, the system determines whether a product requires a conformity check. EU products and third-country products entering Türkiye via the EU are exempted from conformity assessment checks when processed through TAREKS. In principle, products in free circulation in the EU accompanied by an A.TR. certificate should have direct access to the Turkish market, except where checks are justified by a risk analysis. However, EU companies have experienced excessive requests for documentation and test results when importing into Türkiye. The sectors particularly affected in 2024 were non-road mobile machinery such as loaders, excavators, construction equipment and machinery – though similar issues were also reported in previous years for toys and electrical equipment. These checks are typically triggered by inaccuracies or missing information in the Declaration of Conformity and do not appear to be justified by a detected risk to product safety.

Mutual recognition of the EU and Türkiye's Authorised Economic Operator programmes – Building on the decision adopted in July 2026 on the mutual recognition of the EU and Türkiye's Authorised Economic Operator programmes, the necessary information exchange arrangements should be completed swiftly to ensure its effective implementation and enable economic operators to benefit from mutual recognition without delay.

Financial liabilities – In 2017, Türkiye introduced "additional financial liabilities" levy. These are compensatory levies that raise the level of the EU's Generalised Scheme Preferences (GSP) tariffs to the level of Türkiye's existing applicable duties for imports of several countries to which Türkiye should normally apply the EU's GSP tariffs – whenever these goods are imported into Türkiye via the EU. The Turkish side argues that an effective solution should be pursued through the modernisation of the Customs Union; as such situations reflect the structural asymmetries inherent in its current functioning. In the meantime, earlier information-sharing, closer dialogue and, where possible, parallel engagement with relevant third-country partners could help mitigate their effects.

Digitalisation – Digitalisation of customs and conformity assessment procedures, and wider electronic exchange of technical and conformity documents would help shorten customs clearance processes, reduce administrative burdens, and facilitate smoother trade flows across sectors. Timely cooperation on the development and implementation of digitalisation policies, including Digital Product Passports would be essential to promote interoperability and prevent divergent requirements that could lead to

duplications in compliance processes, additional costs and administrative burdens for businesses.

2. Advancing Regulatory Cooperation in key areas

CBAM – The implementation of the EU's Carbon Border Adjustment Mechanism (CBAM) should be accompanied by constructive and transparent cooperation to address increased competitiveness pressures, especially when it comes to energy and electricity prices. Structured dialogue should include issues related to:

- Accreditation of verifiers.
- CBAM's product scope and sectoral phase-in, including during the legislative process for the upcoming CBAM review.
- Product requirements, market surveillance, traceability, environmental declarations, safety and producer responsibility requirements.
- The assessment and recognition of Türkiye's upcoming ETS and carbon pricing methods and mechanisms.
- Applicable transit procedures and customs supervision.
- Instruments to help determine the portion of imported goods and goods in transit, beyond the available operational data that reflects physical flows, confirmed nominations, and schedules across the relevant borders.

Public Procurement – Discriminatory provisions against foreign operators and goods, applied by Türkiye allow for preferential treatment of domestic bidders. To offer a specific example, large-scale public-private partnership (PPP) infrastructure projects are often excluded from the scope of Public Procurement Law No. 4734 and are instead governed by project-specific contracts approved through special legislation or Presidential Decrees. Transparent and clear rules are key to ensuring a stable and predictable environment for business. In the absence of public procurement provisions or an effective dispute settlement mechanism in the current EU-Türkiye Customs Union Agreement, these issues are extremely difficult to resolve.

Moreover, the discussion in the context of the EU's proposed Industrial Accelerator Act calls for the intensification of dialogue between the Turkish authorities and the European Commission on reciprocity in public procurement. Legislation adopted in July in the Turkish Parliament introduced a legal basis for positive reciprocity in public procurement with the EU, granted through Presidential Decrees. These developments should be used to build momentum towards a mutually beneficial negotiated arrangement on public procurement that will ensure maximum clarity and predictability for businesses participating in public procurement processes. We welcome the signals of commitment on both sides to engage further on this issue, and we support the establishment of a process with clear timelines and objectives.

Pharmaceuticals – In addition to tariff-free trade in industrial goods, the EU-Türkiye Customs Union Agreement provides for Türkiye to adopt EU technical regulations: this provision has not been fully implemented with regards to technical regulations for pharmaceutical products. Against this backdrop, a range of structural and policy-related



barriers continue to affect EU pharmaceutical companies operating in Türkiye, limiting predictability, market access, and the timely availability of innovative medicines for patients. Closer regulatory cooperation and mutual recognition could also facilitate EU market access for Turkish pharmaceutical companies. We welcome the ongoing discussions to update the Customs Union annexes, which set out the list of technical legislation underpinning the free movement of goods between the EU and Türkiye. This discussion should particularly include the following issues:

- Regulatory harmonisation by means of a Mutual Recognition Agreement (MRA) covering Good Manufacturing Practices (GMP) and import testing for pharmaceuticals
- Intellectual Property (IP) protection and enforcement
- Regulatory Data Protection (RDP) and related regulatory frameworks
- Patent term extension
- Compulsory licensing in line with international obligations and public-health safeguards
- Counterfeiting & trademark protection including strengthened cooperation between relevant authorities
- IP exhaustion and related market-access considerations

Chemical legislation – Enhanced EU–Türkiye cooperation should be established on chemicals legislation, including REACH registration, Classification, Labelling and Packaging (CLP) classification, Safety Data Sheet requirements among others, given their impact on competitiveness, compliance and market access. Closer alignment and, where appropriate, mutual recognition of testing, certification and conformity assessment procedures, supported by effective data-sharing, should help avoid duplication, reduce compliance costs and administrative burdens, and help companies operating across integrated value chains to bring products to market more quickly. Furthermore, careful and well-thought implementation of KKDİK is paramount for the establishment of chemicals legislation in Türkiye in order to allow both global and Turkish companies a smooth access to the Turkish market.