

A close-up photograph of a hand turning a rusty, ornate metal handle on an old door. The hand is wearing a gold bracelet. The door is made of dark wood and has intricate metalwork. The background is dark and out of focus.

Following Through

**Progress on the Implementation
of the Aarhus Convention in South Eastern Europe**



THE REGIONAL ENVIRONMENTAL CENTER
for Central and Eastern Europe



Effective implementation of the Aarhus Convention may have many preconditions. One such precondition, which at the same time serves as a useful mechanism, could be the development of implementation strategies and action plans.

These strategies need to be based on a thorough assessment of needs in regard to legislative and institutional frameworks, practices, capacity-building, training, information dissemination and public awareness-raising, as well as on identification of priorities to facilitate a more efficient and successful implementation of the Aarhus Convention. Implementation of the project Support Developing Strategies for Implementation of the Aarhus Convention in South Eastern Europe within the Regional Environmental Reconstruction Programme for South Eastern Europe (REReP), for which the Netherlands Ministry for Foreign Affairs provides support, was begun in April 2001 by the Regional Environmental Center for Central and Eastern Europe (REC) in cooperation with the ministries of environment and non-governmental organisations (NGOs) from Albania, Bosnia and Herzegovina, Bulgaria, Kosovo (territory under interim UN administration), FYR Macedonia, Romania, and Serbia and Montenegro. It will run through December 2003. Croatia, the lead country on this topic, as well as representatives of the Aarhus Convention Secretariat, also participated in the Steering Committee meetings.

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Goals

- Ensure effective implementation of the Aarhus Convention in South Eastern Europe region through a transparent and participatory process of developing implementation strategies for the Aarhus Convention;
- Provide assistance to SEE government officials in order to develop an implementation strategy through a regional framework and the combination of national and local activities;
- Develop a structure for the ongoing involvement of civil society, and for direct NGO involvement in official working groups;
- Support capacity building of governmental officials and NGOs to enable them to facilitate the implementation of the Aarhus Convention.

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PROGRESS TO DATE

Work on developing implementation strategies has followed the above-mentioned patterns in each country. Needs assessment reports have been prepared with recommendations for priority activities, which were discussed with experts and NGOs, as well as by inter-ministerial working groups established to discuss the project results. Based on the finalised needs assessments draft work plans have been drawn up for governmental and NGO activities, which include recommended steps for the development of an implementation strategy and action plan in each country, and for concrete capacity-building, training, information dissemination and public awareness raising activities. The project's activities, as well as the development of strategy, are conducted in an open, transparent and participatory way. There has been substantial NGO involvement in discussing and finalising the needs assessment reports and the country work plans. The NGOs and the broader public are informed about the project's activities and results through websites, bulletins, articles, meetings and networking. Broad



NGOs have been involved in the development of implementation strategy in many ways:

- NGO representatives have been invited to be the members of the inter-ministerial working groups, to have direct access to discussions on interim project results and planned activities, and to represent the NGO community's views. In all of the countries more than one NGO has participated in these discussions.
- A network of specific NGO focal points have been selected and funded within the project to ensure direct NGO involvement in the project activities, to inform the NGOs and request feedback from them on project related activities and interim results, and to participate in the work of the inter-ministerial working groups and regional Steering Committee meetings. The NGO focal points have developed their own work plan, established a network of communication with interested NGOs in their respective countries and held regular meetings and consultations with them on project related or Aarhus Convention related activities. In some countries (Romania, Serbia and Montenegro) the task is shared between two NGOs.

input has been solicited through public discussions and commenting procedure before the finalisation of the strategy. The finalised strategies and action plans will be submitted to the respective ministries for further steps towards official adoption by the end of September 2003.

A COMBINATION OF REGIONAL, NATIONAL AND LOCAL ACTIVITIES

Activities at a national and local level have been defined in partnership with the ministry officials responsible for, and NGOs interested in, the implementation of the Aarhus Convention. Such activities include the work of the country teams on the implementation strategy, the local pilot projects, capacity-building workshops and training on the implementation of the Aarhus Convention for officials, mixed stakeholders and NGOs. The Aarhus and NGO focal points selected for the project activities, independent experts and REC experts have been part of the core project implementation team.

A regional Steering Committee has been set up to oversee and monitor the project's activities and to facilitate an exchange of experience and expertise. It normally meets on a bi-annual basis, and a final regional workshop will be organised in September 2003 to disseminate the results of the project and to discuss future needs and proposals for activities.

NGO PILOT PROJECTS

Local pilot project grants were awarded in five countries. A total of 81 concept papers were submitted, and eight grants were selected for funding. The pilot projects will promote the effective application of the Aarhus Convention in practice, ensure efficient public involvement in the decision-making process in accordance with the Convention, develop participatory practices in the community level decision-making process, stimulate dialogue and cooperation among local authorities, NGOs, the public and other stakeholders, and improve the information flow among interested parties.

Implementing the Aarhus Convention in practice: NGO pilot projects in five SEE countries

- **Supporting the Development of Opinion Leaders in a Rural Community by Implementing the Aarhus Convention's Principles**, implemented by ECO-ALPEX 024, Romania: The project requires information regarding the landfill site near the Chiscani community, and will actively involve the citizens in the local decision-making process to eliminate the landfill.
 - **Creating Sustainable Solutions for Elimination of Illegal Landfills through Implementation of the Aarhus Convention**, implemented by the Environmental Association Izgrev, FYR Macedonia: The pilot project will contribute to the development of policies to create sustainable solutions for the elimination of illegal landfills through public participation in the local decision-making process.
 - **Free Access to Nuclear Information — Implementing the Aarhus Convention in Romania**, implemented by the Romanian Association of Nature Lovers (ARIN), Romania: The objective of the project is to improve the capacity of the citizens to participate in decision-making in regard to nuclear activities in Romania, by enabling them to access information and by creating a framework for discussion between different stakeholders.
 - **Capacity-Building for the Aarhus Convention at Local Level in Romania**, implemented by Friends of the Earth, Galati, Romania: The objective of the project is to develop capacity at the local level for the implementation of the Aarhus Convention for local governments and NGOs, and to test these capacities in the local level decision-making process regarding the solution of potential environmental pollution problems.
 - **Reduce, Reuse, Recycle — Framework for Local Strategy**, implemented by the Environmental Protection Agency, Serbia and Montenegro: The objective of the project is to ensure wider public involvement in the design and adoption of a framework for municipal waste management strategy.
 - **Campaign Helping People to Participate**, implemented by the Greener Bourgas Foundation, Bulgaria: The objective of the project is to build capacity at the local level and to establish a mechanism and practice for public participation through the development of a public participation strategy in the development of the municipal air quality management programme of the city of Bourgas.
 - **Detailed Urban Plan and Strategic Environmental Assessment (SEA) for the Beach Area of Varna, Bulgaria. Alternative Ways to Involve the Public in the Development of the Plan and in Its Subsequent Implementation**, implemented by the Foundation Institute for Ecological Modernisation, Bulgaria: The objective of the project is to include all stakeholders in the decision-making process for the development of a detailed urban plan, its SEA and infrastructure planning.
 - **Community Participation in Waste Management**, implemented by Co-Plan, Centre for Habitat Development, Albania: The project will engage the communities of the municipality of Kamza in active planning and decision-making with respect to waste management.
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The projects will focus on direct implementation of national legislation and on one or more provisions of the Aarhus Convention, primarily Articles 6, 7 and 8. Additionally, they will provide an opportunity for development or further development of effective public involvement mechanisms, developing good practices and democratic approaches in communities, and on helping to define activities regarding the concrete and specific process of decision-making.

CAPACITY-BUILDING AND TRAINING

An analysis of capacity-building and training needs has been carried out in order to develop recommendations for a specific capacity-building and training programme both for government officials and the NGOs within the Aarhus Convention implementation strategy being prepared in each SEE country. A specific training component was carried out in Kosovo. The implementation of capacity-building and training activities started in October 2002, and include local language workshops and seminars, as well as training provided by local trainers in regard to general and specific aspects of the Aarhus Convention targeting officials and NGOs at central, regional and local levels.

EXPECTED IMPACT

Great interest has been shown in the implementation of Aarhus Convention in many of the SEE countries thanks to its progressive and unique contents. The ongoing democratisation and administrative reform processes in these countries are in line with the need to implement the Convention. The project represents a coordinated effort to promote the implementation of the Aarhus Convention and has therefore received substantial support from the country partners as well as from the Aarhus Convention Secretariat. Aarhus focal points in the respective ministries and NGO partners have donated their time to advise and participate in the project's activities, and to contribute to the output of the project. This has created a cooperative spirit and has positively influenced the project's events and activities.

The approximate number of persons trained in capacity-building workshops will exceed 1,000 and will target governmental officials and NGOs at central, regional and local levels, as well as parliamentarians, journalists and businessmen. The project participants will also be afforded opportunities to learn from the experiences of other European countries. The Aarhus and NGO focal points had the opportunity to attend the Aarhus Convention Meeting of Parties, task forces and working group meetings within this project, and through this gained diverse international experience on matters they will be able to apply.

The project is expected to accelerate the process of ratification and early implementation of the Aarhus Convention. The participating country partners rely heavily on this project to implement the Convention, while those that are not yet parties to the Convention utilise the project to develop the documents needed for its ratification.

The project delivers a mechanism for the implementation of the Aarhus Convention to the beneficiaries, and through the implementation strategy it provides a concrete action plan for specific steps and measures within a short time frame. If governments follow these recommendations, legislative and institutional frameworks will significantly be improved, which will enable the public to participate more efficiently in decision-making. The trainings will lead to increased governmental and NGO capacity. Information dissemination and public awareness-raising activities will enable

government officials to better understand and more efficiently execute their obligations regarding public access to information and public participation in environmental decision-making. NGOs and other stakeholders will profit from these activities, as well, and will be more aware of their rights and the application of such rights under the Convention. The project will also complete several short-term tasks regarding training and capacity-building, resulting in the production of training materials, manuals, guidance materials and methodologies, that can be used in the future by the relevant governmental officials and NGOs. Information and public awareness-raising materials will include leaflets brochures, citizen guides, electronic information networking and dissemination, etc, which will reach out to the NGOs and the broader public. The NGO pilot projects will result in a better-informed and more involved public in a given local decision-making situation, and in the promotion and development of good practices regarding the implementation of the Aarhus Convention in local communities.

NEXT STEPS

The effective implementation of the strategy will take place in each SEE country after the project is completed, and will include measures and steps for continued improvements in the legislative and institutional frameworks, practices, training, capacity-building, and awareness-raising. Many of the benefits of the project will be felt subsequent to the strategy and action plan being implemented. The implementation of the Aarhus Convention will require not only legislative and institutional changes, but also changes in the mentality and approach of both officials and NGOs. To achieve such changes, longer and mid activities and efforts are needed.

The sustainability of the project on the national range level will mainly depend on the political will of the ministries to continue the implementation activities and to carry out the action plan. The support/pressure of the NGOs to monitor the accomplishments and the realisation of the plans will also be crucial in this respect. The national/local initiatives should take over the capacity-building, training delivery, information dissemination, and awareness-building activities using the materials prepared by the project and financed by the countries themselves, or external donors.

The absorption capacity of the governmental and NGO experts dealing with Aarhus matters may limit this sustainability to a certain degree, and will require a flexible approach that remains focused on current needs. Under the Aarhus process new topics will be relevant (for example pollutant release and transfer registers, public participation in strategic environmental assessment or decisions on genetically modified organisms, etc.), which up to now have not received such a great emphasis in this project, and new methodologies, guidance materials, training/capacity-building activities will be needed. There is also a need for further capacity-building/training for NGOs in some of the targeted countries, for developing and implementing public participation strategies, for using different tools in the solution of particular environmental problems and to influence decision-making on controversial or polluting activities. In addition, targeting and making an impact on the municipal level/community level is an enormous task, which this project could not fully accomplish.

When implementing a similar or follow-up project in the future it will be possible to build on the achievements of this project, the results of the needs assessments, the implementation strategy and action plans, the materials developed during the project activities and the established governmental and NGO network. The project concept and structure largely proved to be efficient and it is possible to continue in those areas that are well identified in the implementation strategy and action plan, but which could not be accomplished within the current project.

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