

Assistance in Environmental Law Drafting in South Eastern Europe

Sixth Meeting of the Environmental Law Approximation Network

Szentendre, Hungary
December 16-17, 2005

Conclusions

At the 6th network meeting the participants presented, discussed and evaluated the outputs and outcomes of the project, and considered a concept for proposed future activities, taking into account the feedback received from beneficiaries during the implementation of the project. Some ministries that did not send representatives to take part in the meeting sent written comments and statements on the draft concept.

The participants reached the following conclusions:

1. We acknowledge that the project has significantly contributed to progress in environmental law drafting in SEE and has improved regional cooperation, built bridges of friendship, improved relations between countries in the region, and promoted understanding. We call for the continuation of the project with the support of donors, especially the European Commission as the project is focused on the goal of accession to the European Union.
2. We rename and re-launch the project network as the Environmental Law Approximation Network.
3. The basic approach of the project is sound — to wit:
 - a. The focus on building institutional capacities of the ministries as primary beneficiaries;
 - b. The request-driven approach;
 - c. Ensuring synergies and interlinkages between the regional and country/entity activities;
 - d. The multi-faceted approach including various tools such as study visits and targeted workshops in conjunction with direct drafting support;
 - e. Accessibility and transparency, inter alia, through the project website;
 - f. Involvement of stakeholders;
 - g. Facilitation of exchange and personal contacts through the network;
 - h. Sharing and replication of outputs of this and other assistance projects;
 - i. Use of the **Matrix** of environmental legal assistance projects as a tool for coordination and maximisation of benefits;
 - j. Cooperation with other relevant assistance programmes.
4. In order to maximise impact, the project should focus its activities in the next phase on *specific sectors* to be selected based on consultations with the beneficiary institutions, considering the ongoing legal drafting activities, the national assistance projects, the legal drafting priorities set in official documents, and official requests for assistance submitted from the beneficiary ministries to the project team. Working groups involving prestigious international experts shall be formed for

the purpose of implementing activities in specialised areas. A preliminary list of priorities may include: waste, noise, the Seveso Directive, chemicals, secondary legislation on waste, nature protection, and air.

5. Provision of short-term assistance on the country/entity level should take into account the absorption capacity of the relevant beneficiary ministries. Where appropriate, the project should translate directives and other materials into local languages in order to increase the usefulness of project outputs.
6. The REC will follow up on the discussion on possible establishment of a voluntary *steering committee* (SC) by proposing a scope of work of the SC in letters to the ministries.
7. The project website including the Matrix is an important tool that already contains comprehensive and useful information related to environmental law drafting in SEE. The participants desire that this tool be constantly improved. A schedule for regular updating of the Matrix shall be established. The REC should consider further developing this website into a portal for progress in environmental approximation. The ministries agree to provide feedback, comments, and proposals on the website by January 31, 2006.
8. The presentation of the representative of ECENA was highly appreciated. Opportunities for collaboration between the Environmental Compliance and Enforcement Network for Accession (ECENA) and ELAN should be further explored and a representative of the Regional Environmental Reconstruction Programme for South Eastern Europe (REReP) 1.3 project should be invited to make a similar presentation at the next ECENA meeting. The project team should increase contacts with the Technical Assistance Information Exchange Unit (TAIEX) support mechanism and activities under the project should be coordinated with TAIEX.
9. We strongly support the organisation under the project of an SEE regional conference on environmental law drafting considerations aimed at approximation, to receive the benefit of the knowledge of European Commission officials, and request the REC to work with the European Commission to organise such a conference in Brussels. Such a conference should build upon the 2003 TAIEX conference.
10. In the next project phase, the two earlier large publications should be built upon, through a new publication on regional cooperation on environmental law approximation in SEE — status and perspectives. This publication should provide concrete examples of where joint regional activities and the exchange of outputs and experience occurred under the project.

Szentendre, December 17, 2005