

ENVIRONMENTAL LAW APPROXIMATION IN SOUTH EAST EUROPE NEWSLETTER



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European Commission completes multi-annual planning of financial assistance to the candidate and potential candidate countries

The European Commission adopted in June a strategy for EU financial assistance to Croatia for the period 2007-2009. This completes the strategic planning of assistance under the Instrument for Pre-Accession Assistance (IPA) for this period to the candidate and potential candidate countries: financial assistance to these countries aims to help them enhance political and economic reform and development, on their path towards EU membership.

For 2007-2009, the overall indicative amount of EU financial assistance to the countries is € 3,961 billion.

Based on the specific needs of each country, the strategies set out the priorities for EU financial assistance.

For Croatia, the pre-accession assistance strategy is concentrated on institution building and preparation for the implementation of the EU's common agricultural policy and cohesion policy. For the former Yugoslav Republic of Macedonia, EU assistance will be provided to consolidate the reform of public administration, and to improve the local infrastructure, to help the country adopt and implement EU legislation and standards. For Albania, Bosnia



and Herzegovina, Montenegro and Serbia, assistance will focus on helping the countries adopt laws in line with those of the EU. Kosovo (under UNSCR 1244) will benefit from IPA for institution building and transition support, and for cross-border cooperation.

For more information, see: <http://ec.europa.eu/enlargement/>

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Results of the Environment for Europe (EfE) Belgrade Conference

The sixth Environment for Europe Ministerial Conference took place on October 10-12, 2007 in Belgrade, Serbia.

Ministers and high-level officials from 51 UNECE member states and the European Commission, international organisations, NGOs and other stakeholders discussed progress achieved in the

implementation of environmental policies since the Kiev Conference in 2003, challenges, capacity building and partnerships, and the future of the EfE process.

Ministers of the UNECE region also adopted the Ministerial Declaration "Building Bridges to the Future", recognizing the value of the EfE process as a

unique pan-European forum, and encouraging SEE countries to continue their efforts towards efficient implementation of environmental legislation, capacity building of national and local institutions, as well as cross-sectoral cooperation.

For more information, see: <http://www.unece.org/env/efe/wgso/Belgrade/welcome.html>

Results of the summit of the South East Europe Cooperation Process

"The purpose of the SEECP is to achieve a lasting political stability in South East Europe within the European Union"

(Croatian Prime Minister Ivo Sanader)

The 10th summit of the SEECP (South East Europe Cooperation Process) took place in Zagreb on May 11, 2007. The meeting was the occasion to put the spotlight on regional cooperation which is fundamental to ensure lasting political stability, security and economic prosperity in a region whose future lies within the EU. The Stability Pact will

be replaced by a more regionally owned cooperation structure where the SEECP will play a central role.

The summit ended with the admission of Montenegro as the 11th member of the SEECP, the decision to establish a Regional Cooperation Council and a Council Secretariat-General, and the adoption of a joint declaration (Zagreb Declaration) in which

cooperation in environmental protection takes an important place. The systematic exchange of information, the implementation of concrete projects and conclusion of bilateral and multilateral agreements are encouraged in order to achieve EU environmental standards throughout the region.

Source: <http://www.mvpei.hr/seecp/english.htm>

Impact of REACH on SEE countries

On June 1, the European Union's Regulation on Registration, Evaluation, Authorisation and Restriction of Chemical Substances (REACH) came into force. It changes considerably the European set-up on chemicals, since it replaces

40 legal acts and creates a single EU legislative framework for all chemical substances. This change has an important effect on both the EU Member States and the countries that are approximating their legislation to the EU

chemicals acquis. Indeed, SEE countries need to adjust their national legal framework on chemicals, keeping in mind that the implications of REACH are substantive and will directly affect manufacturers and suppliers.

For more information, see <http://ec.europa.eu/environment/chemicals/reach.htm>

Negotiations on Stabilisation and Association Agreement with Serbia completed

On September 10 the Commission completed the negotiations on a Stabilisation and Association Agreement (SAA) with Serbia, an important step in the country's

road towards European integration. Before signing the Agreement the Commission will consult with the EU Member States on the text and will assess progress in

Serbia's cooperation with the International Criminal Tribunal for the former Yugoslavia.

For more information, see: <http://ec.europa.eu/enlargement/>

SAA process in Bosnia and Herzegovina

In Bosnia and Herzegovina, negotiations on a Stabilisation and Association Agreement were launched and technical talks have been completed. However, the signa-

ture of the SAA is contingent on sufficient progress in addressing key priorities, notably police reform and ICTY cooperation, public broadcasting and public administration re-

form. Environment issues are not a priority, but will be defined more precisely in the near future.

For more information, see: <http://ec.europa.eu/enlargement/>



Progress on signed SAA in Albania

Albania signed the Stabilisation and Association Agreement with the EU in June 2006. Similar agreements were signed by Croatia and the former Yugoslav Republic of Macedonia in 2001; both have now be-

come formal candidates for EU membership. The 25 EU member states are in process of ratifying the signed SAA, which may take another year. It will replace the Trade, Commercial and Eco-

nomic Cooperation Agreement between Albania and the EU which was signed in May 1992.

For more information, see: <http://europa.eu/rapid/ref/PRES/06/182>

Law drafting in Kosovo under UNSCR 1244

In July 2007 a training on the Guidelines Drafting Legislation was organised under the EU-funded project "Further Support to the Assembly of Kosovo", managed by the European Agency for

Reconstruction, with the support of OSCE. The overall objective was to consolidate a sustainable institutional capacity in the Assembly. Many draft laws are currently before the Parliament:

the Law on Environmental Protection, the Law for Integral Prevention Pollution Control, and the EIA and SEA Laws.

Source: <http://www.assembly-kosova.org/>

Major policy developments in SEE

Serbia adopted the National Environmental Strategy in 2006 and is now preparing the Strategy for Sustainable Development. The main reforms are aimed at the harmonisation with the EU environmental acquis and the integration of environmental requirements into sectoral policies.

Montenegro has adopted the Strategic Environmental Assessment (SEA) Capacity Development Strategy for 2007-2010. The Environmental Acquis Strategy is to be adopted by the end of 2007 and an overall environmental protection strategy (i.e. a National Environmental Action Plan [NEAP]) is being developed.

Assisted by the EU, Albania has drafted the new National Environmental Strategy and Action Plan, which is planned to be approved by the government in November 2007.

Major legislative and regulatory developments in SEE

In accordance with the National Plan for the Implementation of the SAA, the government of Albania has recently adopted several acts in the field of the environment, including the Law on the Administration of Dangerous Wastes, the Law on the Protection of Biodiversity, and the Law on the Protection of the Environment from Transboundary Pollution. In addition, the process of drafting the new Law on the Protection of Endangered Species of Wild Fauna and Flora in International Trade, in compliance with the CITES and Council Regulation no. 338/97, has been finalised. The Red List of Flora and Fauna and the Regulation on the Protection and Management of Wild Fauna were approved by the relevant ministers in May and July 2007 respectively.



On October 3, 2007 the Parliament of the Republic of Croatia adopted the new Environmental Protection Act, which regulates all horizontal issues (strategic environmental assessment, public access to environmental information, environmental liability, etc). This Act also includes provisions transposing the main elements of the IPPC, EMAS and SEVESO II directives. Full alignment with these directives will be achieved in 2008 with the adoption of new legislation.

In Montenegro, the recent legal achievements include the adoption of the Law on Water Management and the Law on Free Access to Information. The adoption of the new Law on Environment of Montenegro, which will notably launch the establishment of the national Environmental Protection Agency, is expected in the fourth quarter of this year.

In the former Yugoslav Republic of Macedonia, the Law on Environment has been amended to provide full transposition of the directive on public access to environmental information. EU directives related to IPPC, EIA and SEA are also covered, and improvements have been made regarding SEA and IPPC procedures.

With the exception of the SEVESO directive, all secondary acts have been adopted.

Laws on Ambient Air Quality, and on Environmental Noise were adopted in 2006/2007 in the former Yugoslav Republic of Macedonia and Montenegro, and are planned to be adopted at the beginning of 2008 in Serbia.

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For more information, please visit the project website <http://www.rec.org/REC/Programs/REREP/LawDrafting/Default.html>

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News in brief

■ The **Stabilisation and Association Agreement between the EU and Montenegro** was signed on October 15 in Luxembourg together with an interim agreement for trade.

■ The European Commission is preparing a **policy paper** that will set out measures to improve the implementation of EU environmental legislation. More attention will be paid to implementation and enforcement issues when drafting new legislation, for example in impact assessments.

■ Montenegro and Serbia benefited in 2007 from a second round of **Environmental Performance Review**, a UNECE programme

which takes stock of the progress made since the first review in 2002.

■ In order to help the Macedonian Ministry of Environment to bring **national legislation on air quality in line with EU standards**, a study tour was organised to Austria in 2007 as part of a twinning project. The visit covered the topics of EU legal requirements and the transposition of the EU Air Quality Framework directives. In addition, a gap analysis has been completed on the alignment of national laws with EU air quality legislation.

■ In September the EU launched a project to support **Kosovo (under**

UNSCR 1244) municipalities' rural development strategies. Regional offices will be opened, and local action groups will be identified and trained to support municipalities in the implementation of cross-border initiatives. Support will also be provided to natural resources management and improvement of biodiversity action plans.

■ The two-year contract "**Monitoring transposition and implementation of the EU environmental acquis**" for Croatia and Turkey has been awarded to the Regional Environmental Center and its partners, Human Dynamics and Umweltbundesamt.