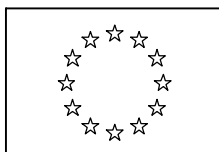
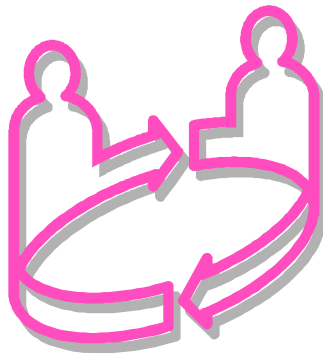


NGO Dialogue Group

Report of Meeting N° 8

1-4 June 2003

Brussels



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NGO Dialogue Group
Report of Meeting N°8
1-4 June 2003
Brussels

Agenda: *see Annex 1*

Participants: *see Annex 2*

Sunday 1 June

- **Chairmen:** Jiri Dlouhy and Engin Ural

Preparing questions to the Commissioner

Members met informally during the afternoon to define the most pressing questions to be put to Environment Commissioner Margot Wallström the following morning. A vote decided the order of priority of the questions.

Monday 2 June

- **Chairman:** Engin Ural

Commissioner Wallström speaks to NGO members (08:30-09:30)

In her welcome speech, the Commissioner spoke freely, partly using the draft prepared by DG ENV, in Annex 3.

Commissioner Margot Wallström focused on the challenges of implementation of environmental legislation in the accession countries, including the problems of administrative capacity. She also stressed the need to attract and find funds for the necessary investments beyond the “seed money” provided by the EC.

“It is very important to live up to our ambitious plans,” she said.

Mrs Wallström mentioned the progress by Romania, and especially Bulgaria, in the negotiations on Chapter 22, and the prospects for increased activity with Turkey in the coming years, while not forgetting that the EU sees membership as the long-term goal for the countries of the Balkans.

Regarding the Convention, the Commissioner avowed that the text is disappointing: it lacks a definition of SD, and omits the text on integration. She is working with Convention members to present an alternative text with a better definition of SD and integration. “The text leaves us with the status quo. I think it is important to ask for a protocol on Sustainable Development, providing a definition of procedures and an interpretation of Sustainable Development”. So far, reaction from Convention members has been encouraging, she added. A copy of the proposed protocol is attached in Annex 4.

“Implementation is not only a focus for new member states but also for existing ones, where we continue to struggle with infringement cases.”

— Margot Wallström

She went on to discuss the outcome of the Kiev Conference, where progress was frustrated by quarrelling with the US and other partners. “While we need this kind of forum to discuss our long-term goals,” she said, “conferences such as this and Johannesburg always come back to the same issues.” The Commissioner would like talks to move forward by focussing on concrete actions, which is why she believes the signing of the Aarhus and Espoo protocols were the most successful part of the conference.

In this context, she stressed once again the importance of implementation. “There is not much point in putting signatures on a piece of paper if the decisions are not carried out in the field,” she added.

“Is it useful to get choked on these kind of negotiations? Is that what we want to use our energy on?” — Mrs Wallström on the quarrelling in Kiev

As for the non-signing of the liability protocol, she believes this was a timing issue, and outlined why she believes it is premature to sign now.

On chemicals, Mrs Wallström said the current proposals would give the EU the sharpest chemicals legislation in the world, encouraged NGOs to participate in the **public consultation** (website: http://www.europa.eu.int/comm/environment/consultations_en.htm)

and encouraged further debate on the costs of non-action in this field. As proposed, the new system would focus on substitution and precaution. However, she added, “It is important to get the REACH system in place, and to not burden it by being too ambitious at first.”

On waste, she described how the Commission’s vision on waste prevention heralds a new “philosophical” approach towards producing and consuming.

DISCUSSION

1. The Convention: Role of Sustainable Development and Issues of Fiscal Reform

- *What is being done to implement the Sustainable Development strategy post-Johannesburg? How is DG ENV helping to ensure that **the environmental dimension of Sustainable Development** will be enshrined into the new EU “Constitution”? What is being done to promote fiscal reform to support sustainable development?*

To the question put by Petko Kovatchev, and expanding on her previous comments, Mrs Wallström reiterated the importance of the democratic aspect and hopes this will be covered in the new draft. “I have been very critical of the Mr Giscard d’Estaing’s treatment of the Convention: majority voting is necessary if we are to move forward. He cannot disregard the views of the majority of the 105 members”. The Commissioner also mentioned the need to introduce, into the Convention text, the concept of using fiscal instruments to promote policy objectives.

Follow-up to the **SD Strategy of Johannesburg** is part of the ongoing work of DG ENV. We are monitoring performance through the Annual Environment Report, and indicators work, and the European Environment Agency regularly publishes indicator reports. In general in the Commission, there is a push to increase the use of sustainability assessment as a tool to evaluate new proposals, and this will give new impetus to move forward.

2. NGO funding

- *What are the **future funding prospects** for the NGOs in the candidate countries and the Balkans? In particular, will there be **any transitional arrangements** made for NGOs in the 10 acceding countries, or will they be required to compete immediately with EU15 NGOs for EU financing? How will the **small environmental NGOs** in these countries survive?*

The 10 acceding countries will come under the same budget as current MS NGOs after their accession. However, this budget will be enlarged substantially as of 2004 onwards. Indeed, by 2006 the total budget for the EU25 will be almost double that for all these countries in 2002. For an overview of funding, please see Box 1.

The Commissioner stressed that the same funding criteria apply to all countries. However, Krzysztof Kamieniecki and Alexandra Attalides insisted that the transition away from the current *distinction* in the budget between current MS and post-accession NGOs is unfair because western NGOs are better prepared to find financing. “You must be aware that we are not discriminating,” the Commissioner said. “The same set of rules must apply.” This is important for reasons of consistency and credibility.

EC initiatives to help environmental NGOs in the candidate countries build capacity include twinning grants between such NGOs and MS NGOs. These projects will enable the CC NGOs to learn the working methods of their partner, with the aim of building their capacity and boosting their competitiveness. (More details below under “Closure” section.)

Andreas Krolopp, while happy with the 2002 decision to allow NGOs to apply for core funding, commented that applicants tend to come only from the front-line ACs.

3. Trans-European Network (TEN)

- *What is the role of DG Environment in the revision of the **Trans-European Networks (TENs) Guidelines**?*

With TEN underway this year, Pavel Pribyl expressed concern about national transportation projects harming the environment. Mrs Wallström emphasized that DG ENV is closely following this very important matter. “This is an important debate anchored in each country. We will continue to follow up to ensure that development of the TENs is in line with environmental laws and directives, and we will make sure that SDA is being carried out as appropriate.”

4. Environmental education

- *In Kiev, a decision on **environmental education** was pushed back to 2005 when an environmental education strategy should be completed. This is too late. What can the EU do to promote environmental education now? How can the EU help encourage cooperation between the Ministry of Education and the Ministry of Environment in each country?*

Although she fully supports the idea, and believes it is extremely important for the future, Mrs Wallström was frank: “To be honest, we don’t have the resources to do this on a grand scale”. DG ENV publishes educational material for all age groups, and last year launched a web site for young

people, among other initiatives, but the DG must rely on the Member States to further this educational role.

As for cooperation between education and environment ministries, Mrs Wallström replied that this was a good point and one that she would try to address, at first by writing to the ministries to underline the importance of cooperation. Ms Zamfir underlined that she was not seeking financial resources, just support.

5. Loss of biodiversity

- *What steps are being taken to really stop the **loss of Biodiversity** by 2010, as promised in the EU's Environmental Action Programme? Are any innovative actions being planned?*

As to Erzebet Beliczay's concern about growing infrastructure and the resultant loss of biodiversity, Mrs Wallström pointed to EC efforts to strengthen implementation and integration, and to build NGO capacity to fight against inappropriate infrastructure.

As to innovative actions in biodiversity, since work still needs to be completed to fully implement the Birds and Habitats directives, Mrs Wallström said no new policy innovations are planned. "This is a big target we set ourselves," she said. There is a need for better financing from MS, such as for the Natura 2000 network, otherwise it will lose more ground. Here, DG ENV's work is steered towards reporting and monitoring, as well as working to increase EU funding available in the next financial perspective (post-2006) for implementing Natura 2000.

6. National and Rural Development Programmes and agri-environmental integration

- *What is DG ENV doing to ensure that the **National Development Plans** that are under development in the accession countries will not damage the environment, in particular that they will not have a negative impact on nature? What role does DG Environment play in the development of the **rural development programmes** in the candidate countries, in particular in promoting the agri-environment schemes?*

As to the question on national development plans, the Commissioner said DG ENV can scrutinise plans presented to ensure that they are of a high quality and moving in the right direction, but she specified that the NDP is an instrument for each country over which the European Commission does not have complete control.

Pointing out that Slovenia plans to implement its **rural development programme** in 2004, Anamarija Slabe inquired about any delay in negotiations. Presently the Commission is finalizing a guidance document on environmental aspects to aid the CCs. The period for submission of plans is next autumn; DG ENV will be involved via normal Inter-Service Consultation at that time. This matter might be clarified further bilaterally with the Slovenia desk officer.

7. The Euratom Treaty

- *How does the Commissioner feel about the future of the **Euratom treaty**?*

On the proposal to wind up the Euratom treaty (an issue raised by Petko Kovatchev), Mrs Wallström said, "Personally, I think it is time we scrap the Euratom Treaty. However, for the Convention, it opens a can of worms and affects the debate on the new Constitution. One solution might be to set a time limit to revise the Euratom treaty."

Mrs Wallström, on closing, encouraged the NGOs to act as watchdogs in their countries, to inform when things don't go as they like, and to help DG ENV to decide better policy. "We still have a lot to debate," she said, "This is not the first or the last meeting."

State of play in the environmental enlargement process and environmental cooperation in the Balkans (09.30 – 10.00)

Soledad Blanco, Head of Unit, DG ENV.E.1

See slide presentation in Annex 5

Mrs Blanco presented an overview of the progress towards Accession for the CCs, including the status of implementation of the environmental *acquis*, and the steps made towards environmental implementation in the Balkan countries on their road to EU membership.

Turning to **integration** of environment into other policies, she noted that up until now, “integration has been left aside; we must set it as a priority for the future.”

On progress in **cooperation with the Balkans**, Mrs Blanco covered the Stabilisation and Association Process, CARDS, and ongoing initiatives such as REReP and DABLAS. She emphasised the importance of the EU-Balkans summit on 21 June in Thessaloniki, which promises to boost support for initiatives such as twinning. The summit sets the Balkans as a key priority for enlargement after 2004. In light of the recent EC Communication on the Western Balkans and European Integration (adopted 21 May), Mrs Blanco outlined some of the proposals to further develop the SAP, using the experience of the current enlargement process.

DISCUSSION

➤ *What is the EU stance towards **Ukraine, Moldova and the Caucasus**? (Pranas Mierauskas)*

The EU has defined its position in relation with its neighbours in the “Wider Europe” Communication. It recognises the aspirations of Moldova and the Ukraine to become future members of the EU.

The Communication also recognises that an enlarged EU has an obligation to its close neighbours, to foster good neighbourly relations and to encourage an area of stability and prosperity. The Caucasus are not mentioned individually, because they have not expressed their interest to be members of the EU, but they are within the “ring of friends” deserving special policy, as are the Mediterranean countries.

The Balkans are not included in this Communication because they deserve the particular treatment given in the Communication on the Western Balkans mentioned above.

➤ *What is the EU role behind the **Stability Pact**? How is the EU monitoring the work of the **Danube Commission**? (Petko Kovatchev)*

We are one of the main driving forces of the Stability Pact. DG Environment closely follows the work of REReP, which is the main environmental arm of the SAP. As a result, we expect that environment will be properly considered throughout the activities of the Stability Pact.

Mr Kovatchev referred to independent research reporting a decline in thermal-impact studies by the Danube Commission. His concerns were not shared by Mrs Blanco, who underlined that the EU has considerable control mechanisms: the EU is a member of the Danube Commission, and next year it will hold the presidency of the International Committee on Protection of the Danube River (ICPDR) – a key vehicle for EU legislation. Nevertheless, Mrs Blanco welcomed discussions in detail with the desk officer concerned.

➤ ***Hi-tech environmental infrastructure** requires more expenditure than governments are prepared to pay. Can the EU enforce alternative studies? (Erzsebet Beliczay)*

ACs have to comply with the parameters of the directives. However, the Commission cannot impose the choice of infrastructure, it can only encourage. We promote the use of soft technologies and a shift to prevention. It is up to citizens and yourselves to shift your governments away from technology that is expensive and not always necessary.

➤ *What can you do to stem **corruption** in the public sector? Corruption of public spending is depleting morale among the poorer population in Croatia, which is often disappointed about Accession. (Duska Peric)*

Again, the EU can monitor the situation, evaluate it through EA, and make recommendations. Where EU funds are involved, we can impose a search for alternative solutions, but there are limits as to what we can do.

➤ **Regional development plans and farming interests.** (Petr Pelcl)

“The European Union is based on cooperation with neighbours, on going beyond national needs and inspirations, for the global good.”

— Soledad Blanco

To Petr Pelcl’s concerns about farming interests dominating the agenda in the Agriculture Ministry, Mrs Blanco pointed out that the Italian presidency is organising a seminar in July on Environment and Enlargement in which Slovenia is invited to present its rural development plans. Mrs Blanco acknowledged the difficulties of lobbying when the ruling party has special interests, and said this matter will require a lot of work from both NGOs and the EU.

➤ *The situation in the Balkans is not exactly the same as in the Acceding Countries – surely **more EU tools** are needed to help the Balkan Environment Ministries in their work?* (Duska Peric)

Mrs Blanco pointed out that one of the EC’s main pre-accession principles is to treat each entry on its own merit, taking account of each country’s particular situation.

On closing, Mrs Blanco noted that for the Balkan countries, the value of acting at regional level is a learning exercise.

For more information: http://www.europa.eu.int/comm/environment/enlarg/index_en.htm

Strategic Environmental Assessment (10:00 – 11:00)

David Aspinwall, DG Environment G4

See slide presentation in Annex 6

NGO members were given a first-hand account of the SEA directive, which if implemented correctly will help integrate environment into other policy areas. Due to its complex nature, MS and ACs have been allowed a three-year period for transposition instead of the usual two (ie by 21 July 2004).

Mr Aspinwall began with a **history of SEA**, from its roots in America in 1969 with the National Environmental Protection Act, to the difficult adoption of EIA in 1985 and then SEA 2001, a process that was hindered then propelled by a rapidly changing world background.

In describing the **content of the SEA Directive**, Mr Aspinwall clarified the difference between EIA and SEA, with a definition of plans and programmes (covered by SEA) compared with Projects (covered by EIA). Key requirements of the SEA directive include preparation of an environmental report, and consultation with environmental authorities and the public, which is in line with the requirements of the Aarhus Convention on public participation. “The concerns of NGOs and ordinary citizens need to be expressed and taken into account,” Mr Aspinwall stressed. He noted, however, that the SEA directive does not cover policies, nor in fact does it actually use the term “SEA”.

“It is often easier to introduce environmental objectives into the planning rather than the project level.”

— David Aspinwall

Recent developments

The EIA Directive has generated many complaints and, in an attempt to avoid a similar situation arising with SEA, DG ENV is working together with MS to produce non-binding guidance to help in its transposition and implementation. Furthermore, the IMPEL network has just produced a guide to monitoring, which complements the SEA guidance. It will be the EC’s responsibility to enforce national compliance with the directive, and it does so by acting on complaints.

The SEA Protocol signed in Kiev is similar to the SEA Directive but refers to policies and legislation and exhorts parties to integrate environmental thinking into policies and legislation.

Wrapping up, Mr Aspinwall suggested that personal effort was at least as important as legal frameworks in integrating environmental considerations into other policy areas and cited the examples of the UK trade and defence ministries. “It can be surprising how it can take only a few enthusiastic individuals within a ministry to bring about change,” he said, and invited the NGOs to take inspiration from that.

DISCUSSION

- *Will the current exemption of the 2004-2006 structural fund programmes from the SEA Directive apply to the following ones? (Peep Mardiste)*

The answer is not entirely clear in the directive. However by implication, since the next generation of Structural Fund programmes is *not* specifically exempt, the Directive would apply.

- *Can you cite some good practices/examples of SEA? (Ruta Bubniene)*

There is not one single methodology for SEA; some countries are ahead, some have not begun (and there is no completed example in the European Commission!). However there is a proposal by REC and UNECE to produce **guidance** to help implement the SEA protocol. This is expected to be ready by spring 2004.

- *Will SEA become binding for policies since it is mentioned in the Espoo protocol – why has this factor been excluded so far? (Ruta Bubniene)*

This issue causes immense sensitivity among governments. Because the policy development process is often unclear, MS governments have doubts about how SEA would be applied; also they want political freedom. In the negotiations on the SEA Directive, the Commission was left with the option of having

no directive rather than a compulsory SEA of policies. Similarly in the Espoo protocol, it is not a firm requirement.

For more information, see <http://europa.eu.int/comm/environment/eia/>

Tuesday 3 June 2003

Bilateral meetings with DG Environment Desk Officers

Wednesday 4 June 2003

- **Chairman:** Jiri Dlouhy

Environmental Cooperation with Neighbouring Countries, Post-Kiev (09:00-10:00)

George Strongylis, DG Environment E.1

How can the EU continue its cooperation with its neighbours in the post-enlargement world? George Strongylis began his answer by setting the stage of the Kiev Conference.

He described how the EfE process, begun in 1991 amidst looming environmental problems, was a means of rapprochement with former communist states. This developed into a fruitful cooperation among the 55 countries of UNECE, itself a regional cooperation dating to post-1945, spanning from Iceland to Kazakhstan. The EfE process also brings the EU closer to the countries far from today's "Europe", including the US and Canada. Kiev meant that for the fifth time in history, environmental ministers of the 55 UNECE countries met to reaffirm their international cooperation in environment and transboundary matters, and to make plans for the future.

It was a tumultuous time for the environment in Europe: One backdrop to Kiev was Europe's rapidly changing political map, where inroads to accession will make the EU25 the biggest political actor in environment. Another backdrop was the WSSD in Johannesburg in September 2002, and its well-known disappointments on global issues.

The **Communication from the European Commission to the Council of Ministers and the Parliament**, entitled "Pan-European environmental cooperation after Kiev" (http://europa.eu.int/comm/environment/enlarg/kiev_en.htm), was first considered by the Council in March. It encapsulated the EC's ideas on the future of cooperation, with a view to enlargement. The paper called for EfE to focus more on:

1. The EECCA¹ (formerly NIS) area, where we believe the biggest environmental problems exist and need to be addressed. The EC has bilateral arrangements with each one of these countries under the Partnership and Cooperation Agreement, and financing is channelled through the TACIS programme.
2. The Balkan countries, where the EU has a special RERep arrangement and financing through the CARDS instrument.

The results of Kiev are best summarised in the two-page **statement by current EU President Papandreou** (see Annex 8). DG ENV is generally happy with the results, even though a number of proposals were not achieved.

¹ Eastern Europe, Caucasus and Central Asia

The Kiev Conference adopted three EU protocols:

1. Protocol on **Pollutant Release and Transfer Registers (PRTRs)** under the Aarhus Convention;
2. Protocol on **Strategic Environmental Assessment (SEA)** under the Espoo Convention;
3. Protocol on **Civil Liability** under the Convention on the Protection and Use of Transboundary Water Courses and International Lakes and the Convention on the Transboundary Effects of Industrial Accidents.

The EU signed the first two. On the third, there is not yet agreement among the 15 MS.

Other key steps made were:

- The **energy efficiency** agreement entailing a reform of the whole system which the EC welcomes;
- The endorsement of a Statement on **Education for Sustainable Development**, to boost education at all levels;
- The Resolution on **Biodiversity** towards stemming the loss of biodiversity by 2010;
- Several strategies and initiatives encompassing the **EECCA** countries, including the endorsement of a statement on the EECCA component of the EU Water Initiative;
- Adoption of an **Environmental Strategy for EECCA**;
- Presentation of the **EEA flagship report** giving an overview of the state of the environment in a pan-European environment;
- The signing of the **Carpathian Convention**, whereby countries have agreed to pool resources to solve environmental problems in their mountainous region.

In Mr Strongylis's view, the name change from NIS to EECCA in the run-up to Kiev was significant: it shows the role that cooperation can play in the political identity of these countries, which seek to stress their own independence and their subregional character. Furthermore, the initiative for environmental cooperation came from them, not from any other body, which he sees as a hopeful sign.

In retrospect, Mr Strongylis emphasized the enormous time that went into negotiating the ministerial declaration, and the difficulties experienced, notably with the US.

The **three failures** were the inability of the Conference to agree on:

1. The language concerning the **Kyoto Protocol**. "For the US, even the reaffirmation of what was achieved in Johannesburg was too much for them," said Mr Strongylis.
2. A statement on **nuclear power**.
3. The issue of **sustainable consumption and production patterns**, programmes that were agreed in Johannesburg. These are fundamental issues that must be addressed if we are to progress on greenhouse gases, emissions, etc.

In each of these matters, the EU found itself at loggerheads with the US, Canada and to some extent Russia. So the EU made three separate statements (Annexes 8 and 9).

DISCUSSION

➤ *What is the status of **Russian ratification of the Kyoto Protocol?** (Erzsebet Beliczay)*

Mr Strongylis replied that unfortunately, in his view, we are not closer to the Russian ratification. We are keeping up the pressure internationally and bilaterally. The Commissioner asked Russia to sign, during her April visit, but failed, and we will continue to ask them to sign at every appropriate opportunity in the future.

➤ ***Structural Funds** appear to be issued and spent in a contradictory manner. (Ms Beliczay)*

Mr Strongylis remarked that the EU does a lot of work to ensure that such funds – taxpayers' money – are spent sustainably. Anne Burrill underlined that decisions on spending the funds are a national competence, but they must respect EU legislation, which is in itself a control mechanism.

The national responsibility of MS and ACs was further emphasized, especially regarding nature protection. Mr Strongylis challenged the members: “This is why you are here, right? To see how it is done and pass it on to your governments.” He returned several times to his prognosis: “This is a continuing battle, and this is quite *normal!*”

- *Krzysztof Kamieniecki, who was at Kiev, lamented the separation and lack of participation between NGOs and officials at the conference.*

Mr Strongylis disagreed, recalling the highly popular NGO Ministerial meeting where NGOs were given time to present their views and have an open discussion.

- *Transatlantic cooperation seems to be getting worse. Is this positive for what DG ENV wants to develop?*

Mr Strongylis agreed that things are bad for global environmental issues, but said, “We just have to keep working and improve our arguments to Russia and the US.”

- *On the Carpathian Convention, Mr Kamieniecki was also pessimistic, particularly over the budgetary issue.*

Mr Strongylis agreed that financial responsibility is the most difficult issue, and hinted that negotiations may not have been adequate before adoption. He sees the signing of the Convention as a hopeful sign, but agrees that it will take hard work to get it implemented. Jiri Dlouhy reminded members that all countries have signed the convention, except Poland which was due to sign in 1-2 weeks.

- *Why is a European Environmental Conference negotiating with the US? (Alexandru Savulescu)*

Taking this provocative question, Mr Strongylis reminded members that the EfE process dates back to post-WWII, at a time when Europe reached out to America. There are also many positive aspects of US membership, he said, such as US’s substantial financial contribution and considerable influence. The US contributes large programmes; it is a partner and a financier of the REC, and the US EPA has important programmes in the region and the world.

“It is better to talk to somebody than not to talk to them.”
— George Strongylis on the US presence in EfE

The different particularities of the US and Europe were believed to be behind some of the disagreements. For example, the US is reluctant over education because education in the US is not a federal issue.

On the possibilities of launching collaborative projects between countries using joint financing from **TACIS and PHARE**, Mr Strongylis said that post-accession there will be a more balanced coverage of these two instruments. In addition, the Commission plans to take steps for a better coordination between the two instruments, and also the CARDS programme.

- *What is to be done about the conflicting language between DGs on nuclear safety and energy? (Lavinia Andrei)*

She was invited to read the Kiev Statement on Nuclear Safety (Annex 9), which was signed by many countries other than the EU and ACs. Although the EU is fundamentally split on this issue, with DG TREN supporting nuclear as a source of power, DG ENV is negotiating with them to ensure that waste is dealt with as sustainably as possible. The EU emphasizes safety: that is the bottom line of EU policy, Mr Strongylis stated.

- *Petko Kovatchev made a plea to halt the use of PHARE/TACIS money for nuclear energy.*

Again, Mr Strongylis stressed that the money is targeted at increasing nuclear safety.

- *How can the EU cooperate with Russia in view of the democratic deficit there? (Petko Kovatchev)*

Mr Strongylis stated that efforts at reform should be emboldened by a €2.7m programme, under TACIS, to strengthen capacity to implement the Aarhus Convention towards the promotion of democracy and public access to information.

*What problems does the EU have in signing the **civil liability protocol**? (Alexandra Attalides)*

The problems centre on the heavy financial liability to the Convention in cases of accidents and pollution. It is thought that it might take a further two years before a compromise is reached so that the EU might come to an internal agreement on a Civil Liability Protocol (a proposal for which has just passed first reading in Parliament), and as a consequence to possibly be in a position to sign the protocol presented in Kiev.

- *Several voices expressed concern about the overbearing influence of **industrial and economic interests** in the development process, including in the building of large power plants, which damage biodiversity.*

This is one more example of why we need to improve environmental thinking and application of legislation in the EU and beyond, Mr Strongylis replied. “This is *normal* and this is where NGOs have a role to play. That’s why you are here, and we are very happy you came.”

For more information, see http://europa.eu.int/comm/environment/enlarg/kiev_en.htm

Brochure “*From Aarhus to Kiev and beyond – The EU’s contribution to environment for Europe*”
(available in English and Russian):

http://europa.eu.int/comm/environment/enlarg/pdf/kievbrochure_en.pdf

Waste – Strategies for Reducing and Recycling (10:00 – 11:00)

Chris Allen, DG Environment A.2

See slide presentation in Annex 10

Chris Allen of the Waste unit made an extended and interesting presentation of European waste policy, which is well documented in his slide presentation, spanning the current legislation, as well as the goals of the 6EAP and planned initiatives. Statistics on waste will be updated once AC information is available.

The principles of the waste strategy are based on proximity and self-sufficiency, producer responsibility and the waste management hierarchy. Mr Allen clarified the difference between **recovery and recycling**: recovery includes any type of material or energy recovery from waste materials, while recycling does not include energy recovery or processes such as the chemical recycling of plastics. Disposal, by contrast, is getting rid of the product with no subsequent use. He admitted that these concepts are not clear-cut. DG ENV is currently working to improve their application.

Mr Allen reviewed the existing EU waste directive. The Community Waste Strategy (1996) can be found on the website cited below under the reference COM(96)399. He noted that the waste Directives define requirements for various waste streams and treatment processes, while a Regulation sets control procedures for waste shipments (the latter is currently under review). He stressed that the new Incineration Directive also applies to large plants that use waste as energy, and to cement kilns. The Landfill Directive is coming progressively into force and requires full compliance by all MS by 2016 (2020 in some cases).

The EU strategy is to divert waste from landfills, and to encourage a shift to recovery. Under **the 6EAP**, the sustainability objective is to not only to look at waste, but at the other phases of the product life-cycle, i.e. resources and products, with the aim of moving from waste management to an overall reduction of waste.

Regarding the permitting systems defined in the IPPC directive, it should be noted that by 2007 main existing waste treatment installation must use the Best Available Technique (BAT) as defined in the corresponding “**BREF**” documents. The Commission’s Joint Research Centre in Seville (www.jrc.es) has two working groups preparing final BREF documents for general waste treatment including hazardous waste, and for incinerators. The general waste document is already released for comments, and **NGOs are invited to give their input** either directly via internet (<http://www.jrc.es/home/actions/actions.html>) or through the EEB network organisation.

Regarding end-of-life vehicles, a greater increase in recovery will be required by 2015; the greatest difficulty in meeting these requirement is due to the increasing plastic content of cars.

The Packaging Waste Directive is presently being revised. As a result there will be a clear increase in the overall required recycling rate. For example, the rate for plastic will rise to about 22% from a minimum of 15% currently; for glass and paper it will be higher.

Certain acceding countries have been granted transition periods for a later implementation of certain provisions of waste directives. This mainly concerns the dates for reaching recovery or recycling targets for packaging, and dates for implementing the landfill directive for particular waste streams. In these cases the countries have determined binding intermediate targets on which they will report to the Commission.

Planned Commission initiatives

a) Thematic Strategies

The Commission is currently developing a thematic strategy on the prevention and the recycling of waste. On 27 May 2003, it adopted a **consultation document** (Commission Communication COM (2003) 301) towards a thematic strategy on the prevention and the recycling of waste (see <http://europa.eu.int/comm/environment/waste/strategy.htm>). Consultation on this document is open until 30 November 2003 and comments can be sent to env-waste-strategy@cec.eu.int. NGOs are invited to send their comments, and DG ENV will take into consideration their concerns in the next paper to set up a Thematic Strategy on the Prevention and Recycling of Waste.

In the area of Integrated Product Policy, the Commission hopes to reduce the demand for certain items and to improve the design of products to reduce waste and facilitate recycling. Other soft interventions aim to improve green procurement, in the form of voluntary approaches, such as Eco-Label and EMAS (presented below).

A paper on the Thematic Strategy for Resources is expected later this year, and it is expected to focus on the environmental impact of resource use, and on ways to reduce this.

b) New Regulations and Directives

These include a Regulation amending waste shipment regulation and a Directive on mining and quarrying waste. In order to amend the Directive on batteries and accumulators, an internet consultation on batteries, which was open for all stakeholders, has recently been completed.

A Directive on Composting is also planned for adoption by the Commission in 2004.

Mr Allen concluded by commenting further on the Commission's new Communication for a Thematic Strategy on the Prevention and Recycling of Waste. This communication was made in response to the 6EAP, inter alia in light of the failure to reach the 5EAP waste prevention target. The failure was due to the lack of political debate on how to reach targets that were set. The result is important: for the first time at EU level there will be a political debate on the prevention of waste. Economic problems surround the waste issue, since recycling is often more expensive than landfill. Problems may be best solved by using economic instruments. The EU leans towards the introduction of market-based instruments, including a common market for recovery of waste shipments across borders. This new Communication presents the options.

“Your input will count in the outcome of this strategy.”
— Chris Allen on the new strategy on prevention and recycling

Chris Allen closed by inviting NGOs to comment on the communication, which he distributed.

DISCUSSION

Incineration and economics

- Many people (including people in the Commission) view **incineration** as *financially non-viable, and turn to landfilling instead, but landfilling is not the best solution for the environment. Something needs to be done to make environmentally preferable solutions – those mentioned in the Framework Directive on waste management such as reuse, recycling, compost – affordable.* (Petko Kovatchev)
- **Environmental economic instruments** are needed to prevent a situation where only a few will benefit from the transition to market-based economics. I propose subsidies for **composting** as a first step. As for incinerators, can the EU intervene to halt the construction of cheap models of large **incinerators** with poor filters? (Duska Peric)

True, incineration is often more expensive than landfilling, Mr Allen replied but this is not always the case, inter alia because Member States have often raised taxes on landfilling and because modern landfills are becoming more costly. Thus, many countries are investing in incinerators. This is not always a bad sign: incinerators are often needed in the final treatment of waste left over from recycling and incineration in dedicated plants and co-incinerators can contribute to energy generation. What would be needed would be economic instruments to encourage recycling. Mr. Allen also noted that incineration is the most heavily regulated option of waste treatment. It was agreed that the issue of incinerators needed further discussion at a later date.

- *There is a need for more **funding to raise awareness** of the need to reduce waste; instead large amounts of money are spent by industry to promote products and lifestyles that are waste intensive.* (Erzsebet Beliczay)

Chris Allen agreed that much private funding is used to promote consumption of products. He and suggested that his IPP colleagues make a presentation at the next meeting. However, he acknowledged that it is not possible to compete in terms of budgets with commercial advertising.

Members were urged to check out the internet site below. The slide presentation in annex also provides details of key directives, regulations and statistics.

For more information, see <http://europa.eu.int/comm/environment/waste/index.htm>

EMAS – European Eco-Management and Audit Scheme (11:00-11:30)

Matthias Fritz, DG Environment G.2

See slide presentation in Annex 11

Mr Fritz presented the EU Eco-Management and Audit Scheme while replacing his colleague Joao Bolina who was on urgent mission. He explained the general functioning of EMAS as a voluntary management tool to reduce the environmental impacts of companies and other organisations.

While it is obligatory for Member States to establish the competent and accreditation bodies of EMAS, participation is voluntary for both the private and public sectors. Apart from giving an organisation recognition for being environmentally efficient through EMAS participation, the organisation pledges to reduce costs, motivate employees, and improve communication.

As a shining example how EMAS can work, Mr Fritz pointed to a pulp & paper company outside Prague, which he had visited during the 5th EU EMAS Regulatory meeting in October 2002 in Prague. The company had received several complaints from the public about air and other emissions from its plant. After taking EMAS on board, it was able to publish a report giving the public detailed information on its environmental data and targets. The result significantly improved the company's reputation with the local community. He invited NGO members to look at the web site (below) for an insight into all EMAS-registered organisations and information on legislative texts, brochures, events and news.

“I have seldom seen such a good, detailed environmental report,”

— Matthias Fritz after a trip to Prague

EMAS does not require specific quantitative targets (unlike Eco-label), but does require compliance with environmental legislation. In addition, every third year after registration, a revalidation is necessary, where the organisation must show “significant progress” under the scheme, and must publish the information in a report.

The EMAS logo, unlike that for the Eco-label, does not appear on products, but on other information materials from the organisation such as letterheads, flags and advertisements. A few examples of interesting logo uses are pictured in the slide presentation.

The difference between EMAS and ISO 14001 was clarified. ISO 14001 is a basic business-to-business tool, and the results of the exercise do not need to be published. EMAS, on the other hand, prides itself on transparency and the active involvement of employees. It also ranks higher for performance and credibility because there is a check of legal compliance and an external verification under government control. The overriding popularity of EMAS can be seen in Slide 11 on “Voluntary environmental reports” worldwide, where EMAS reports total nearly twice as many as all other voluntary reports taken together.

Regarding the steep development trends shown in slides 16-20, it should be noted that the recent flattening in the curves – particularly in Germany – is partly due to a new registration system that counts large sites as one unit instead of several.

In 2003-2004, more EMAS events will take place in acceding countries and new Member States such including Hungary (dates to be decided).

DISCUSSION

- *Members asked for concrete examples of EMAS within the EU institutions.*

A pilot study is currently being carried out in the European Commission, in the Directorate-Generals for Environment, Administration and Personnel and the Secretariat General. After the pilot studies the Commission will decide whether registration is to be extended to all Commission services, an ambitious project which will take many years to implement. Other EU institutions are also planning to implement EMAS, including the European Economic and Social Committee, the Committee of the Regions and the European Parliament.

- *Implementation costs for small companies might make EMAS exclusive to large and medium-sized corporations. How is this matter addressed? (Beatrix Richards)*

Mr Fritz pointed out that small companies, which are encouraged to join the scheme, may form a consortium in order to share the costs. Small companies and organisations also get relief in

administrative procedures to implement EMAS according to a Commission Recommendation². Estimated costs of implementation are shown in Slide 13.

For full EMAS information, please go to <http://www.europa.eu.int/comm/environment/emas>

² Commission Recommendation No 2001/680/EC of 7 September 2001 on guidance for the implementation of Regulation (EC) No 761/2001 of the European Parliament and of the Council allowing voluntary participation by organisations in a Community ecomanagement and audit scheme (EMAS) (Annex 4).

Eco-Label (11:30 – 12.00)

Javier Yaniz Igal, DG Environment G2

See slide presentation in Annex 12

“The flower,” as it is known, was introduced by Mr Yaniz Igal, with a detailed slide presentation describing what the Eco-label is, the benefits, and how the process works, from the initial application to the award, compliance, monitoring, promotion and marketing.

“The flower is not only an environmental tool, it’s also a marketing strategy.”

—Javier Yaniz Igal

The European Eco-label is a voluntary scheme enabling European consumers including public and private purchasers to easily identify officially approved green products across the EU, Norway, Liechtenstein and Iceland.

It should be noted that the Eco-label mainly covers goods (planned and future product groups are shown in the Slides 11-12), but has recently been extended to some services such as hotels and tourism. The label is applied to a specific product made by a certain manufacturer, not to the company as a whole.

Regarding the awards per country (Slide 14), the numbers for Germany and Austria are low due to the “national schemes” operating in these countries. National schemes sparked much debate during the discussion (see below).

The Eco-label team at DG ENV have set a priority to improve marketing and promotion of the flower. Information material can be requested via the email address or website below. Material includes a leaflet, newspaper, info-kits, bags and mouse-pads.

EMAS and Eco-label

A DG Environment task force is examining synergies between EMAS and Eco-label. However, they are quite different since a product may come through a production scheme that includes many different companies. There is therefore not a one-to-one correspondence between the targets of the two systems.

WTO parameters and Eco-label

The criteria behind the Eco-label could be used as a means of proof that an organisation is environmentally competent, in the context of WTO parameters.

DISCUSSION

The discussion centred mainly on the parallel existence of *national and corporate schemes*, which do not have the same criteria. Two questions were raised:

- *Why would a company apply the corporate scheme when a national scheme exists? (Peep Mardiste)*

Not all countries have a national scheme. Furthermore, the eco-label is particularly needed for companies exporting to foreign companies that recognise the corporate eco-label.

- *Is the EU scheme intended to become the overriding scheme? (Beatrix Richards)*

DG Environment is analysing synergies between EU and national schemes. Double certification is one possibility being studied. An overriding scheme poses risks as well as benefits, and these are being examined. The issue of fees also poses a problem.

For full information, see <http://www.europa.eu.int/comm/environment/ecolabel/>

E-catalogue: <http://www.eco-label.com>

24/7 Helpdesk: ecolabel@cec.eu.int

Green Procurement (12:00-12.30)

Paul Speight, DG Environment G2

See slide presentation in Annex 13

The importance of green purchasing was clearly presented by Mr Speight, who also outlined the potential gains, the legal situation, concrete actions to be taken, and the European Commission's steps to facilitate GPP (green public procurement).

Public authorities can set an example for others by applying GPP themselves. The environmental benefit of such a move would be staggering, as discovered under the RELIEF project funded by DG Research. The project found that if all public authorities in Europe switched to green electricity this would save 60 million tonnes of CO₂, equivalent to 25% of the Kyoto commitment.

GPP is most developed in northern Europe, especially Scandinavia and Austria. Why isn't everyone applying it? This could be due to three factors:

1. Legal clarity and certainty: in the past, public procurement directives have not clearly mentioned the environment. The legislation is not available in a format suitable for purchasers and local community decision-makers, such as mayors and environmental specialists.
2. Environmental knowledge: There is a lack of knowledge on environmental issues amongst purchasers, particularly in turning general environmental concerns into specific technical specifications.
3. Financing: purchasers must be both environmentally conscious and have money up-front for the initial investment, before they can enjoy the long-term savings.

Problem 1 was resolved in a 2001 Communication that makes clear that GPP is legal and need not be complicated. This issue is also being addressed in the ongoing revision to the public procurement directive, which is expected to specifically mention environment.

A **Practical Handbook** now being produced will explain the directive in a clearer way. The first draft of the handbook is almost finished and will be available for **stakeholder consultation** during the summer (via the GPP website below). Reader-friendly brochures are available on the EMAS and Eco-label websites (particularly one entitled "The European Eco-label –Your guide to greener products").

An **Information Database** has also been launched by DG Environment offering objective information for corporate and public purchasers (see the database website below). The database is aimed at addressing access to environmental information.

Mr Speight welcomed the GPP initiatives and targets already set by some acceding countries. He cited Borgas in Bulgaria and Budapest in Hungary as good examples of municipalities seeking to take on board GPP.

DISCUSSION

- *How is GPP reflected in **WTO negotiations**? Companies are often attacked for their plans to make the "green switch", when it is not the most economically viable option. (Pavel Prybl)*

"Green procurement is too based on free choice – you can't get fairer than that."

— Paul Speight

It is a myth that GPP is not compatible under WTO rules, retorted Mr Speight, insisting that there has never been a procurement vs environment legal case. As long as procurement is done in a transparent way, with criteria that are clearly stated and might include both environment-friendliness and cost-effectiveness, there is no problem.

- *Does the EC give instructions to **beneficiaries of EU funding** to take GPP into account? (Petko Kovatche)*

Beneficiaries are recommended to take the environment into account. This is particularly the case for tenders for large projects such as bridge-building, but it is more difficult to monitor for small items.

- *Several members expressed dismay over **subsidies** that turn the market towards cheaper environmentally harmful products.*

DG Environment is pushing to remove harmful subsidies so that GPP can operate in a free market. However, a “green tax” or subsidising of environmental products is not the way forward, said Mr Speight. GPP is a tool that does not distort the market; since it is based on free choice.

For more information, and consultation on the Practical Handbook:

<http://www.europa.eu.int/comm/environment/gpp.htm>

Information database: <http://www.europa.eu.int/comm/environment/database>

Closure and Follow-up (12:30 – 13:00)

Anne Burrill, DG Environment E1

Firstly, Mrs Burrill provided answers to some outstanding questions from the previous days.

Core NGO funding

The figures on NGO funding are presented below in Box 1.

Box 1

Core NGO funding*

The **2002-2006** envelope of the NGO programme is EUR 32 million. This covers the EU, the candidate countries and the Balkans.

2002: EU15 got EUR 3.6 million Others (all candidates + Balkans) got EUR 0.244 million

2003: EU15 got EUR 4.62 million Others got EUR 0.362 million

Estimated amounts available for coming years:

2004: EU25: EUR 6.5 million Others (3 candidates + Balkans): EUR 0.5 million

2005: EU25: EUR 7.1 million, Others: similar to 2004

2006: EU25: EUR 7.6 million, Others: similar to 2004

* Important note:

A necessary condition for participation by the candidate countries is a signed Memorandum of Understanding. To date, Poland, Malta, Bulgaria and Turkey have not yet signed, so that NGOs registered in these countries are **not** eligible. However, as acceding countries, Poland and Malta (but not Bulgaria and Turkey) will still be able to participate in the call for proposals for the 2004 programme even without an MoU; however no financial commitments or payments will be made for these acceding countries until after accession. (*Note: This information was updated subsequent to the NGO Dialogue meeting.*)

NGO Twinning Grants

A programme has been established under the PHARE 2003 multi-country programme to allow twinning between EU15 environmental NGOs and environmental NGOs in the PHARE countries. This programme is intended to provide support for institutional capacity building in the PHARE country environmental NGOs. Information can be found on the AIDCO web page (<http://www.europa.eu.int/comm/europeaid/cgi/frame12.pl> select "PHARE/ISPA/SAPARD", "open", "grants", "Inter-State Progr.")

A similar call for proposals for Malta, Cyprus and Turkey has just closed.

Question of Subsidiarity and Responsibility at all levels

It is important to remember that the EU only sets objectives on environmental policy; implementation is at the national level, including often selecting the appropriate means of ensuring implementation. NGOs need to work with their national governments to make this happen.

The NGOs also have an important role in pushing individual initiative and responsibility for environmental matters; the government alone cannot accomplish the task of protecting the environment. NGOs need

"In the EU15 a large portion of funding comes from individuals and private sources. It takes time to build up a funding base."

— Anne Burrill

to work to launch initiatives and provide pro-active support to policy development and implementation. NGOs also need to work to build up interests among the citizens to finance environmental NGOs through contributions.

Conclusion

Mrs Burrill thanked all participants, the chairmen and speakers for contributing to a fruitful dialogue meeting.

Various materials distributed at the meeting, including copy of SD Protocol proposal and digital versions of all overheads, are attached in the annexes to this report.

Next Meeting

The date of the next meeting will be determined after the meeting facilitator is selected. NGOs will be consulted on the date and the agenda.

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NGO Dialogue Group Meeting N°8
Brussels, 1-4 June 2003

AGENDA

Sunday, 1 June 2003

(BU-5 Salle C)

14:00 – 16:00 **Preparatory meeting**, chaired by Engin Ural (*Environment Foundation of Turkey*) and Jiri Dlouhy (*Society for Sustainable Living, Czech Republic*)

Monday, 2 June 2003

(BU-5 Salle C)

08:15 – 08:30 **Registration and coffee**

08:30 – 9:30 Speech by Commissioner Margot Wallström

09:30 – 10:00 **State of play in the environmental enlargement process and environmental co-operation in the Balkans**
Soledad Blanco, Head of Unit, DG Environment-EI

10:00 – 11:00 **Strategic Environmental Assessment**
David Aspinwall, DG Environment-G4

Tuesday, 3 June 2003

(BU-5 Salles B and D)

Bilateral meetings with DG Environment Desk Officers

Wednesday, 4 June 2003

(BU-5 Salle C)

09:00 - 10:00

Waste – Strategies for Reducing and Recycling

Chris Allen, DG Environment-A2

10:00 – 10:45

Environmental Cooperation with Neighbouring Countries, post-Kiev

George Strongylis, DG Environment-E1

(coffee available in room)

11:00 – 12:30

EMAS – Matthias Fritz (replacing Joao Bolina), DG Environment-G2

Green Procurement – Paul Speight, DG Environment-G2

Eco-label – Javier Yaniz Igal, DG Environment-G2

12:30 – 13:00

Closure and Follow-up

Anne Burrill, DG Environment-E1

DG ENV-NGO Dialogue Meeting N°8
DG Environment
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**Mrs. Wallström's participation in the
Dialogue with NGOs
from Accession Countries,
Candidate Countries and
Balkan Countries**

2 June 2003 from 8h30 to 9h30

Beaulieu building –meeting room C

Draft speech by Commissioner Wallström

Note: In her actual speech, the Commissioner spoke freely, partly using this draft prepared by DG ENV.

Ladies and Gentlemen,

Welcome back to Brussels, for the eighth NGO Dialogue meeting. I see many familiar faces in the room, and am very pleased to be with you once again this morning. As you know, I consider the NGO Dialogue to be an important opportunity for me to have direct contact with the NGO community from your countries and to hear and discuss some of your concerns.

As always, the agenda of the Dialogue meeting is very full. I hope that in the coming days you will have the opportunity to discuss some important aspects of environment policy in detail with the scheduled speakers, and that you will also take full advantage of the opportunity to meet with the DG Environment Desk officer for your country.

I would like to open this meeting by sharing with you some of my views and impressions about this exciting time in the expansion of the EU. And then I would like to touch on some of the key developments presently underway in EU environmental policy.

Important time in relations with Eastern (and South-Eastern) neighbours

On 16 April, the Heads of State of the present EU Member States and of ten of the candidate countries signed the Treaty of Accession (for the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia). These countries have now started to participate as observers in most meetings of the Council and in Commission committees. They are therefore starting to take part in the shaping of future policy, and are thus already preparing to assume the role of full Member States of the EU. Those that did not sign are working full speed to fulfil the conditions.

The signature in Athens was a landmark in the accession process, We reached it after years of hard work by the EU institutions, but more importantly, hard work on the part of all of the governments, administrations and all stakeholders in these acceding countries. But the work is not completed.

Now we turn to transposition of EU law into national law and implementation. Each of the acceding countries will need to make practical – and financial – efforts to ensure that they are able to fulfil all the commitments made during the negotiation process. All the acceding countries have pieces of EU environmental legislation that still need to be transposed before accession, and of course all legislation needs to be implemented. For many directives (with the exception of the few for which longer “transitional” periods have been granted during the negotiations – and those with longer

timetables such as IPPC³), this implementation also needs to be completed within the next 11 months.

The Commission will be closely monitoring the situation. We are starting a new round of peer reviews on the environmental sectors that we believe need particular attention in each of your countries. These peer reviews are intended to help your administrations in their work. They will also enable us to confirm that your country's commitments are being met. Together with information from other monitoring exercises, we will use the outcomes of the peer reviews as input for our Comprehensive Monitoring Reports on the ten acceding countries. These reports will be presented in November of this year. We hope we shall be in a position to confirm that all ten countries are on track for proper implementation of all environmental legislation, as agreed during the negotiations.

As the date of EU membership moves closer, the importance of civil society participation in the process will continue to increase. You will need to play an important role in ensuring that all the EU environment legislation comes into full force, and in helping to ensure that it continues to be respected.

As the ten acceding countries now move towards full EU membership, we are increasingly looking towards the south-eastern part of the continent:

Bulgaria has now formally presented the complementary information in the EU's 2001 negotiation position concerning the environment. Technical consultations have been held recently between Bulgaria and the Commission. During the second half of this year, we expect Romania also to present the complementary information requested of them by the EU. As a result, both Bulgaria and Romania are moving towards their aim of closing the environment chapter of the accession negotiations. For Turkey, following the decisions taken by the European Council in December in Copenhagen, legislative scrutiny is being intensified.

However, we are certainly also looking beyond the present candidate countries. Croatia's application to the EU was received on 20 February of this year. The Council has asked the Commission to prepare an opinion, as was done for the other candidates in 1996. The EU has confirmed that we see EU membership as the long-term goal for all the Balkan countries.

You – the environmental NGOs in south-eastern Europe – will have a very important role over the coming decade in helping to ensure that the citizens in your countries understand the benefits of EU environmental legislation, and that your administrations develop the habits of good environmental governance.

The Kiev Conference and environmental relations with the NIS

As the EU's boundaries shift towards the East, this is also the time for us to start looking towards a redefinition of our relationships with the countries that will soon become our new neighbours.

In less than a year, the EU will have common borders with several countries of the former Soviet Union. Common borders mean common environmental problems, and the need to find common approaches to solving these problems. The EU must work with these countries to protect the environment and promote sustainable development. We already cooperate with several NIS countries in the context of the Danube and Black Sea Conventions, and through environmental projects under the TACIS programme. However, we need to intensify our dialogue, particularly with the Western NIS or Western EECCA⁴ countries, as those countries now prefer to be called. This dialogue needs to be both bilateral – between the EU and each individual country – and also multi-lateral.

³ Integrated Pollution Prevention and Control

⁴ Eastern Europe, Caucasus and Central Asia

I am therefore very pleased with the outcome of the recent Environment for Europe conference, which I attended in Kiev ten days ago. We have underlined the continuing importance of the Environment for Europe Process and streamlined its operation. I am confident that the expertise of the Task Force that operates between meetings and develops the Environmental Action Programme for Europe, together with the Regional Environmental Centres in these countries, will help drive a process in which we promote a convergence of environmental standards between the EU and the NIS countries.

I am also pleased that the EU signed two important protocols in Kiev, namely a protocol to the Aarhus convention, on pollutant release and transfer registers, and a protocol to the Espoo convention, on SEA⁵. Unfortunately, we were unable to sign the third proposed protocol, on Civic Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters. As you may know, the EU is presently debating its own policy on Environmental Liability and it was therefore premature to enter into this multilateral convention. However, once the EU determines its own route forward on this matter, I hope that we may also find a way to collaborate with our neighbours on this important issue.

Agreeing on the protocols to the Aarhus and Espoo conventions is already a big achievement.

We must now work on implementing these and the other existing UNECE conventions and protocols. There is not much point in putting signatures on a piece of paper if the decisions are not put into practice. This is a task that will involve the administrations of all the UNECE countries, but it is still important for civil societies in these countries to keep up the pressure.

I believe that the NGO community from the candidate countries and the Balkans might be well placed to “coach” the NGOs in the EECCA region on how to play a greater role in implementation of environmental legislation. Many of the societal and legal challenges that will be faced in the EECCA region over the next decade are similar to those that you have already been tackling in your countries.

EU domestic environment policy developments

Just a few words about current progress with EU environmental policy.

One of the biggest policy challenges we are facing is the need to completely overhaul EU legislation on chemicals. Chemical pollution continues to pose a severe threat to the health of many of our citizens. We need a system to register, evaluate and authorize all potentially dangerous chemicals. We also need to find a way of bringing together and streamlining the over 60 existing directives on chemicals.

This will have a large direct impact on the wellbeing and safety of the ordinary citizens of the EU, but it is also a very complex issue. Control and regulation of chemicals must be undertaken in a way that is also compatible with the EU’s objectives of free movement of goods and growth and competitiveness.

We hope that the Commission will be in a position to finalize and propose a draft regulation this autumn. As a step in this direction, the Proposals drafted by the Commission, known as the REACH system, are available for public consultation on the Commission’s portal “Your Voice in Europe”. I would encourage you to read these proposals and submit your considered reactions. In fact, I am counting on your support.

The Commission is also taking steps on waste reduction. For quite some time now, EU policy has stated that waste prevention (that means less waste) is preferable to waste management. It is now time to see how we can actually reduce waste production. Just last week, the Commission set out our vision on this challenging task. Less waste production reduces pressure on our landfills and

⁵ Strategic Environmental Assessment

incinerator emissions. But it will also reduce the need to use energy to collect and transport waste to sorting and treatment facilities. I hope that when you are discussing this topic further later on, you will reflect on how such a waste reduction strategy might operate in practice in your countries.

As well as working on the development of new environmental policy, like our policies on chemicals and waste reduction, the Commission is presently very active in addressing the challenges of implementing recently adopted environmental instruments. We believe that the Commission has an important role to play in facilitating a common understanding of the route to good implementation of environmental legislation. By taking a proactive approach we hope that the actual implementation of this legislation within the Member States will improve – and that we will see less cases that we need to bring to the Court of Justice.

For instance, together with the Member States and Norway, the Commission has been developing guidance documents on application of the Water Framework directive. Many of these documents are already available on our Web page and we hope that the series will be completed in the coming months. These guides should help Member States in the complex task of respecting the Water Framework Directive.

Similarly we are working to assist Member States with implementation of the Strategic Environmental Assessment Directive. This is an important directive that will introduce a much more pro-active approach to environmental protection .

Member States are required to implement this Directive from July 2004, so the newly acceding countries will be undertaking implementation in parallel with the existing Member States. The Commission is trying to facilitate this important, but challenging task, by disseminating examples of good practice and guidance documents, which you will have the chance to learn more about later in this meeting.

In previous meetings, we have discussed in detail the important role that NGOs play in monitoring proposals for new infrastructure projects, including those proposed for EU funding, namely the ISPA projects. Implementation of the SEA Directive will greatly increase civil society's ability to influence the planning and programming process in many sectors, so as to avoid environmental damage, well in advance of the phase of proposing specific projects. I hope that you will all take advantage of the opportunity presented by the SEA Directive and participate even more actively in the process of planning and programming in your countries.

I note that your agenda also covers topics related to EMAS, Eco-label and public procurement. In each of these areas, the EU is also taking steps to prevent environmental degradation through proactive, preventive behaviour. To be effective, these instruments require small steps and changes in daily activities, by administrations, industry and consumers. It is very important to remember that the type of individual action encouraged by these instruments does indeed make a difference to the overall quality of the environment.

As NGOs, you are working in your local communities, in contact with individual citizens; you are therefore very well placed to help promote these approaches – to encourage individuals to use these instruments as a basis for changing their behaviour and to act as watchdogs for the green agenda.

Of course “Changing Our Behaviour” is also the theme for this year's Green Week... . You have a packed agenda for this morning and for Wednesday morning, and you will be meeting with your country desk officers tomorrow. I hope you will benefit from this special opportunity to liaise with Commission officials. But I hope that you will be able to find the time during your stay in Brussels to attend some of the Green Week events going on in the Charlemagne building this week.

Thank you for your attention. And now I look forward to listening to you and discussing your ideas and particular concerns, either on the topics I have mentioned or on any other burning issues.

Draft Protocol on Sustainable Development

THE HIGH CONTRACTING PARTIES,

WISHING to ensure that the Union shall work for a Europe of sustainable development and that it shall contribute to the sustainable development of the earth, as stated in Article 3(2) and (4) respectively of the Constitution;

RESOLVED to establish the conditions for a proper achievement of these fundamental objectives of the Union, and to establish a system for monitoring the achievement of those objectives,

HAVE AGREED UPON the following provisions, which shall be annexed to the Constitution:

1. Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

The Union contributes to the sustainable development of the earth.

2. Sustainable development is a fundamental principle and objective of the Union.
3. All institutions shall ensure that all major policy proposals and all legislative acts comply with sustainable development.
4. Before proposing any major policy initiatives or legislative acts, the Commission shall consult widely on the sustainability dimensions of its proposals, except in cases of particular urgency or confidentiality. The European Parliament and the Council shall ensure that a similar procedure is followed for any major amendments they propose.
5. To achieve the objective set out in paragraphs 1 and 2 all major policy proposals and all legislative acts of the Union, as well as major amendments thereto, shall:
 - a) be preceded by a sustainability impact assessment covering their potential economic, social and environmental consequences;

- b) contain a detailed statement explaining the reasons on which it is based with a view to justifying its compliance with sustainable development; the reasons must be substantiated by qualitative or, whenever possible, quantitative indicators;
 - c) be based upon the principle that their economic, social and environmental effects should be assessed in a co-ordinated way and taken into account;
 - d) incorporate an appropriate balance of short and long term impacts, taking into account the needs of future generations;
 - e) Take account of how the action may promote and contribute to a sustainable development, i.e. the potential advantages and disadvantages of action or lack of action.
6. The European Parliament, the Council and the Commission may conclude an inter-institutional agreement to lay down the modalities of the impact assessment.
 7. The European Parliament, the Council, the Commission or any Member State may obtain the opinion of the Court of Justice as to whether any major policy proposal or any legislative act envisaged is compatible with the provisions of this Protocol.
 8. The rules of procedure necessary for implementing paragraph 5 shall be adopted in accordance with the provisions of the Constitution on the adoption of the Rules of Procedure of the Court of Justice. During the procedure, any institution or any Member State of the Union, as well as any concerned party, including relevant NGOs, may intervene on an “amicus curiae” basis.
 9. The European Parliament, the Council and the Commission shall take account of the opinion of the Court of Justice.

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Slide presentation by Mrs Soledad Blanco:

State of play in the environmental enlargement process and environmental cooperation in the Balkans

See PowerPoint attachment

Slide presentation by Mr David Aspinwall:

Strategic Environmental Assessment

See PowerPoint attachment

Kiev Conference: Declaration by UNECE Ministers of Environment

ECE/CEP/94/Rev.1



Advance copy

FIFTH MINISTERIAL CONFERENCE

ENVIRONMENT FOR EUROPE

KIEV, UKRAINE

21-23 May 2003

DECLARATION

by the Ministers of Environment of the region of the United Nations Economic Commission for Europe (UNECE)

DECLARATION

by the Ministers of Environment of the region of the United Nations Economic Commission for Europe (UNECE)

Introduction

1. We, the Environment Ministers and Heads of delegation from 51 countries in the UNECE region and the Representative of the European Commission, met at Kiev, Ukraine, from 21 to 23 May 2003, in the fifth of a series of Ministerial Conferences held as part of the “Environment for Europe” (EfE) process.
2. We underline the importance of the EfE process as a tool to promote environmental protection and sustainable development in the region, thus contributing to wider peace and security. We reaffirm our commitment to cooperation on environmental protection among countries in Europe, North America, the Caucasus and Central Asia, taking into account the principles that were agreed in Dobris, Czechoslovakia, in 1991; in Lucerne, Switzerland, in 1993; in Sofia, Bulgaria, in 1995; in Aarhus, Denmark, in 1998; and here, today, in Kiev, Ukraine in 2003.
3. We take note of the rapid political, economic and social changes that have taken place in the region since the establishment of the EfE process in 1991 and we underline our view that these changes call for efforts to strengthen cooperation within the region. In particular, we express our satisfaction that, with the enlargement of the European Union in May 2004, the EU will welcome as Member States the countries that were the initial focus of the EfE process when it was launched. We look forward in this context to new opportunities and challenges for strengthening environmental collaboration in the region.
4. As we move forward with the EfE process, we should emphasize our common goals with respect to the environment. We also wish to highlight our common dedication to cooperating in achieving high standards of environmental protection. In doing so, we should take advantage of the diversity each of us brings to the Conference. There are many approaches and solutions to the environmental issues faced by the UNECE. We come to the Conference from different geographic regions with differing experiences, ideas, and mechanisms for approaching these issues. Such diversity should be allowed to serve our common goals, with each of our efforts and experiences offering new lessons for facing the problems that impact us all.
5. We welcome the decisions taken at the World Summit on Sustainable Development (WSSD) (Johannesburg, 2002) and we commit ourselves to implementing these decisions to strengthen the environmental pillar of sustainable development at the global, regional, subregional and national levels taking into account the social and economic dimensions of sustainable development recognizing that the three pillars are mutually reinforcing and interdependent, and to promote partnerships in support of the goals of the Johannesburg Declaration on Sustainable Development and the Plan of Implementation as well as of the Ministerial Statement of the Regional (UNECE) Ministerial Meeting for WSSD (Geneva, 2001). The present Declaration adopted at the first ministerial environment conference in the region since WSSD represents a collective response to these decisions.

I. ACHIEVEMENTS

6. We acknowledge that the EfE process has been a unique multilateral process that brings all countries in the region together on an equal footing. We are encouraged that this process has evolved into the major high-level pan-European framework for discussing key environmental policy issues, developing programmes, launching negotiations on legally binding instruments and various partnerships and initiatives, including new institutional structures for the environment, in a balance between subregional and regional issues and openness to intensive intersectoral cooperation. We appreciate that the process has provided a wider political platform for the environmental initiatives of subregions, thus making them more effective and visible.

7. We note the results achieved under the Environmental Action Programme (EAP) for Central and Eastern Europe endorsed at the Lucerne Conference. The EAP Task Force has played an effective role in promoting environmental policy reform and capacity building in countries with economies in transition, particularly in reforming policy instruments, environmental financing, environmental management in enterprises and urban water sector reform. The Project Preparation Committee (PPC) has been instrumental in mobilizing and channelling external financing to resolve priority environmental problems in countries with economies in transition, as well as in ensuring coordination among clients, host governments, donors and international financial institutions (IFIs). We recognize the achievements of the Organisation for Economic Co-operation and Development (OECD) and the Regional Environmental Center (REC) for Central and Eastern Europe, in implementing the work programme of the EAP Task Force.

8. We recognize that the UNECE programme of environmental performance reviews (EPR), also initiated at Lucerne as well as other analytical and advisory work of partners in the EfE process, has made it possible to assess the effectiveness of the efforts of countries with economies in transition to manage the environment, and to offer the Governments concerned tailor-made recommendations on improving environmental management to reduce pollution load, to better integrate environmental policies into sectoral policies and to strengthen cooperation with the international community.

9. We note the three assessment reports on the state of the environment produced and published by the European Environment Agency (EEA) in 1995, 1998 and 2003, that have helped to identify major threats and challenges for the development of regional environmental policies, and in the first years to lay the ground for the preparation of the Environmental Programme for Europe, which was endorsed at the Sofia Conference as the first attempt to set long-term environmental priorities at the pan-European level and to make Agenda 21 more operational in the European context.

10. We note that the preparations for EfE ministerial conferences have stimulated the drawing-up of a number of legally binding instruments promoting environmental protection and sustainable development in the region such as the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, and the Protocols on Heavy Metals and on Persistent Organic Pollutants. Environmental agreements developed under the EfE process complement and strengthen the regional environmental legal infrastructure that has been built by the Conventions on Long-range Transboundary Air Pollution, Environmental Impact Assessment in a Transboundary Context, the Protection and Use of Transboundary Watercourses and International Lakes and on the Transboundary Effects of Industrial Accidents.

11. We stress that other important policy tools have resulted from the EfE conferences, including strategies, policy statements and guidelines. These tools, together with the links established between the EfE process and other ministerial processes in the region - environment and health; transport, health and environment; and the protection of forests – help to promote integration of environmental considerations into sectoral policies.

12. We note with satisfaction that the process brought international organizations and institutions active in the region together to work in a unique cooperative setting. We also stress the success of the EfE process in involving civil society organizations in regional environmental policy-making and implementation. Positive examples are the active involvement of REC for Central and Eastern Europe and the establishment of new RECs in Eastern Europe, the Caucasus and Central Asia, and a structured dialogue with a broad coalition of non-governmental organizations (NGOs).

II. CHALLENGES

13. We reaffirm the important responsibility of our region to improve the global environment. We have to take action to confront the adverse impact of present development inside and outside the region. We stress the need to strengthen regional and subregional cooperation as well as to support partnership initiatives with countries outside the region particularly through inter-regional activities. We recognize the need to accelerate and coordinate our efforts to fight global environmental threats.

14. We are concerned that environmental degradation and unsustainable use of natural resources may have significant social and economic consequences, such as increased poverty, cause health hazards, and aggravate insecurity and social tensions, possibly leading to political instability. We are also concerned that conflicts over shared natural resources and ecosystems could lead to tensions between States and have an adverse impact on other subregions, directly or indirectly. Instead, shared natural resources should be a catalyst for regional and subregional cooperation. We recognize that the EfE process should contribute to strengthening wider peace, security and human safety, and should continue its close cooperation with the Organization for Security and Co-operation in Europe (OSCE). We note the serious environmental consequences of armed conflicts in the region and welcome contributions made by UNEP in undertaking post-conflict environmental assessments.

15. We welcome the Kiev Assessment prepared by the European Environment Agency (EEA) with the support of countries and UNECE and in cooperation with UNEP and other international organizations, which for the first time covers all countries of Eastern Europe, the Caucasus and Central Asia⁶. We, the Ministers and Heads of delegation of States covered by this assessment, are particularly concerned over its findings that in the countries covered by this assessment:

- (a) In terms of integration of environmental considerations into sectoral policies, only limited progress has been achieved to date and only in a few cases has there been significant decoupling of economic growth from associated environmental pressures. This progress has resulted mainly from one-off changes, technical substitutions (e.g. for leaded petrol and CFCs) or from economic decline. Much of this progress is therefore unlikely to be sustained in the face of continuing or renewed economic growth;
- (b) Important ecosystems continue to be at risk, including wetlands and species-rich agricultural habitats. Land-use conflicts from transport, urbanization and intensive agriculture continue to diminish the remaining semi-natural remote areas at unacceptable rates. Progress has been made in recovering several species; however, a number of the region's species continue to decline at an alarming rate, threatening biodiversity. Overexploitation of some fish stocks is in particular putting these species at a high risk of collapse;
- (c) Water quality and water resources in many subregions are still under threat from a range of human activities. Problems are generally the most severe near hot spots;

⁶ These countries include Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Republic of Moldova, Russian Federation, Tajikistan, Turkmenistan, Ukraine and Uzbekistan. The name of this group of countries does not constitute an internationally recognized term based on either geographical or socio-economic criteria.

- (d) The continued growth of transport, with minimal progress in the use of non-fossil fuels and modal shift, is a major problem for the environment, due to further increases in greenhouse gas emissions and health impacts. The increasing demand for tourism transport forms an additional challenge to integrated transport policies;
- (e) Alarming exceedances of World Health Organization (WHO) air quality standards continue in many urban areas. Exposure to particulate matter is now the largest threat to health from air pollution in cities;
- (f) Emissions of some persistent organic pollutants (POPs) are still a concern. Concentrations of a number of newly identified chemical pollutants not classified as POPs are rising. Obsolete chemicals and contaminated sites continue to have a serious environmental and health impact in countries in transition;
- (g) Total waste quantities are increasing in most countries, with only limited progress towards the decoupling of waste generation, particularly hazardous waste, from economic growth in some countries;
- (h) Soil is being irreversibly lost and degraded as a result of increasing and often conflicting demands from nearly all economic sectors. The main problems are irreversible losses due to soil sealing and erosion, continuing contamination from local and diffuse sources, acidification, salinization, compaction and desertification.

16. As many environmental problems in the region remain unsolved, we need to raise the profile of environmental issues within governments, to strengthen the involvement of sectoral ministries in environmental protection and to tackle these problems in closer cooperation.

17. We recognize that the WSSD outcome and the existing pressures on the region's environment call for refocusing pan-European policy-making on more effective integration of environmental considerations in other policy areas and, in particular, to establish positive trends to move the region towards greater sustainability. Sustainable development, in particular, should delink economic growth from environmental degradation so as to promote both economic growth and environmental protection. Care of the environment and proper management of natural resources must not be peripheral to, or in competition with socio-economic development.

18. We note and continue to support the international legally binding instruments for environmental protection to which we are party; at the same time, we stress that greater emphasis should be placed on compliance with and national implementation of these instruments. In addition to political will and, in some cases, substantial financial resources, the development of appropriate human and institutional capacities is required, and this has not always been sufficiently recognized.

19. We further note that legally binding agreements alone will not suffice to guarantee environmental protection and a comparable level of their implementation throughout the region. Countries need to establish clear objectives, set realistic specific time frames and coherently apply the most cost-effective policy instruments. Economic instruments, voluntary approaches and information and participation instruments have to be more widely and effectively used to promote integration of environmental considerations across the region.

20. We stress the importance of environmental information and data for policy-making and public awareness, recognizing that not all countries use indicator-based mechanisms for their periodic environmental assessments and their evaluation of the effectiveness of environmental policies and decision-making. Better data collection in such areas as chemicals and biodiversity is needed. Improved coordination and optimization of environmental assessments, including outlooks, and reporting are another area for concerted action.

21. We note the over 220 partnership initiatives announced at the WSSD and the need to continue to engage business and industry on corporate social responsibility and accountability, as well as in public-private partnerships to achieve common environmental and sustainable development objectives including eco-efficiency. We recognize the need to further engage the commitment, creativity and resources of business and industry as well as research and innovation in these efforts. We take note of the reports on the Implementation of the Aarhus Policy Statement on Environmental Management in Enterprises prepared by OECD and the REC for Central and Eastern Europe.

22. We recognize the importance of developing new and reinforcing existing forms of cooperation for promoting environmental protection for the benefit of sustainable development within the UNECE region, and recognize the severity of existing environmental challenges, in particular in South-East and East European, Caucasian and Central Asian countries. Many of these countries face serious financial and other difficulties in achieving national environmental objectives. These countries like many others have to make difficult decisions about realistic priorities, establish better cooperation between Environment and Finance Ministries, improve national and local capacities, and use existing resources more efficiently. Further efforts are also needed at all levels to mobilize additional domestic and international finances for environmental purposes. An enabling domestic environment is vital for mobilizing domestic resources, increasing productivity, reducing capital flight, encouraging the private sector and attracting and making effective use of international investment and assistance. These countries need a clear perspective regarding co-operation with other subregions.

III. RESPONSES: MAKING IT HAPPEN

A. Global commitments

23. We will support the work of the United Nations Commission on Sustainable Development (UNCSD), the United Nations Environment Programme (UNEP) and other relevant UN agencies in following up WSSD results at the global and regional level in supporting the implementation of these results and the outcome of the Regional Ministerial Meeting for WSSD at the regional and national levels, as appropriate. In this regard, we invite UNECE, within its mandate, to collaborate with other regional and subregional organizations and bodies, as appropriate, as well as regional offices of funds, programmes, international and trade institutions and other organizations of the UN system in contributing to the implementation of Agenda 21, the Johannesburg Plan of Implementation and the decision of the 11th session of UNCSD regarding regional implementation, and providing inputs to the global sustainable development process as decided by UNSCD at its 11th session.

24. We call on all countries in the region to honour their global commitments in multilateral environmental agreements (MEAs). We welcome the agreement of WSSD to promote mutual supportiveness between the multilateral trading system and the MEAs, consistent with sustainable development goals, in support of the work programme agreed through the World Trade Organization, while recognizing the importance of maintaining the integrity of both sets of instruments. We will work towards the implementation of the United Nations Framework Convention on Climate Change. We will promote regional coordination and cooperation among the relevant MEAs.

25. Life on our planet is dependent upon the oceans. Seas' and oceans' resources are not inexhaustible and not of an infinite regenerative capacity. For this reason the world's leaders agreed on a set of actions at WSSD to help ensure the productivity, safety and overall health of our oceans. We will continue in existing fora to work toward sustainable fisheries, the conservation of biodiversity, the strengthening of marine science, improved coordination and cooperation, the reduction and elimination of marine pollution and greater maritime safety. We reaffirm the commitments made at WSSD to encourage the application of the ecosystem approach for oceans and seas by 2010, to make every effort to achieve substantial progress to protect the marine environment from land-based activities by the next Conference of the Global Programme of Action for the Protection of the Marine Environment from

Land-Based Activities in 2006, and to establish marine protected areas consistent with international law and based on scientific information, including representative networks by 2012. We welcome subregional cooperation around the seas in the region, and the efforts to address maritime transport safety and we welcome in this context the work of the subregions on particularly sensitive sea areas.

26. We will strengthen our efforts at the global, regional, subregional and national levels to promote good governance and to reverse the current trend of natural resource degradation as soon as possible, with a view to contribute to building social cohesion, reducing poverty and vulnerability to natural and man-made disasters, with mainstreaming of gender perspective, and with a view to improve living conditions for children and vulnerable groups and to promote sustainable development, peace and security. We welcome and support the initiatives and partnerships designed to address these links to strengthen cross-sectoral collaboration and obtain better results.

27. We will encourage national efforts to promote sustainable production and consumption as well as corporate environmental and social responsibility and accountability. The integration of environmental considerations into sectoral policies, where appropriate, and the delinking of economic growth and environmental degradation, so as to promote both economic growth and environmental protection are crucial.

28. We underline the importance of the shift towards sustainable production and consumption patterns and encourage regions, subregions and countries, as appropriate, to devise programs to accelerate this shift. As decided at WSSD, we will encourage and promote the development of a 10-year framework of programmes in support of this, taking them to our next conference. Countries should decide which tools will be of most use to them in these efforts. Some important programme elements to be considered are: the promotion of environmental policy integration, including continued promotion of the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the costs of pollution, with due regard to the public interest and without distorting international trade and investment; partnerships; voluntary programmes; regulatory reform; tradeable permits; encouraging the reform of subsidies that have considerable negative effects on the environment and are incompatible with sustainable development; increasing market access for environmental goods and services; public awareness; as well as specific objectives for sectoral policies, in particular transport, energy and agriculture, taking into account the ongoing work of the OECD. The greening of government at all levels is imperative. We will continue to work on the adoption of public procurement policies that encourage development and diffusion of environmentally sound goods and services.

29. Business and industry have an important role to play in the promotion of the sustainable development. As our Governments stated in Johannesburg, governments, relevant international organizations, the private sector and all major groups should play an active role in changing unsustainable consumption and production patterns, including actions at all levels. Although

governments and international organizations should establish a supportive and enabling environment for sustainable development, business and industry also have a responsibility and should take actions. We support continuing improvement in corporate practices in all countries and welcome efforts by multinational enterprises, both in developed and developing countries, to increase their contribution to the protection of the environment by continuing to develop methods to manage their operations in cleaner and more resource-efficient ways, initiating dialogues with all stakeholders and reporting publicly on their efforts to do so. With a view to enhancing corporate environmental and social responsibility and accountability, we, inter alia, encourage industry to improve environmental performance through voluntary initiatives, including environmental management systems, certification and public reporting on environmental and social issues, taking into account such initiatives as the International Standardization Organization and the Global Reporting Initiative, bearing in mind principle 11 of the Rio Declaration on Environment and Development. We will continue to support frameworks for the better coordination of the initiatives of business and industry in the follow-up to WSSD under the United Nations Secretary-General's Global Compact Initiative, the OECD Guidelines for Multinational Enterprises and others.

B. Monitoring and assessment

30. We call on EEA to prepare the fourth assessment report for the next Efe ministerial conference building on new partnerships, especially with UNECE and UNEP. We encourage international collaboration to enhance the international comparability of environmental information in priority areas such as air emissions, urban air quality, transboundary inland and ground water pollution, marine pollution, chemicals, hazardous waste, waste management, human health and biodiversity. We recognize the importance of the document on Lessons Learned from Data Collection for the Kiev Assessment and invite the relevant organizations and institutions, including UNECE, EEA and UNEP, in accordance with their mandates, to join us in implementing the recommendations for improving monitoring capacities in the region.

31. We support the UNECE Working Group on Environmental Monitoring in its activities, particularly on strengthening environmental information and observation capacity in the twelve countries of Eastern Europe, the Caucasus and Central Asia, and we endorse the Recommendations on Strengthening National Environmental Monitoring and Information Systems, and the Guidelines on the Development of State-of-the-Environment Reports in these countries. We recognize that, at the regional level, further development of the cooperation framework provided by the Working Group on Environmental Monitoring is required. We invite donors to support the Working Group and the work for the fourth assessment report by the EEA.

C. Environmental performance reviews

32. We welcome the report “Environmental policy in transition: Lessons from 10 years of EPRs” and support the implementation of its recommendations. We reaffirm our support for the EPR programme of UNECE, which was initiated at the Lucerne Ministerial Conference, and we note that it has been an important instrument for countries with economies in transition. The UNECE and OECD programmes of EPRs should continue to assist individual countries to assess progress, to promote policy dialogue through peer reviews, to help stimulate greater accountability and to offer the Governments concerned tailor-made recommendations on how to reduce the overall pollution burden.

D. Strategic environmental assessment

33. We recognize the importance of strategic environmental assessment (SEA) in the region, which offers a way to assess the impact of plans and programmes on a broad scale and facilitates timely environmental assessment of specific actions that have been addressed at the programmatic level. We invite all countries in the region to consider adopting, if they have not already done so, domestic procedures for the preparation of environmental assessment documents that can address plans and programmes.

34. In this regard, we, the Ministers and Heads of delegation of States adopting and signing the Protocol on Strategic Environmental Assessment to the Espoo Convention on Environmental Impact Assessment in a Transboundary Context, welcome it. This Protocol underlines the cross-sectoral approach by integrating environmental, including health, considerations into the preparation and adoption of plans, programmes, and, to the extent appropriate, policies and legislation and thus further contributes to sustainable development. We invite all interested UNECE States to sign this Protocol and to work actively for its ratification and implementation. We recognize the close cooperation between the governing bodies of the Espoo and Aarhus Conventions and the active participation of the health sector and NGOs in the negotiations of the Protocol on SEA, and we encourage these organizations to support its implementation. We also invite all interested UNECE States that have not yet ratified or acceded to the Espoo Convention to do so at the earliest opportunity.

E. Civil liability and compensation

35. We recognize the importance of civil liability regimes at the national, regional, and in certain cases, even the global level, to serve as mechanisms of internalizing the effects of industrial accidents and environmental harm. We emphasize the importance of insurance and other financial instruments to making these regimes work effectively.

36. We, the Ministers and Heads of delegation of States adopting and signing the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters to the 1992 Conventions on the Protection and Use of Transboundary Watercourses and International Lakes and on the Transboundary Effects of Industrial Accidents, welcome it. This new Protocol may prove to be an important tool for ensuring adequate and prompt compensation for damage caused by transboundary effects of industrial accidents on transboundary watercourses and for preventing industrial accidents. We invite all States that are eligible to do so to become parties to the new instrument. We also invite all interested UNECE States that have not yet ratified or acceded to the Conventions to do so at the earliest opportunity.

F. Public participation

37. We encourage all States to take steps to promote good governance, transparency and accountability and to enhance the role of the public in decision-making processes, inter alia through capacity-building measures aimed at implementing principle 10 of the Rio Declaration. Today, we reaffirm our commitment to that principle and underscore the importance of having legislative and regulatory frameworks in place to provide access to environmental information, public participation in environmental decision-making, and effective access to judicial and administrative proceedings in environmental matters at the national level.

38. In this respect, we, the Ministers and Heads of delegation of Signatories and Parties to the Aarhus Convention, welcome its entry into force; invite all interested States that have not yet ratified or acceded to this Convention to do so at the earliest opportunity; underline the importance of effectively strengthening the implementation of the Aarhus Convention as outlined in the Lucca Declaration of the first Meeting of the Parties to the Aarhus Convention; and in this regard, welcome also the innovative compliance procedures agreed at that occasion, which reflect the special nature of this convention, allowing the public to play a role directly in compliance by having the right to address the Compliance Committee, and inviting NGOs to nominate candidates for this Committee.

39. We endorse the value of national pollutant release and transfer registers (PRTRs) as important mechanisms to facilitate both access to environmental information and the reduction of potentially harmful releases and transfers of pollutants. Governments in the region should ensure they have the legislative and regulatory frameworks necessary to operate effective PRTRs at the national level.

40. In this respect, we, the Ministers and Heads of delegation of States adopting and signing the Protocol on Pollutant Release and Transfer Registers to the Aarhus Convention welcome this new instrument, which will provide an important mechanism for generating information on potentially polluting activities and bringing it into the public domain. The implementation of this new Protocol is expected to increase corporate accountability. We invite all interested States to sign, ratify and implement the protocol at the earliest opportunity and to work towards its early entry into force. We note that the active and constructive participation of environmental NGOs and industry has been an important feature in the negotiation of the Protocol and urge these main groups to remain involved in its implementation and further development.

41. We welcome work on PRTRs in other international forums including the Intergovernmental Forum on Chemical Safety and the Commission for Environment Cooperation of North America.

G. Transboundary air pollution

42. We, the Ministers and Heads of delegation of Signatories and Parties to the 1998 Protocols on Heavy Metals and on Persistent Organic Pollutants and the 1999 Protocol to Abate Acidification, Eutrophication and Ground-level Ozone, are pleased to note that the Protocols on Heavy Metals and on Persistent Organic Pollutants will soon be entering into force, but are concerned about the low number of ratifications of the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone. We invite Signatories to all three Protocols that have not yet ratified them to do so as soon as possible. We take note of the statement addressed to our Conference by the Executive Body for the Convention on Long-range Transboundary Air Pollution and we welcome its decision to facilitate funding from Parties for its core activities and ask Parties to take action to facilitate the necessary contributions, in cash or in kind, for this important work. We encourage the Executive Body to continue its work on identifying areas where concerted action could lead to a significant reduction of air pollution.

H. Compliance and implementation

43. We endorse the Guidelines for Strengthening Compliance with and Implementation of MEAs in the UNECE Region as an important tool to strengthen compliance with and implementation of regional environmental conventions and protocols, recognizing that each agreement is negotiated in a unique way and enjoys its own independent legal status. We will support countries with economies in transition, as appropriate, to build their capacities to comply with the obligations arising from MEAs.

44. We welcome the continuing development of compliance procedures under many UNECE environmental instruments, recognizing that such procedures provide useful and effective tools to address and solve compliance difficulties.

45. We welcome the efforts of the various enforcement and compliance networks within the region to share experience and develop best practices. We also welcome the Guiding Principles for Reform of Environmental Enforcement Authorities in Transition Economies of Eastern Europe, the Caucasus and Central Asia developed within the EAP Task Force. We invite the environmental enforcement authorities in these countries to implement the Guiding Principles and donor countries to help them to do so.

I. Energy for sustainable development

46. We recognize the variety of initiatives undertaken for integrating environmental aspects and sustainable development into energy policy in the region including multilateral initiatives such as the European Union (EU)-Russia Energy Dialogue, the Energy Charter process, the EU Northern Dimension, the Baltic Sea Region Energy Cooperation, the Euro-Mediterranean Partnership in the Field of Energy, UNECE Energy Efficiency 21, the Global Village Energy Partnership, the US Clean Energy Initiative and the EU Energy Initiative “Energy for Poverty Eradication and Sustainable Development”.

47. We welcome the elements of the Plan of Implementation adopted at the WSSD concerning a sustainable energy future and stress the need to implement them, including the goal of diversifying energy supply by developing advanced, cleaner, more efficient, affordable and cost-effective energy technologies, such as fossil-fuel technologies and renewable energy technologies, hydro included. With a sense of urgency actions should be taken to substantially increase the global share of renewable energy sources with the objective of increasing its contribution to total energy supply, recognizing the role of national and voluntary regional targets as well as initiatives, where they exist. In this respect, States in the region are invited to work towards establishing clear and ambitious time-bound national targets and/or other policies, programmes and instruments in order to increase their contribution to the implementation of the Johannesburg Plan of Implementation. We will support energy partnerships to work together to remove

barriers to renewable and energy-efficient technology. We welcome the offer of Germany to host a global conference on renewable energy and energy efficiency in June 2004. We, the Ministers and Heads of delegation of States that adopted the Joint Declaration on the “The Way Forward on Renewable Energy” at Johannesburg, invite all countries to do so.

48. We endorse the Guidelines on Reforming Energy Pricing and Subsidies prepared jointly by the UNECE Committees on Environmental Policy and on Sustainable Energy as a means of implementing the energy-related provisions of the Aarhus decisions, in particular the decision supported by most countries which relates to the promotion of action to progressively reduce and, where possible, remove energy price subsidies which counteract an efficient use of energy and/or have harmful effects on the environment. We encourage States to consider implementation of these Guidelines. We support the use of market based and economic instruments, as appropriate, which can provide incentives and flexibility to delink economic growth and energy use, so as to promote both economic growth and environmental protection through improving efficiency and sustainability in the use of resources and production processes. We invite both Committees, as a follow-up, to examine the role of economic instruments in promoting the use of renewable energy taking into account the work of OECD and other international organizations.

49. We support further efforts to improve energy efficiency and promote renewable energy sources as a means of meeting environmental objectives. Our Statement on Energy Efficiency reaffirms these goals. We also note the progress report by the Energy Charter Secretariat on implementing the provisions in the area of energy efficiency and invite it, in cooperation with other relevant international organizations, to report on further progress on energy efficiency efforts at our next conference.

J. Water for sustainable development

50. We are committed to the goals of the WSSD on water, in particular to halve, by the year 2015, the proportion of people who are unable to reach or to afford safe drinking water and the proportion of people who do not have access to basic sanitation, and to develop Integrated Water Resource Management (IWRM) and water efficiency plans by 2005. We welcome the recent decision of the UNCSD to have water, sanitation and human settlements as a priority thematic cluster for 2004-2005, and to invite the UN regional commissions and other regional groups to focus on these issues.

51. We welcome water-related initiatives and partnership from all donors and the support they will provide to the countries of Eastern Europe, the Caucasus, and Central Asia, including: the “Strategic Partnership on Water for Sustainable Development” launched at the WSSD by the EU and the twelve countries of Eastern Europe, Caucasus and Central Asia, aiming at urban water supply and sanitation including work on innovative financing mechanisms for water infrastructure and water resources management, including transboundary river basin and regional seas issues among countries of Eastern Europe, Caucasus and Central Asia; the US Water for the Poor initiative launched at WSSD, focusing on increasing access to clean water and sanitation services, improving watershed management, and increasing the productivity of water; the US initiatives on:

- Central Asian transboundary water planning for water management,
- Caucasian data for integrated water management, and
- The Infrastructure Development Facility.

We further welcome the Statement on the Strategic Partnership on Water for Sustainable Development – East European, Caucasian and Central Asian Component of the EU Water Initiative. We invite other countries in the region and other interested parties to consider joining these important initiatives so that a critical mass of resources can be mobilized to achieve their goals. We look forward to the multi-stakeholder conference that will be organized in 2005 within the framework of the EAP Task Force to promote the implementation of the 2000 Almaty Ministerial Conference on Urban Water Sector Reform.

52. We welcome the initiatives and intentions of the countries of South-East Europe and the Mediterranean to promote peaceful and productive cooperation for introduction of integrated water

resource management approaches for transboundary waters. In this context, we note the outcomes of the International Conference on “Sustainable Development for Lasting Peace: Shared Water, Shared Future, Shared Knowledge”, organized by Greece and the World Bank, in May 2003, as a building block of the Mediterranean Component of the EU Water Initiative.

K. Transport, environment and health

53. We will work to implement effectively the newly established Transport, Environment and Health Pan-European Programme, as a successful example of the integration of the environment and public health into sectoral policies, carrying out the activities under the rationalized priorities as outlined in its work plan and ensuring adequate participation of representatives of South-East and East European, Caucasian and Central Asian countries in accordance with the eligibility criteria adopted within WHO and UNECE.

L. Chemicals

54. We recognize the essential role of sound management of chemicals for sustainable development and for the protection of human health and the environment. We invite all interested States that have not yet ratified or acceded to the Stockholm Convention on Persistent Organic Pollutants and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade to consider doing so.

55. We welcome the adoption in December 2002 of the Globally Harmonized System for the Classification and Labelling of Chemicals. We encourage countries to implement this system without delay to improve the protection of human health and the environment through the sound management of chemicals, with a view to having the system fully operational by 2008. We also note with satisfaction that the WSSD adopted clear targets on chemicals aiming to achieve, by 2020, that chemicals are used and produced in ways that do not lead to significant adverse effects on human health and the environment; of further developing a strategic approach to chemicals management by 2005; and of promoting a reduction of the risks posed by heavy metals and obsolete pesticides that are harmful to human health and the environment. We are fully committed to continue this work, reflecting the decision taken by the UNEP Governing Council earlier this year. We encourage Parties to the Convention on Long-range Transboundary Air Pollution to prepare for the entering into force of the protocol on POPs.

M. Biodiversity

56. We recognize the efforts made so far by the Pan-European Biological and Landscape Diversity Strategy (PEBLDS) in its emerging role as an important instrument for the implementation of the Convention on Biological Diversity in the pan-European region and as a vehicle for promoting the integration of biodiversity and landscape concerns in all relevant horizontal and sectoral policies. We, the Ministers and Heads of delegation of States participating in the PEBLDS process, endorse the Resolution on Biodiversity submitted by the PEBLDS Council and we commit to achieving the nine targets for halting the loss of biodiversity by 2010 through national efforts and regional cooperation. In doing so we highlight as key issues for Europe: forests and biodiversity, agriculture and biodiversity, the Pan-European Ecological Network, invasive alien species, financing of biodiversity, biodiversity monitoring and indicators, and public participation and awareness.

57. We reiterate our commitment to effective national and international regulatory frameworks in the field of genetically modified organisms (GMO) and to cooperate further on this matter. In this regard, we, the Ministers and Heads of delegation of States that have ratified the Cartagena Protocol on Biosafety recall the invitation made in Johannesburg for all States that have not already done so to ratify this Protocol.

N. Environmental education

58. We recognize that education is a fundamental tool for environmental protection and sustainable development and that environmental education has increasingly addressed a wide range of issues included in Agenda 21. We invite all countries to integrate sustainable development into education systems at all levels, from pre-school to higher education and non-formal as well as informal education, in order to promote education as a key agent for change. We welcome the proclamation by the United Nations General Assembly, at its 57th session (December 2002), of the United Nations Decade of Education for Sustainable Development starting in 2005, and will take the lead in promoting it regionally in cooperation with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and other relevant organizations. We endorse the Statement on Education for Sustainable Development and invite Education and other relevant Ministers to take an active part in the development, in close cooperation with UNESCO, of the Strategy for Education for Sustainable Development by 2005.

O. Environmental expenditure

59. We welcome the Good Practices of Public Environmental Expenditure Management in Transition Economies developed within the EAP Task Force and encourage economies in transition to use them as a tool to strengthen environmental expenditure programmes. We also call on donors to support these efforts and to cooperate with economies in transition to draw up realistic environmental investment and financing plans at national and local level. Further efforts are particularly needed to strengthen local finance and investment capacity by improving fiscal arrangements with higher levels of government, better budget management and multi-year investment plans in municipalities. We also call on donors and recipients to ensure that all funding arrangements respect environmental requirements and promote sustainable development. We invite donors to consider devoting a substantial part of their assistance to economies in transition to environmental programmes.

60. We note the reports on Trends in Environmental Expenditure and International Transfers for the Environment in Eastern Europe, the Caucasus and Central Asia prepared by OECD and in Central and other East European countries prepared by REC for Central and Eastern Europe. The environmental financing challenge in Eastern Europe, the Caucasus and Central Asia is particularly great, although a proportion of their national income that some are allocating for environmental purposes is comparable with that of west European countries. In this connection, we welcome the recent initiative by Georgia to develop a debt-for-environment swap. Other poor, indebted countries of the region may want to consider working with their creditors to develop similar initiatives.

P. Environmental Partnerships Strategy

61. We adopt the “Environmental Partnerships in the UNECE Region: Environmental Strategy for Countries of Eastern Europe, the Caucasus and Central Asia. Strategic framework” intended to contribute to improving environmental conditions and to implementing the WSSD Plan of Implementation in Eastern Europe, the Caucasus and Central Asia by strengthening the efforts of these countries in environmental protection and by facilitating partnership and cooperation between these countries and other countries of the UNECE region, including all stakeholders. We welcome the Strategy’s key objectives and areas of action to:

- (a) Improve environmental legislation, policies and institutional framework;
 - (b) Reduce the risks to human health through pollution prevention and control;
 - (c) Manage natural resources in a sustainable manner;
- Integrate environmental considerations into the development of key economic sectors;

- (d) Establish and strengthen mechanisms for mobilizing and allocating financial resources to achieve environmental objectives;
- (f) Provide information for environmental decision-making and promote public participation and environmental education;
- (g) Identify and address transboundary environmental problems and strengthen cooperation within the framework of international conventions, as applicable.

62. We consider the Strategy as an important basis for developing action plans and partnerships and call upon UNECE member States, international organizations and institutions, RECs, NGOs and the private sector to support initiatives to achieve its objectives. We invite the GEF, within its mandate and focal areas, and in accordance with its procedures, to support project proposals from the countries of Eastern Europe, the Caucasus and Central Asia. The responsibility for achieving the objectives of the Environmental Partnerships Strategy lays with the countries of Eastern Europe, the Caucasus and Central Asia with support from their partners.

Q. Water, environment and security in Central Asia

63. We applaud the efforts of the Central Asian States, through their Ministries of Environment and Water, non-governmental and international organizations to develop the Central Asian Initiative on Environment, Water and Security, "Invitation to Partnership". Contributions by donors and other interested parties will be central to supporting efforts of the Central Asian countries to strengthen cooperation to protect water basin ecosystems, use water rationally and improve governance to ensure this subregion's sustainable development and its security. Pursuing the recommendation to start preparing a partnership agreement on transboundary water problems, environment and security in Central Asia, as proposed in the report on Environment, Water and Security, would constitute a concrete follow-up to the Johannesburg Plan of Implementation and an important step in contributing to the EU Water Initiative and other water initiatives in the region.

R. Mountains

64. We welcome the progress made in the protection, sustainable development and management of mountain regions, and the strengthening of cooperation among transboundary mountain regions, such as the Alps, the Carpathians, the Caucasus and Tianshan through the sharing of experiences and technical cooperation. We emphasize the importance of implementing the partnerships for sustainable development of mountain regions in order to effectively address imminent challenges in biodiversity conservation, sustainable local development, water management and flood prevention and control in mountains and adjacent lowlands. The adoption and signing of the Framework Convention for the Protection and Sustainable Development of the Carpathians contributes to the achievement of these goals for the Carpathian region. The Signatories are pleased to welcome the Convention and call upon other interested States to consider signing it and working towards its early entry into force and implementation. Contribution by donors and other interested parties will be essential to the effective implementation of the Convention. The decision of the Bishkek Mountain Summit also contributes to the achievement of these important goals and the States represented at the Summit call for support for the Central Asian Mountain Charter which was adopted at this Summit.

S. Regional Environmental Reconstruction Programme (REReP)

65. We welcome and support the REReP in its efforts to strengthen institutions, enhance cooperation and reduce environmental and health threats in South-Eastern Europe. We appreciate the joint work done by the countries of South-Eastern Europe and REC for Central and Eastern Europe to facilitate REReP implementation and we invite the donor community to further support and develop the process.

IV. FUTURE OF THE PROCESS

66. We strongly support continuation of the EfE and welcome the document on its Future as a basis for discussion. The goals for the future of the EfE process are:

To promote the achievement of policy objectives through regional and subregional cooperation on policy responses based on environmental monitoring and assessments, integration with sectoral policies, and governance, including the involvement of civil society, business and industry, and other major groups;

- (a) To strengthen the implementation of environmental instruments to which countries are party, including regional conventions and protocols, and to encourage efforts to improve their efficiency, effectiveness and coherence;
- (b) To improve cooperation between the regional programmes of United Nations bodies and organizations and other international organizations and institutions;
To mobilize financial resources from all sources, inter alia from governments, IFIs, donors and the private sector, to support the implementation of regional environmental instruments and subregional initiatives including capacity building;
- (c) To support interregional cooperation and links with the global environmental governance structure, where this adds value;
- (d) To contribute to UNECE regional implementation of global sustainable development process;
- (e) To improve and strengthen monitoring and assessment in the region.

67. Within the EfE process, a larger concentration of efforts on the East European, Caucasian and Central Asian countries is needed. The process should seek to build a broad political platform for environmental initiatives and perspectives for regional and subregional cooperation. It should particularly address those areas where the experience gained and the expertise of the EAP Task Force, PPC and the RECs would add value. It should aim towards the participation of the countries based on a strategic approach and a real understanding and commitment to reform, including administrative and legislative improvements. Further efforts to increase investment should continue, especially in the municipal sector.

68. We agree with the need to make cooperation with other ministerial processes in the region more effective and to limit the number of ministerial conferences. We invite the two distinct regional processes – Environment and Health, and Transport, Environment and Health – to keep us apprised of their progress and encourage communication to explore opportunities to strengthen joint action, as appropriate. In addition, we will further develop our cooperation with the Ministerial Conference on the Protection of Forests in Europe. We agree to invite the above-mentioned Ministers to our future conferences and to involve them actively in the preparatory work, as appropriate.

69. We decide that future EfE Ministerial Conferences should be held on a regular and predictable basis every four or five years, preferably in a host country. We affirm that the EfE process should continue as a broad framework bringing together a wide range of international organizations, with an effective division of labour and channels of communication and collaboration among them. An open-ended EfE Preparatory Group shall convene to coordinate the preparations not more than two years before the next conference, with the UNECE serving as Secretariat. We strongly call upon the UNECE Committee on Environmental Policy and the EfE Preparatory Group to hold joint meetings with a coordinated agenda to avoid duplication and to ensure more efficient decision-making and to streamline their work. In order to limit the frequency of intervening UNECE-region meetings on environment, we invite the UNECE to encourage the clustering of ministerial or high-level meetings in a back-to-back format, taking place not more than once a year.

70. We invite UNECE through its Committee on Environmental Policy and in consultation with other principal subsidiary bodies, as appropriate, and in cooperation with other relevant organizations and

institutions, to monitor the outcomes of the Kiev Declaration, to consider reflecting the relevant commitments of the Kiev Declaration in its work programme and to assist us in assessing progress in the implementation of environmental commitments of this region emanating from the Johannesburg Declaration on Sustainable Development and the Plan of Implementation as well as the UNECE Regional Preparatory for WSSD. The results of this work should feed into regional implementation meetings organized in preparation for the UNCSD meetings as recommended by the UNCSD at its 11th session.

71. The Central and East European sub-programme of work of the EAP Task Force should phase out by 2004. Equally, PPC will phase out its work in the accession countries by this time. We invite the EAP Task Force and the PPC to continue their work together, including through joint annual meetings and with a common Bureau. Participation in both bodies will be open to all countries of the UNECE region, international organizations, IFIs, the RECs, and civil society and private sector representatives. We invite OECD and the European Bank for Reconstruction and Development (EBRD) to provide support for secretariats for the EAP Task Force and the PPC respectively. At our next conference, we will consider opportunities for to relocate the secretariat functions to Eastern Europe, the Caucasus or Central Asia.

72. We invite the EAP Task Force to lead efforts to facilitate and support, in cooperation with other relevant international bodies and RECs, the achievement of the objectives of the Environmental Partnerships Strategy by East European, Caucasian and Central Asian countries. Achieving these goals will include facilitating policy and institutional reform, capacity building, development of civil society, transfer of lessons learned and best practice, cross-border cooperation and environment-related investments in Eastern Europe, the Caucasus and Central Asia. The EAP Task Force, in cooperation with relevant international bodies, and on the basis of information provided by East European, Caucasian and Central Asian countries should keep the Committee on Environmental Policy informed of progress in achieving the objectives of the Strategy. International organizations are invited to provide assistance and support to its implementation, in accordance with their respective mandates. We agree on the importance of sharing experience and knowledge within the UNECE region, and of transferring it to the countries in Eastern Europe, the Caucasus and Central Asia. The REC for Central and Eastern Europe should play a useful role in this respect, cooperating with the EAP Task Force and RECs operating in Eastern Europe, the Caucasus and Central Asia in support of the implementation of the Strategy. We recognize the importance of supporting the activities of the EAP Task Force and the PPC with adequate funding.

73. In developing its work plan, EAP Task Force should establish, as appropriate, work-sharing arrangements with the international organizations and institutions which are invited to provide assistance and support to the Environmental Partnerships Strategy implementation, in accordance with their respective mandates. A close link should be promoted with secretariats of regional environmental agreements, UNECE in the implementation of its EPR programme in countries of Eastern Europe, the Caucasus and Central Asia, and capacity-building activities under the regional environmental agreements. EAP Task Force should invite, as appropriate, subregional organizations and processes, such as the Inter-State Ecological Committee (IEC), the International Fund for Saving the Aral Sea (IFAS), regional mountain initiatives, Caspian and Black Sea programmes, to the information exchange and cooperation. We also count on close cooperation with UNDP country offices and RECs in the subregion. RECs, major groups, as appropriate, including environmental NGOs and the private sector will be invited to take part in the EAP Task Force activities through participation in a multi-stakeholder dialogue and the development of environmental civil society.

74. We note with satisfaction that the East European, Caucasian and Central Asian RECs have started to implement their mandates in the subregion. We will continue to support these RECs taking into account their role, in particular, in making available an impartial platform for cooperation, partnership and the exchange of information and in supporting the involvement of civil society in decision-making. We invite REC for Central and Eastern Europe to strengthen cooperation with the East European, Caucasian and Central Asian RECs in developing a REC network.

75. We stress the need to develop a communication strategy to raise awareness of the EfE process among a wider audience of stakeholders and the general public based on the achievements of the process.

Annex 7

We invite UNECE through its Committee on Environmental Policy, in consultation with other principal subsidiary bodies, as appropriate, and in cooperation with the EAP Task Force and other relevant organizations and institutions, to develop this strategy without delay.

76. The Working Group of Senior Officials will meet at its special session in autumn 2003 and shall at that session, chaired by the present host country, decide on the next host country and the date of the next Conference.

77. We express our deep gratitude to the Government of Ukraine for having hosted this Conference and we wish to thank it and its people for the warm hospitality we have received.



Kiev Conference: EU Presidency Statement

Statement on the Consideration of the Ministerial Declaration

by

H.E. Ms Vasso Papandreou,

Minister of Environment,

Physical Planning and Public Works

of the Hellenic Republic

on behalf of the European Union and the Acceding countries

at the 5th Ministerial Conference Environment for Europe,

Kiev, Ukraine, 21-23 May 2003

23 May 2003

Mr Chairman,

I have the honour to speak on behalf of the European Union and the Acceding Countries. The Associated countries of Bulgaria, Romania and Turkey declare that they align themselves with this statement.

The fact that we are here gathered soon after Johannesburg should be used in order to reaffirm our commitments but also to move a step forward and to make things happen. The EU, together with its partners, has played a progressive role throughout the whole process that led us to this Conference, towards finding bold solutions, adapted to the needs of the region. The EU is committed to continue playing a leading role in the wider European region, in promoting Sustainable Development and strengthening its environmental pillar.

We express our satisfaction on the achievements of this Conference.

- a. The adoption and the signing of the three Protocols are welcome additions to an extensive legal framework for the region. From now on we should focus our efforts on implementation of these and previous environmental instruments.
- b. The adoption of the statement on energy efficiency and of the guidelines on reforming energy pricing and subsidies constitute two important political commitments for improving energy security and achieving many of our economic and social goals.
- c. The endorsement of a Statement on Education for Sustainable Development signals our commitment to promoting education at all levels, as a prerequisite for achieving Sustainable Development and an essential tool for good governance and a key agent for change.
- d. The endorsement of the Resolution on Biodiversity stresses our commitment to achieving our targets for halting the loss of biodiversity by 2010.
- e. The endorsement of the Statement on the EECCA Component of the EU Water Initiative as well as the acknowledgement of other important partnerships and initiatives in the EECCA, the South East Europe and the Mediterranean Regions demonstrate our will to fulfil our commitments made in Johannesburg regarding urban water supply and sanitation and integrated water resources management and water efficiency plans.
- f. We would also like to express our satisfaction for the Third Environmental Assessment, which for the first time covers all EECCA countries and provides information to identify the major threats and challenges and streamline our future actions.
- g. We welcome wholeheartedly the adoption of the Environmental Strategy for the EECCA countries. This Strategy underlines our collective commitment to give greater focus to improving the environment in this part of our region and, even more importantly, ensures that we have a delivery mechanism for co-operation between the EECCA countries with the active support of all the countries in the UNECE region.

- h. Finally, we welcome the adoption and signing of the Carpathian Convention which demonstrates the commitment to regional cooperation for the sustainable development of and partnership between European mountain regions.

Mr Chairman, having said all that I would like to point out, however, that there are important elements that have been raised by the EU during the preparation process, which are not adequately reflected in the proposed Declaration:

First of all, the EU reaffirms its determination to work towards the implementation of the Kyoto Protocol and we urge all the countries of the region that have not yet ratified the Protocol to do so as soon as possible. Furthermore, we reconfirm our commitment to substantially increase the global share of renewable energy sources. Moreover, we regret that further targets on the share of renewable energy sources have not been adopted.

The EU also regrets that the 5th UNECE Conference on the Environment for Europe could not find an agreed message on nuclear safety in its Declaration.

Another issue on which the EU attaches great importance and which is not adequately reflected in the Declaration is the issue of Sustainable consumption and production patterns. Decoupling economic growth from environmental degradation, the integration of environmental considerations into sectoral policies and the promotion of corporate social and environmental responsibility and accountability are essential parts of the 10-year framework of programmes as agreed upon in Johannesburg. The EU would like to emphasise the need to accelerate the shift towards a more responsible management of natural resources and a cleaner and more resource-efficient system of production and services. In this respect, the EU is committed to continue playing a progressive role on regional and global level.

Before closing, Mr Chairman, allow me to thank all the national delegations and experts for their tireless efforts and work over the last months and especially over the last few days in promoting our common goals and objectives and preparing a well elaborated and comprehensive Ministerial Declaration.

Mr Chairman, I would like to thank the people and the Government of Ukraine for their warm hospitality and for all their efforts to organise this important event.

Kiev Conference: EU Statement on Nuclear Safety



5th MINISTERIAL CONFERENCE
ENVIRONMENT FOR EUROPE

Kiev, 23 May 2003

STATEMENT on NUCLEAR SAFETY

by the European Union and the Acceding Countries.

The Associated Countries of Bulgaria, Romania and Turkey and the countries of Albania, Azerbaijan, Belarus, Bosnia-Herzegovina, Croatia, Georgia, Kyrgyzstan, Liechtenstein, Monaco, Norway, Serbia and Montenegro, and The Former Yugoslav Republic of Macedonia, declare that they align themselves with this Statement

The European Union, the Acceding countries to the EU, the Associated countries to the EU and the countries of Albania, Azerbaijan, Belarus, Bosnia-Herzegovina, Croatia, Georgia, Kyrgyzstan, Liechtenstein, Monaco, Norway, Serbia and Montenegro, and The Former Yugoslav Republic of Macedonia recall that nuclear safety is a matter of paramount importance and welcome the intensive cooperation that has taken place in recent years throughout the region in this regard.

Within this cooperation, the EU and its Member States have played a major role with technical and financial assistance aimed at enhancing the safety culture and at upgrading the safety of the nuclear installations in the wider European region up to internationally acceptable levels. We reaffirm our commitment to the phasing out of those installations, which cannot be economically upgraded or operated to these levels.

We are committed to implementing and further developing internationally recognized principles and practices concerning nuclear safety in the region, including those endorsed by the IAEA.

We remain committed to working closely with our neighbors to address public concerns on risks to humans and the environment in our region by further improving nuclear safety.

Slide presentation by Mr Chris Allen

European Waste Policy

See PowerPoint attachment

Slide presentation by Mr Matthias Fritz:

The Eco-Management and Audit Scheme (EMAS II)

See PowerPoint attachment

Slide presentation by Mr Javier Yaniz Igal:

The EU Eco-label

See PowerPoint attachment

Slide presentation by Mr Paul Speight:

Green Public Procurement in the EU

See PowerPoint attachment
