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**COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND THE
EUROPEAN PARLIAMENT**

Pan-European Environmental Co-operation

after the 2003 Kiev Conference

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PAN-EUROPEAN ENVIRONMENTAL CO-OPERATION

AFTER THE 2003 KIEV CONFERENCE

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1. Introduction

European co-operation to protect the environment and promote sustainable development has expanded enormously over the past three decades. The initial steps were taken with the development of Community environmental legislation in the 1970s and early 1980s. The first European-wide conventions¹ and sub-regional initiatives such as the Oslo-Paris Conventions for the North Sea also date from this time.

Since the mid-1980s the growth in co-operation has gathered pace, stimulated in particular by three factors:

- The development of EU environment policy following the introduction of environment in the EU Treaty starting with the Single European Act of 1986 and continuing with the Maastricht and Amsterdam Treaties; and the adoption of successive Commission Environment Action Programmes (EAPs), most recently the 6th EAP (2001-10)
- The exposure of major environmental challenges and pressures following the collapse of the socialist block in the countries of Central and Eastern Europe (CEE) and in the Newly Independent States (NIS)², and the subsequent opening of new opportunities for joint action
- The commitment to achieving sustainable development from the 1992 Rio World Summit and the negotiation of global conventions such as the conventions on the ozone layer, climate change and biodiversity

From the early 1990s efforts have been made to bring this expanding interaction within a co-ordinated and coherent approach to environmental co-operation at the pan-European level. In 1991 the first conference of European Environment Ministers was held at Dobris Castle (Czech Republic) with the objective of establishing an overall political framework for common action to achieve environmental improvement and sustainable development in the European region, and to integrate environmental considerations into the emerging democratic, market-based societies of CEE/NIS joining forces to tackle priority environmental problems in that region.

The Dobris Castle Conference established the "Environment for Europe" process to meet these needs and its mandate was reaffirmed at further conferences held in Lucerne (1993), Sofia (1995) and Aarhus (1998). The fifth Conference of European Environment Ministers will be held in Kiev on 21-23 May 2003.

The Kiev conference will take place against the background of profound changes in Europe and emerging new challenges. Four particular factors stand out:

- The enlargement of the European Union from 12 member states in 1991 to 25 member states on 1 May 2004 and the development of important bilateral partnerships between the EU and its other neighbours in South-eastern Europe, the NIS and the Mediterranean basin.

¹ Notably the long Range Transboundary Air Pollution Convention and Protocols of the United Nations Economic Commission for Europe (UNECE)

² This group of countries has recently expressed their wish to be called: ' *the countries of Eastern Europe, Caucasus and Central Asia* ' (EECCA countries)

These developments will confirm the EU as the principal driving force promoting environmental quality and sustainable development in the wider European region.

- The need to respond to concerns and challenges that have evolved in the decade between the World Summits on Sustainable Development in Rio in 1992 and Johannesburg in 2002. In particular, the goals of the Implementation Plan and the partnerships agreed in Johannesburg will be of great importance here.
- Adherence to the goals of the Doha Development Agenda and in particular its trade and environment dimension
- A growing recognition of the need to streamline proliferating European environmental processes and improve pan-European environmental governance (i.a. inadequate legislative base, weak institutional framework, poor implementation etc.); particularly, in view of the limited resources, in terms of high-level political engagement, administrative support and funding, available to sustain them.

This Communication sets out the views of the European Commission on how to pursue environmental co-operation between the enlarged EU and its neighbours in the coming years, as a contribution to the discussions at the Kiev Conference on the future development of such co-operation including the future of the ‘Environment for Europe’ process.

2. A summary of the "Environment for Europe" framework

The "Environment for Europe" process has two main roles: First, it provides the political pan-European environmental framework for co-operation through the ministerial conferences co-ordinated by the UNECE³. Reports on the State of the European Environment produced by the European Environment Agency play a key role in assessing progress and identifying priority issues. The next (third) such report will be produced for the Kiev Conference. The second role is to promote environmental improvement in CEE/NIS, based on an Environmental Action Programme (EAP) agreed in 1993 and endorsed by successive ministerial conferences.

Main facilitators of the ‘Environment for Europe’ process are:

- The Task Force of the Environmental Action Programme (EAP Task Force) co-chaired by the European Commission and an Environment Minister of the NIS region (currently Georgia). It aims to integrate environmental considerations into the processes of economic and political reform by upgrading institutional and human capacities for environmental management and through encouraging cost-effective use of financial resources. In 1993, Ministers requested the Organisation for Economic Cooperation and Development (OECD), located in Paris, to serve as the secretariat.
- The Project Preparation Committee (PPC), established in 1993 to mobilise environmental investments in CEE/NIS. It comprises the donors and IFIs and is currently chaired by the UK Department for International Development. Its secretariat is located in the European Bank of Reconstruction and Development (EBRD) in London.

³ United Nations Economic Commission for Europe (<http://www.unece.org/>)

- The Regional Environment Centre (REC) for Central and Eastern Europe⁴, established in 1990 in Budapest by the European Commission, the USA and Hungary as a non-advocacy, not-for-profit organisation with a mission to assist in solving environmental problems in Central and Eastern Europe (CEE). The Centre fulfils its mission through encouraging co-operation among non-governmental organisations, governments and businesses, supporting the free exchange of information and promoting public participation in environmental decision-making. Since 1998 Regional Environment Centres have also been established in Moldova, Ukraine, Caucasus, Central Asia and Russia with a similar mission.

At the last Ministerial Conference of the ‘Environment for Europe’ in Aarhus, in 1998, it was agreed that, in the light of the impending enlargement of the European Union, the EAP Task Force and PPC should reorient their work and focus more on the NIS and those CEE countries not included in the pre-accession process. At the time, the REC in Budapest took over secretariat functions of the EAP Task Force for CEE countries (including the five Western Balkan countries).

3. The impact of the new political landscape in the future of the ‘Environment for Europe’ process.

Since 1998 the political landscape around the “Environment for Europe” co-operation process has changed considerably. Among these changes the forthcoming EU enlargement will have by far the biggest impact on its future. Following the formal opening of negotiations in 1998 the candidate countries have accelerated their efforts to adopt and implement EU environment legislation. Institutional capacity has also been strengthened and environmental investments increased.

In April 2003 Accession Treaties with ten countries will be signed and, following ratification, the EU will welcome its new Member States on 1 May 2004. As from accession all these countries will be legally bound to enforce and implement the EU environmental legislation. Bulgaria, Romania and Turkey will continue to align their legislation with that of the EU as part of their preparations for accession.

Beyond the current candidates, the countries of South Eastern Europe are also actively harmonising their legislation with that of the EU. The restoration of peace and the political changes in South Eastern Europe since 1998 have transformed the prospects for closer environmental co-operation. The launching of the EU Stabilisation and Association Process in 1999 has provided the structure and set the clear objective of harmonisation with EU standards, including in the Environment field.

Beyond the CEE countries, the Partnership and Co-operation Agreements between the EU and most of the NIS, that came into force in the period 1997-99, also set improvement of laws towards convergence with EU environmental standards as a priority. They provide a mechanism for regular high-level dialogue on environmental matters through the PCA summits, Co-operation Councils and in the case of Russia and Ukraine specific environment sub-committees. These developing relationships between the EU and other European neighbouring countries have become a very significant driving force raising environmental standards, developing cooperation in key issues such as climate change and boosting environmental investment in the continent.

⁴ (<http://www.rec.org/>)

4. The goals of EU environmental cooperation within the wider Europe

Environmental Background

The EU's eastern neighbours continue to face substantial environmental challenges. Priority problems typically identified include: centres of great industrial pollution; pollution intensive and inefficient heat generation and distribution systems; increasing pollution from road transport; poor surface and groundwater quality; underdeveloped municipal environmental infrastructure; and the inefficient use of natural resources.

In countries of Central and Eastern Europe (CEE countries), European Union accession has acted to catalyse most environmental initiatives. The speedy adoption and advancing implementation of EU environmental legislation coupled with EU and other sources of funding are already bearing fruit and are expected to result in further considerable environmental improvements in the short to medium term.

In the Western Balkans, a decade of regional conflicts combined with insufficient institutional infrastructure, decaying industrial systems and a legacy of years of unchecked pollution have left the environment of the region in a state of serious neglect. In addition, the institutional and administrative capacity of national and local governments in the field of environmental policy is weak. Air pollution, poor water quality and waste problems add to the "hot spots" of environmental concern that can be directly attributed to the legacy of conflict. Together these continue to threaten the health of the local population.

During the economic transition period, a degree of pollution reduction has been achieved in many countries in the NIS region. Most noteworthy is the autonomous reduction in some key pollutants, which accompanied the massive reduction in industrial output in the early years of transition. Such pollution reduction may be temporary unless regained economic growth is separated from a corresponding increase in pollution.

Several environmental problems that directly influence the health of the population in the NIS persist: Substantial investments are needed for municipal wastewater treatment facilities and the EU support is being directed to this aim. Many known hazardous waste disposal sites are overloaded and not adequately isolated from the environment – thus posing risks to the environment and human health. A major problem and concern is the availability and quality of drinking water, particularly in terms of microbiology and toxic substances. Contamination by pesticides is common. Hot spots in rivers are numerous. Children are particularly vulnerable to deteriorating environmental conditions. High infant mortality appears to be linked to the poor quality and limited supply of safe water and to weakened public health systems.

More effective environmental policies, accompanied by improved implementation and enforcement practices, are much needed and are gradually being introduced in the NIS region.

Goals of EU cooperation

The EU goals for future pan-European co-operation need to be set in the context of the broad objectives of its international activity.

The EU strategy on 'Sustainable Development for a Better World' (2001) states that the EU has a key role in bringing about sustainable development, within Europe and also on the wider global stage, where widespread international action is required. It emphasises that the policies

of the EU both internal and external must actively support efforts by other countries to achieve development that is more sustainable.

To this end the EU is committed to co-operate effectively with other countries and international organisations in providing leadership to meet these challenges.

At the recent Johannesburg World Summit for Sustainable Development (2002) the EU and many other European countries committed themselves to a Plan of Implementation including objectives, targets and partnerships that are relevant to the pan-European region. These include:

- Halving by 2015 the proportion of people lacking access to basic sanitation, complementing the Millennium Development Goal on access to clean water;
- Minimising the harmful effects on human health and the environment from the production and use of all chemicals by 2020;
- Halting the decline of fish stocks and restoring them to sustainable levels no later than 2015;
- Implementing national strategies for sustainable development by 2005;
- Reducing significantly the current rate of loss of bio-diversity by 2010;
- Urgent action to increase substantially use of renewable energy sources;
- A 10-year framework for programmes on sustainable consumption and production;
- Ratification and entry into force of the Kyoto Protocol at the earliest possible date;
- Strategic partnership on water between the EU and the States of Eastern Europe, Caucasus and Central Asia;
- Pan-European East-West Partnership for Sustainable Development.

In the context of its bilateral and sub-regional co-operation, the EU stresses three further key objectives for the pan-European region:

- Improvement of laws, towards EU standards, both for the environmental benefits this will bring and in order to facilitate trade and investment
- Action-oriented partnerships to protect and improve the environment in the regions bordering the enlarged EU, in particular through the Regional Environmental Reconstruction Programme for South-eastern Europe, the Northern Dimension Environmental Partnership, the Danube-Black Sea Task Force and the Euro-Mediterranean partnership.
- Taking into account the Doha Development Agenda and in particular its trade and environment dimension

5. From goals to practice: Priorities for environmental co-operation with the European neighbour countries

In defining any strategy for environmental co-operation with its European neighbours, the EU will need to consider a regionally differentiated approach, that takes into account the fact that several European countries will either be joining the Union in the next few years or will be preparing for such eventual accession in a more distant time horizon.

Under such a regionally differentiated approach, the countries to the east of the Union can be grouped, for the practical purposes of this communication, in four distinct groups:

1. The 13 EU candidate countries;
2. The 5 Western Balkan countries (Albania, Bosnia-Herzegovina, Croatia, FYROM and the Federal Republic of Yugoslavia (FRY));
3. The Western NIS and the Caucasus (Russia, Ukraine, Belarus and Moldova Armenia, Azerbaijan, Georgia);
4. The NIS countries of Central Asia (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan), which participate in pan-European co-operation as members of the UN European region, OSCE etc.

Each country and group of countries to the east of the present Union have their own specific characteristics and have developed various forms of political co-operation with the European Union. The Union will be using the agreements it has with each one in order to co-operate with them and help them to promote their further sustainable development. The dialogue afforded under these bilateral agreements will be the main mode for the promotion of the policies outlined below.

5.1. The 13 EU candidate countries

Countries concerned: Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovak Republic, Slovenia, and Turkey

The group of 10 new EU member states in 2004

Main objective: In the enlargement context the Commission will continue supporting the transposition and implementation of Union environmental legislation by the candidate countries.

The legal bases for co-operation with the candidate countries have been the bilateral Europe Agreements concluded in the 1990s, and as regards Cyprus and Malta the Association Agreements concluded in the 1970s. On 16 April 2003 the ten acceding countries will sign the Accession Treaty leading to accession on 1 May 2004 following the ratification process.

In the short term, the Commission will continue its environmental pre-accession assistance and activities in these countries placing greatest importance in the practical implementation and enforcement of the Union environmental legislation. The reinforcement of administrative structures at national, regional and local levels is of prime importance, as well as the strengthening of civil society and the role of non-governmental organisations.

After accession co-operation with these countries will continue in the framework of the EU institutions. Monitoring of implementation and enforcement will be continued with particular attention on those areas where transitional arrangements providing for gradual implementation of a limited number of EU Directives have been agreed with these countries.

After accession and up to 2006 EU support for environmental protection will increase more than threefold compared to the pre-accession period as the structural and rural development instruments plus the transitional institutional building facility take over from the pre-accession instruments (Phare, ISPA and Sapard).

The financing of environmental infrastructures, reinforcement of administrative structures, assistance to NGOs and other civil society actors will be the main targets of Union financing.

All these countries have concluded bilateral agreements with the European Union for their participation in the European Environment Agency (EEA).

Bulgaria and Romania

The above programme of activities with the candidate countries during pre-accession will continue to apply to Bulgaria and Romania with increased financial assistance from 2004.

The recent Copenhagen European Council endorsed the Commission Communication on detailed roadmaps for Bulgaria and Romania. These roadmaps provide clearly identified objectives and give each country the possibility of setting the pace of its accession process. The Copenhagen European Council concluded that, depending on further progress in complying with the membership criteria, the objective is to welcome Bulgaria and Romania as members of the European Union in 2007. In particular as far as environment is concerned, the roadmaps set out for each country short and medium term priorities for transposition, preparation of implementation plans and financing strategies and for strengthening administrative capacities in all areas covered by the environment negotiation chapter. In addition, the overall financial assistance to these two countries should be gradually increased by 40% by 2006 compared to current levels. The Accession Partnerships with Bulgaria and Romania will be revised in 2003.

Bulgaria and Romania participate in the Danube-Black Sea Task Force (DABLAS)⁵ mechanism established by the European Commission⁶ for improving the co-ordination between the Danube and Black Sea Commissions and the others partners in the region. The DABLAS Task Force is currently developing a priority investment programme for key hot spots of the Danube-Black Sea ecosystem in particular with the co-operation of the PPC and International Financial Institutions (World Bank, EBRD etc.).

Both of these countries have concluded and ratified bilateral agreements with the European Union and are currently participating in the work of the European Environment Agency (EEA).

Turkey

Main objective: In the enlargement context the Union will continue its support of transposition and implementation of Union environmental legislation by Turkey.

⁵ http://europa.eu.int/comm/environment/enlarg/dablas_en.htm

⁶ COM (2001) 615 final of 30.10.2001

The main instrument of co-operation with Turkey is the Accession Partnership, which describes the short and medium term objectives to be achieved during the accession process. The Copenhagen European Council invited the Commission to submit a proposal for a revised Accession Partnership and to intensify the process of legislative scrutiny.

The Commission will intensify the process of legislative scrutiny in the environment field and facilitate the adoption and practical implementation by Turkey of the EC environmental legislation. The reinforcement of administrative structures at national, regional and local levels will also be sought, as well as the strengthening of civil society and the role of non-governmental organisations.

The Union has a specific pre-accession financial instrument for Turkey, whose resources will increase significantly from 2004. The financing of environmental infrastructures, reinforcement of administrative structures, assistance to NGOs and other civil society actors will be some of the main targets of Union financing. Furthermore Turkey is participating in the LIFE Third countries programme.

Turkey is a very active participant in the DABLAS network. Their involvement is particularly meaningful, since the seat of the Secretariat of the Black Sea Convention is in Istanbul.

Turkey has signed a bilateral agreement with the European Union for its formal participation in the European Environment Agency. Ratification by Turkey of this agreement is expected. Turkey has also recently signed the charter of the Regional Environment Centre for Central and Eastern Europe and is expected to ratify the agreement very soon.

5.2. The Western Balkan countries

Countries concerned: Albania, Bosnia-Herzegovina, Croatia, Former Yugoslav Republic of Macedonia (FYROM) and the Federal Republic of Yugoslavia (FRY).

Main objective: Focus on EU harmonisation activities in line with the Copenhagen European Council conclusions to support their efforts to move closer to the EU.

The European Union approach to South Eastern Europe is governed by the Stabilisation and Association Process which gives particular emphasis to regional cooperation. Environment by its regional nature thus assumes a prominent role in the implementation of this policy.

The cornerstone of this approach will be a new kind of contractual agreement, tailor made for each country - a Stabilisation and Association Agreement (SAA). This offers the countries the prospect of integration into EU structures whilst setting political and economic conditions to be met. The first SAAs have been negotiated with Croatia and FYROM. Environment is included as a key area for co-operation.

The financial and technical assistance to underwrite this process will be provided through the CARDS programme (Community Assistance for Reconstruction Democratisation and Stabilisation). The CARDS financing strategies that run until 2004 contain a significant component to cover environmental assistance with over €100 million foreseen for the region over the next three years. Broadly speaking the assistance will address:

- Institution building
- Support to environmental civil society

- Reducing environmental health threats

These same goals are at the core of the regional co-operation provided by the Stability Pact for South Eastern Europe (launched in June 1999), which aims to bring peace, stability and economic development to the region.

Environment was an early inclusion into the Stability Pact and under the driving force of the Commission the Regional Environmental Reconstruction Programme (REReP) was endorsed by the Stability Pact as the vehicle through which the various bilateral environmental programmes aimed at institutional and civil society reform are co-ordinated. REReP co-operation covers the three areas outlined above (institution building, support to environmental civil society and reducing environmental health threats). The terms of reference of the REReP were recently amended to strengthen the link to the Stability and Association Process (SAP) and all participants are now increasingly focussed on the harmonisation with the EU. The REReP will assist the regional cooperation that is a requirement of the SAP.

The Regional Environment Centre (REC) for CEE was chosen to provide a secretariat for co-ordination and to service the REReP mechanism. Another facilitator of co-operation in this region is the European Environmental Agency, which is taking steps to survey the environmental situation in the Balkans as part of its assessment of the overall environmental situation in Europe.

The Danubian countries of the region (FRY, Bosnia and Herzegovina, FYROM and Croatia), participate in the Danube-Black Sea Task Force (DABLAS).

Under all these bilateral and regional instruments the Union has sought to address some urgent environmental problems arising mostly from the recent Balkan conflicts. These efforts will continue in the future, while the orientation of EU co-operation with these South Eastern European countries now focuses on activities linked to approximation of EU environmental legislation and development of the necessary institutional and administrative capacities for the implementation of this legislation.

5.3. The Western NIS and the Caucasus

Countries concerned: Russia, Ukraine, Moldova, Belarus, Armenia, Azerbaijan and Georgia

Main objectives: To strengthen environmental co-operation and effective implementation of priorities set out in PCAs, to move towards convergence of environmental policies and laws with EU environmental standards. The Communication on EU-Russia Environmental Co-operation (2001)⁷ identified combating climate change, efficient use of energy, improving public health, and improving resource efficiency as specific priorities.

Russia is already a direct neighbour of the Union, as will be Ukraine, Moldova and Belarus after EU enlargement. The Caucasus countries can also be considered in this group on account of their proximity to the Black Sea and Turkey. Various geographical, environmental and political reasons argue for closer Union co-operation with all these countries.

The main instruments of co-operation with these countries are the **Partnership and Co-operation Agreements (PCAs)** with the Union that are in force for all of them except Belarus. They commit both sides to strengthening co-operation on environmental matters and

⁷ COM (2001) 772 final of 17.12.2001

set out priorities for co-operation. For Russia and Ukraine, sub-committees and ad hoc working groups have been established within the PCA framework to deal inter alia with environmental, climate change and sustainable development issues. A joint environmental programme of action for Russia was agreed in 2000.

The PCAs recognise that an important condition for strengthening the economic links between the NIS and the Community is the approximation of their existing and future legislation to that of the Community. Apart from the direct benefits to the environment, such convergence of standards will assist the progressive development of freer trade and investment within the common European economic space.

Additional co-operation with these countries will focus, in particular, on the two main sub-regional co-operation mechanisms established so far by the Union, the DABLAS Task Force and the Northern Dimension⁸. Added impetus will come from the two partnerships involving the NIS launched in Johannesburg with EU support. These are:

- The **Pan-European East-West Partnership for Sustainable Development** including harmonisation with EU standards, pollution prevention and control, natural resources management, integrated water resources management, provision of water supply and sanitation services, integration of environmental considerations into sector policies etc.
- The **Strategic Partnership on Water for Sustainable Development between the EU and the NIS**. The EU Global Water Initiative launched in Johannesburg contains a component designed to work with these countries in meeting what has been identified as their greatest environmental and health challenge, i.e. better water resources management, including water supply and sanitation. The partnership will focus on cooperation for the implementation of river basin management agreements on the basis of the approaches the EU is developing under the Water Framework Directive as well as improvement of urban water supply and sanitation. The Johannesburg targets on water use, sanitation and human health will guide the actions to be developed with the assistance of the European Union and other donors. A high-level meeting on the initiative will be held in the NIS in early 2003. The next milestone in this work will be its presentation in the Third World Water Forum in Kyoto in March 2003. An action plan will be presented for adoption by the Kiev Conference.

The above two partnerships involving the NIS are expected to be two key agreements that will be formalised at the Kiev Conference in May 2003. The EU TACIS programme is expected to take into account the work programmes of the two partnerships in the further development of its assistance programmes in the post-Kiev perspective.

Russia, Ukraine, Belarus, Moldova and Georgia participate in the DABLAS Task Force.

The new Regional Environment Centres (RECs) are expected to develop further as important facilitators of cooperation in the NIS area. They were established in Moscow, Kiev, Chisinau, Tbilisi (Caucasus region) and Almaty (Central Asian region) in the context of the

⁸ The Northern Dimension is an initiative undertaken by the European Union for the promotion of sustainable development actions in an area covering the northern EU Member States, the South-eastern Baltic Sea countries and Northwest Russia. Financing by the Commission, Russia, Denmark, Finland, Netherlands, Norway, Sweden, the EIB, EBRD, the World Bank, the Nordic Investment Bank and NEFCO under the Northern Dimension Environmental Partnership will support environmental projects with concentration in areas such as St. Petersburg, Kaliningrad, Karelia and Murmansk.

"Environment for Europe" process. The RECs have started to implement programmes of cooperation with NGOs, local authorities and business for the promotion of civil society and environment in the subregions where they are operating. Their value added is that they can bring local commitment to the process, through their rich network of stakeholders.

5.4. The NIS countries of Central Asia

Countries concerned: Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan

Main objectives: promotion of democracy, security and conflict prevention through environmental cooperation. Encourage sustainable use of natural resources in particular through improved water and energy management. Implementation of international environmental agreements

Cooperation will be based on the Partnership and Cooperation Agreements in force with Kazakhstan, Kyrgyzstan and Uzbekistan, and signed with Turkmenistan, and the Trade and Cooperation Agreement with Tajikistan. Kazakhstan has placed environment as one of their priority areas under their national Tacis programme.

The implementation of the EU-NIS Water Partnership will be particularly important for these countries, which face important problems of water use and management. Additional benefits to their overall environmental well being are expected to result from the implementation of the Pan-European East-West Partnership for Sustainable Development.

The Commission's new Strategy Paper for Central Asia 2002 to 2006 identifies the sharing of natural resources as one of the key challenges shared by the countries of the region, including the issues of water and energy, which are becoming ever more sensitive, with huge, and often conflicting, national interests at stake in relation to energy production, agriculture and ecology. Managing of natural resources is clearly identified as an area of co-operation for Tacis assistance to the countries of the region

6. Future co-operation of the European Commission with the "Environment for Europe" process

The founders of "Environment for Europe" in the early 1990s saw it as an overarching political framework providing leadership and setting the policy agenda for a long-term pan-European environmental programme. As the continuing debate on pan-European environmental governance shows, while the process has fallen short of this original vision, it nevertheless has had some success in linking the many different actors and initiatives. It has played a useful role as a platform for sharing information, networking and strengthening cooperation among activities and processes in the region. The EU has played a leading role in many of the activities.

6.1. Re-focus on the NIS

As the Aarhus conference in 1998 recognised, as regards the EU candidate countries, the role of the 'Environment for Europe' in mobilising and targeting efforts by donors, partner countries, international organisations and the IFIs has been overtaken by the accession process. The activities of the EAP Task Force and Project Preparation Committee (PPC) have since been focused on the non-candidate CEEs and the NIS. The EAP Task Force provided a framework for environmental work in South Eastern Europe since 1998 and a model for the establishment of the REReP.

Economic and social development needs compete for resources in these countries with environmental issues. NIS ministers recently called for action to accelerate environmental reforms in order to prevent further environmental degradation noting that the environmental situation remained serious and that there had been only limited progress so far in refocusing efforts on the NIS⁹.

For the European Commission it is clear that the NIS must remain a major focus for pan-European environmental co-operation for years to come. The task ahead is vast and efforts need to be reinforced and as necessary re-directed in order to achieve effective progress.

EU bilateral co-operation through the PCA mechanisms should play an increasingly important role in developing a substantive strategic dialogue with NIS governments. However as the Communication on EU-Russia Environmental Co-operation (2001) concluded, there is a clear need for greater political commitment by partners in order to realise the full potential of these mechanisms.

The 'Environment for Europe' process, in re-orientating its work to strategic initiatives within the NIS, should particularly address those areas where the experience gained and the expertise of the EAP Task Force and the Regional Environmental Centres would bring an added value with respect to the bilateral cooperation of individual donor countries or of the EU. It should ensure that the participation of the countries is based on a real understanding and commitment to reform. Further efforts to increase investment should continue, especially in the municipal sector.

Within the limit of available resources the European Commission will support the East-West Partnership for Sustainable Development and the related EU-NIS Water Partnership.

In addition, environmental co-operation with the NIS will take into account the work of the Organisation on Security and Co-operation in Europe (OSCE) in the area of environmental security.

6.2. The work on legal instruments

"Environment for Europe" has helped to win political support for the adoption of pan-European legal instruments, notably the Aarhus Convention on Public Participation and the protocols to be signed at the Kiev Conference; the process also played a role in the transition of standards in the UNECE region. However, this is now diminishing as the emphasis shifts from negotiation of new conventions to the implementation of the existing ones. International conventions, including global ones, can still play an important role in raising environmental performance, however, this depends on them being signed, ratified and implemented by participating countries. This has not always been the case so far. Therefore donors should seek to focus assistance on the implementation of international conventions.

Moreover with the forthcoming EU enlargement and the moves by other neighbouring countries to adopt or converge towards EU environmental standards, EU legislation will become the principal and most effective means of international law making for most countries of the region.

⁹ Statement of Ministers of Environment of 12 countries (Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyz Republic, Moldova, Russian Federation, Tadjikistan, Turkmenistan, Ukraine, Uzbekistan) on the development of the Environment Strategy, Hague 16 April 2002.

The enlarged EU working with its partners will become increasingly the principal driving and co-ordinating force in the normative field for environmental improvement and sustainable development in Europe. The role of "Environment for Europe" in this respect is therefore likely to diminish, although there will remain a need to co-ordinate activities within the UN-led system in Europe and to link these with the activities of other actors. The European Commission will continue to support such efforts. For example the UNECE has been invited by the EU to take further action to promote the implementation of the outcome of Johannesburg in the pan-European region¹⁰. The Commission will also continue to support specific initiatives such as the pan-European State of the Environment Assessments and the related Working Group on Environmental Monitoring.

6.3. The role of the Regional Environment Centres

The role of the Regional Environment Centre (REC) for Central and Eastern Europe will change significantly because of EU enlargement. The new member states will be full members of all Community programmes, committees and working groups and other informal networking activities. The REC will have to compete with other providers of services if it wants to continue providing services for the new member states.

Environmental co-operation especially for capacity building with South Eastern Europe including Turkey is an important EU priority and there is scope for an increased role for the REC there. In particular, in the short term Bulgaria and Romania will continue to need significant support for capacity building to help prepare for accession. Work with the Balkan states and Turkey has a more medium-term perspective but is also a priority.

The five Regional Environmental Centres in the NIS are strongly supported by the EU and funded through the Tacis programme. After an initial – and for some of them sometimes difficult - start of operations they all should reach maturity by the time of the Kiev conference and be able to play the role for which they were set up. The NIS RECs have an important part to play after Kiev in securing the involvement of the NIS civil society in environmental protection and sustainable development of the region. Greater political will on the part of the governments of the NIS for the support of the RECs will also be vital for the RECs to succeed in their mission. The REC-Budapest can play a useful role in providing support and transfer its experience with the EU candidate countries to them.

7. Conclusions

European environmental co-operation is entering a new phase with the enlargement of the EU and the rapid development of its partnerships with the countries of South Eastern Europe and the NIS. The structures for co-operation developed in the early 1990s must evolve to take account of the new opportunities that this will open for environmental advances.

The European Commission will channel its future cooperation through existing bilateral mechanisms with candidate countries, the Western Balkans and the NIS. It will also continue to take the lead in supporting action in the sub-regions bordering the enlarged EU through its participation in sub-regional networks of cooperation such as the EU Northern Dimension, the Danube-Black Sea Task Force and the REReP.

¹⁰ Council Conclusion on the "Follow-up of the World Summit on Sustainable Development", General Affairs Council (GAC) of 30 September 2002

The European Commission will continue to support and play its part in pan-European co-operation mechanisms when these are supported by partner countries and organisations in the region and add value to the bilateral co-operation mechanisms of the EU.

The involvement of the Commission in the above frameworks of cooperation will be constrained by the resources available within the current EU financial perspectives that run until 2006.

In summary the European Commission will:

- Focus on the broad objectives for sustainable development and integration of environmental considerations as set out in the EU strategy on “Sustainable Development for a Better World” and the agreements achieved in the recent Johannesburg World Summit;
- Pursue concrete and differentiated environmental objectives with neighbouring partner countries primarily through bilateral partnership mechanisms and the dialogue promoted under them;
- Further improve knowledge about Europe's environment including through participation of partner countries in the pan-European reporting of the European Environment Agency;
- Help promote environmental civil society in the NIS through the Regional Environment Centres.