

## ENVIRONMENTAL AND CLIMATE REGIONAL NETWORK FOR ACCESSION - ECRAN

NGOs Environment and  
Climate Forum (ECF)

### **BACKGROUND PAPER:**

# **Enlargement and Main Challenges: CSOs contribution in monitoring of accession achievements in the 2015**

March/April 2015

Supporting material for the 2015 ECF Country Preparatory Meetings



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## 1. Background

Environment and Climate Regional Accession Network (ECRAN) and its Environment and Climate Forum (ECF) component provide wide-ranging opportunities for the civil society and its active involvement in the approximation process and for improving of the stakeholder's dialogue.

In the period of April-May 2015 ECRAN/ECF organized (in close collaboration with local NGOs and other stakeholders) round of in – country preparatory meetings in all beneficiary countries: Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, Kosovo\*, Serbia and Turkey.

There were 3 main objectives of these meetings:

- (i) To create space for discussion between authorities, decision makers and civil society representatives;
- (ii) To discuss progress in the negotiations, identify key challenges and explore possibilities for the national dialogue on the state, perspective and future on the enlargement process;
- (iii) To map main issues and NGO concerns and to provide inputs into agenda for the annual meeting in Brussels (between ECF NGOs and the European Commission).

This background paper has been prepared in order to support 2015 Environment and Climate Forum Country, as well as Regional / Annual Meeting with the European Commission.

Topic for the paper (CSOs contribution in monitoring of accession achievements in the 2015) was identified and decided by the ECF NGOs at 2014 Annual ECF NGOs Meeting in Brussels in November 2014. **The ECF will in 2015 facilitate common positions of the civil society gathered in preparatory meetings on the achievements in accession process in 2015 (available to EC and ECRAN experts in the process of developing the Progress Reports for 2015 for each country!).**

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<sup>1</sup> The European Commission adopts each year its "Enlargement package" - a set of documents explaining its policy on EU enlargement and reporting on progress achieved in each country. Most importantly, this package includes the annual Enlargement Strategy Paper which sets out the way forward for the coming year and takes stock of the progress made over the last twelve months by each candidate country and potential candidate. In addition to this strategy paper, the package contains the so-called Progress Reports in which the Commission services present their assessment of what each candidate and potential candidate has achieved over the last year. As the European Commission points out, enlargement helps improve the quality of people's lives through integration and cooperation in areas like energy, transport, rule of law, migration, food safety, consumer and environmental protection and climate change. The Commission is required by EU governments to report annually on progress achieved by countries that are official candidates or potential candidates for EU membership. This monitoring process ensures that future Member States are admitted only when they have met all the requirements for joining. The main reports produced are the:



## 2. METHODOLOGY FOR MONITORING OF ACCESSION ACHIEVEMENTS

Suggested methodology for monitoring of accession achievements by CSOs, is “mirror methodology” to progress monitoring by governments.

It is suggestion for CSOs to read *Manual for Monitoring transposition and Implementation of the EU Environmental acquis*<sup>2</sup> and understand the officials’ obligations in the process. Additional useful text could be *ENV.net Monitoring tool for CSOs in candidate and potential candidate countries: Chapter 27*<sup>3</sup>, prepared within the project *Development of the ENV.net in West Balkan and Turkey: giving citizens a voice to influence the environmental process reforms for closer EU integration*<sup>4</sup>.

## 3. SUGGESTED STEPS FOR ECF MONITORING OF ACCESSION ACHIEVEMENTS

**BE INFORMED:** To participate in process, start with in depth reading, at least 2014 Progress Report for your country<sup>5</sup>. The purpose to read again previous Progress Report is to understand the process.

**KNOW THE SCOPE OF CHAPTER 27:** ECRAN and ECF is dedicated to environmental and climate change issues (sub-sectors):

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- Annual strategy document – outlining the Commission’s approach to the common challenges facing the countries and setting out a way forward for each of them.

- Progress reports – dedicated assessment for each (potential) candidate country of their progress in the last year.

Progress Monitoring of transposition and implementation of EU environmental and climate legislation provides information about the progress in transposition and implementation for selected Directives and Regulations on an annual basis.

One of the Horizontal issues of ECRAN project is the support of all ECRAN beneficiary countries, except for Croatia being the EU Member State, in preparing relevant information. Prepared Progress Monitoring reports provide basis for Progress Reports in which the Commission services present their assessment of what each candidate and potential candidate has achieved over the last year.

Every year the European Commission adopts its annual strategy document explaining its policy on EU enlargement as well as progress reports describing the political and economic developments in each candidate or potential candidate country. The Commission will continue to help each country implement necessary reforms in its path to EU membership.

<sup>2</sup> Updated *Handbook for Implementation of EU Environmental Legislation* for officials (legislators, civil servants, planners, environmental advisers, etc.) in national, regional and local government agencies in the candidate countries and the potential candidates who have responsibilities for the planning, management, and implementation of environmental laws and programmes, is the subject of ECRAN project. *Manual for Monitoring transposition and Implementation of the EU Environmental acquis*, version 2012 is available at <http://www.ecranetwork.org/Horizontal-Activities/Handbook-EU-Environmental-Acquis> .

<sup>3</sup> [http://www.env-net.org/wp-content/uploads/2015/02/ENV.net\\_monitoring\\_tool.pdf](http://www.env-net.org/wp-content/uploads/2015/02/ENV.net_monitoring_tool.pdf)

<sup>4</sup> [EuropeAid/132438/C/ACT/Multi 2012/306-642](http://www.europa.europa.eu/press-communication/infobox/infobox_132438/C/ACT/Multi/2012/306-642)

<sup>5</sup> Progress Reports are country specific, and gaps, thematic priorities and substance differ from country to country; However, all Progress Reports have similar structure



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1. Horizontal issues (public participation, access to justice, INSPIRE Directive issues, control and surveillance, international and regional cooperation, environmental monitoring and reporting, environmental liability, etc.)
2. Air quality
3. Waste management (including mining waste management)
4. Water quality
5. Nature protection
6. Industrial pollution and risk management
7. Chemicals
8. Climate change
9. Civil Protection.

**KNOW YOUR EXPERTISE:** Certain level of expertise and knowledge about EU integration and legislation, transposition and implementation capacities and practice is needed (these needs to know expertise of CSOs members and supporters). For example, if your knowledge is in waste management, the best is to monitor process in waste directives transposition, implementation and enforcement, justifying your opinion with concrete examples.

**BE CLEAR:** It is important to clarify what is the focus of your opinion (transposition, implementation and/or enforcement)

**CHOOSE THE APPROACH:** In principal, there are two options:

- from EU directives looking for appropriate examples
- from local problem to fulfilment EU directives obligations.

For CSOs is important to understand that monitoring process is not the procedure for solving environmental problems (although indicating where the gaps are).

**JUSTIFY YOUR OPINION:** To have attention by EC, you need to illustrate your position by appropriate examples, numbers, and explanations.

**WORK TOWARDS INTEGRATED OPINION:** Integrated opinion could be wrapped up opinions on different issues monitored; however, if opinion on same issue differs, debate to some level of consensus should be reached, in order to have more clear/ powerful position to present to EC.



#### 4. MONITORING OF ACCESSION ACHIEVEMENTS AND CSO INPUT

Environment and Climate Forum provides to the civil society and NGOs unique opportunity to facilitate and formulate alternative perspective on the achievements and challenges in the EU enlargement process. Firstly, by putting together national NGO positions (end of the June 2015) and secondly, by bringing identified issues and points into the discussion with the EC.

In order to facilitate structured outcomes from the preparatory meetings, we set forth list of guiding questions to be followed in the PM discussion and resulting reports:

- What is the current state of play and challenges (in Environment and Climate Change) ahead regarding your country efforts to join the EU?
- What are the key/necessary reforms needed?
- What are the priority sub-sectors regarding your country efforts to join the EU?
- What are the key/necessary issues related transposition of relevant acquis?
- What are the key/necessary issues related to implementation of national legislation in line with relevant acquis?
- What are the key/necessary issues related to enforcement of national legislation in line with relevant acquis?
- What are the particular cases/information/documentation you would like to underline?
- What is integrated opinion of ECF CSOs in your country related the progress in Chapter 27 in 2014.

#### 5. SUGESSTED TEMPLATE FOR ECF CSOs OPINION TO ACHIEVEMENTS IN ACCESSION IN 2015, CHAPTER 27 ISSUES

It is expected that ECF CSOs coordinate one document (bellow) per country, based on the discussion at PMs and further communication between CSOs.

ECF CSOs could collect cases/examples for one, two, selected or all nine questions; for each question chosen to be subject of answers it is mandatory to fill all columns.

CSOs could choose to focus on public participation addressed in almost all questions/related EC directives.



Question		To be filled by ECF CSOs			
1	Horizontal issues (public participation, access to justice, INSPIRE Directive issues, control and surveillance, international and regional cooperation, environmental monitoring and reporting, environmental liability, etc.)	Case/example for positive or negative achievement, documented	Category of case/example:		Case/example is related to obligation to EC Directive:  (write the name of directive and related obligation)
			Transposition	Implementation/ Enforcement	
2	Air quality	Case/example for positive or negative achievement, documented	Category of case/example:		Case/example is related to obligation to EC Directive:  (write the name of directive and related obligation)
			Transposition	Implementation / Enforcement	
3	Waste management (including mining waste management)	Case/example for positive or negative achievement, documented	Category of case/example:		Case/example is related to obligation to EC Directive:  (write the name of directive and related obligation)
			Transposition	Implementation/ Enforcement	
4	Water quality	Case/example for positive or negative achievement, documented	Category of case/example:		Case/example is related to obligation to EC Directive:  (write the name of directive and related obligation)
			Transposition	Implementation/ Enforcement	
5	Nature protection	Case/example for positive or negative achievement, documented	Category of case/example:		Case/example is related to obligation to EC Directive:  (write the name of directive and related obligation)
			Transposition	Implementation/ Enforcement	
6	Industrial pollution and risk management	Case/example for positive or negative achievement,	Category of case/example:		Case/example is related to obligation to EC Directive:



		documented	Transposition	Implementation/ Enforcement	(write the name of directive and related obligation)
7	Chemicals	Case/example for positive or negative achievement, documented	Category of case/example:		Case/example is related to obligation to EC Directive: (write the name of directive and related obligation)
			Transposition	Implementation/ Enforcement	
8	Climate change	Case/example for positive or negative achievement, documented	Category of case/example:		Case/example is related to obligation to EC Directive: (write the name of directive and related obligation)
			Transposition	Implementation/ Enforcement	
9	Civil Protection	Case/example for positive or negative achievement, documented	Category of case/example:		Case/example is related to obligation to EC Directive: (write the name of directive and related obligation)
			Transposition	Implementation/ Enforcement	



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