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

**Commission cooperation with the Environment for Europe Process after the 2007
Ministerial Conference in Belgrade**

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1. INTRODUCTION

The Environment for Europe (EfE) process is an informal multilateral framework created in 1991 to stimulate environmental awareness in the countries of Central and Eastern Europe that were emerging from the previous regimes and moving towards market economy and democracy. The process was designed with a loose structure overseen by the United Nations Economic Commission for Europe (UNECE). Since its inception, the EfE process has not had formal links with the European Union (EU) although the European Commission and many Member States have been and still are among the most active donors and participants.

The Environment for Europe process aimed at harmonising environmental quality and policies across the European continent and securing its peace, stability and sustainable development in the context of transition to market economies and democracy. This was of particular relevance in the early 1990s providing a framework for prioritising actions and co-ordinating the efforts of many different actors at that time.

Sixteen years after its creation, the political landscape of our continent has changed fundamentally. The majority of the central and eastern European countries targeted by the EfE process have now joined the European Union, leading to closer links with the countries that are now the new neighbours of the Union. EU-Russia relations have developed into a wide-ranging Strategic Partnership (that will be reflected in the new EU-Russia Framework Agreement, on which negotiations are foreseen to start shortly); the Stabilisation and Association Process offers possible EU membership to the countries of South East Europe; the adoption and strengthening of the European Neighbourhood Policy¹, the negotiation of a new Enhanced Agreement with Ukraine that will acknowledge the Ukrainian wish to deepen its relationship with the EU, the EU-Central Asia Political Dialogue, and the recent Commission Communication on Black Sea Synergy², all provide new opportunities for closer cooperation between the Union and the countries of the UNECE region.

Environmental activities need therefore now to fit within the newly enhanced and structured foreign policy framework endorsed by the EU. This will also enhance better coordination of the existing environmental processes within the region, thereby contributing to a more comprehensive and prioritised approach by the EU and the partner countries.

¹ Communication from the Commission on Strengthening the European Neighbourhood Policy (COM(2006) 726 final) proposes a set of measures to strengthen the Policy, including promotion of people-to-people contacts, enhancing regional co-operation, and building a thematic dimension to the ENP which would cover several areas such as environment, transport and energy. It emphasizes the effective implementation of multilateral agreements and processes, whether existing or new.

² Communication from the Commission on Black Sea Synergy – A New Regional Co-operation Initiative (COM(2007) 160 final).

The Environment for Europe process is now at a crossroad. Preparations for the next EfE Ministerial Conference to be held in Belgrade in October 2007 are underway. It is therefore timely to reflect on the future of the Environment for Europe process and the strategy for the Commission's participation in multi-lateral activities in the pan-European area for the period after the Belgrade conference.

This Communication sets out the views of the European Commission on the future of the 'Environment for Europe' process, as well as its involvement in EfE related activities after Belgrade. The Communication is offered as a contribution to the discussions at the 2007 Ministerial Conference where the future of the EfE process will feature as one of the main items for discussion.

2. THE ACHIEVEMENTS OF THE ENVIRONMENT FOR EUROPE PROCESS

Over the years, the EfE process has been appreciated for its all-inclusiveness and for giving all member countries a voice in its multilateral fora. It has provided a framework for seeking to improve environmental policies and conditions in the UNECE region. However, on the one hand, these efforts have been overtaken directly by the EU when the Central and Eastern candidate countries joined the EU in 2004, and Bulgaria and Romania in 2007. On the other hand, in the other Eastern European countries of the post-Soviet space, progress in developing environment policies has been slow due to major internal political and economic constraints.

Significant products of the EfE process include the contribution by the UNECE Working Group on Environmental Monitoring and Assessment (WGEMA) to the preparation of the so-called pan-European environmental assessment reports produced for each Ministerial Conference (with the European Environment Agency in the lead).

One of the "flagships" of the EfE process is considered to be the Eastern Europe, Caucasus and Central Asia (EECCA) Environment Strategy, which aims to find solutions to common environmental problems of the EECCA countries³ on the basis of close cooperation. The Strategy was adopted at the Ministerial Conference in Kiev 2003 and has both advocates and critics. The advocates usually argue that the Strategy provides a common framework for solving environmental problems in countries with a common past (the legacy of the former Soviet Union), and, as the Strategy lacks clear targets and time-tables, refer to it as a "document of inspiration" rather than a normative framework. In fact, there is not much evidence to date of any serious efforts at the national level to implement this EECCA Strategy.

³ Eastern Europe, Caucasus and Central Asia: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Republic of Moldova, Russian Federation, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

The UNECE environmental conventions⁴ are not part of the EfE process per se, but are often cited as "successes" of the process. However, the low level of ratification and implementation of some of the five UNECE environmental conventions and their protocols, in particular in the EECCA countries, remains a matter of concern.

Ministerial conferences are held every 4 or 5 years with the intention of boosting action in the region. However, there has been in the past a certain tendency to include in the conference agendas a too broad range of environmental issues, sometimes covered by other multilateral international fora resulting in discussions not always as productive as they were aimed at. For example, in Kiev, considerable negotiating time was spent on issues such as Climate Change, GMOs and Nuclear Safety, even though decisions concerning those issues were and still are not within the remit of the EfE process and are efficiently dealt with by other international bodies.

3. FROM KIEV TO BELGRADE

At the time of the previous EfE Ministerial Conference in Kiev in 2003, the European Commission expressed its views on the future of the process and its relationship with it in a Communication entitled "Pan-European Environmental Co-operation after the 2003 Kiev Conference" (COM (2003) 62 final).

In that document, the Commission emphasised that the new political landscape created by an enlarged EU should influence the future focus and modalities of the EfE process. As a consequence, the Commission suggested in 2003 that the EfE process should re-orientate its future work towards strategic initiatives within the EECCA region where the experience and expertise would bring an added value with respect to bilateral cooperation with individual donor countries or with the EU.

The Kiev Ministerial Declaration reflected this "shift towards the East", agreeing formally that the EfE process would henceforth concentrate on the EECCA region. It was also agreed to merge the activities of the EAP Task Force (the policy steering group) and the PPC (the financing steering group) in an effort to rationalise the scarce resources available under the process. However, we note that the decision to choose Belgrade as the next Ministerial Conference venue did not reflect the shift of geographical focus as agreed in Kiev.

The situation and trends identified by the Commission in its 2003 Communication have intensified in the years leading up to the Belgrade Ministerial Conference of 2007. Among these trends, three deserve particular attention as they point at the justification for the existence of the EfE process and its future function:

- First, the progressive expansion of the EU towards East: the fifth enlargement of the EU means that 27 out of the 56 UNECE members are now within the EU and another three

⁴ The Convention on Long-range Transboundary Air Pollution (CLRAP); the Convention on Environmental Impact Assessment in a Transboundary Context ("Espoo Convention"); the Convention on the Protection and Use of Transboundary Watercourses and International Lakes; the Convention on the Transboundary Effects on Industrial Accidents; the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters ("Aarhus Convention").

(Croatia, Turkey and former Yugoslav Republic of Macedonia) are EU candidates. In addition, four more (Albania, Bosnia-Herzegovina, Serbia, and Montenegro) are covered by the Stabilisation and Association Process and are potential EU candidates. Finally, the development of the European Neighbourhood Policy (where Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine are covered in the East) and the Strategic Partnership with Russia have profoundly changed the context of EU relations with most of the remaining Efe partners,

- Second, the EECCA countries are becoming more and more diverse in their internal politics as well as in their relations with partner countries. The validity of treating all EECCA countries as a unified region becomes therefore increasingly arguable; and,
- Third, Russia and several other EECCA countries such as Kazakhstan have experienced rapid economic growth since the late 1990s and are far less reliant on foreign aid for environmental investment and capacity building. Most donors have significantly reduced their aid programmes.

The upcoming Efe Ministerial Conference in Belgrade will provide an opportunity to take stock of its achievements and reflect on its potential future role in a new geo-political context.

Most EU Member States and the European Commission have been quite committed to the Efe process and still are. However, recently, voices have been raised calling for an increased efficiency and a tighter focus on activities where the highest environmental benefits can be expected, for example, in the implementation of already existing instruments rather than discussion of ideas for new ones. The European Commission has expressed its support for these views.

4. PROPOSED WAY FORWARD

In the Commission's view, the Efe process has made an important contribution to the environmental transition of CEE/SEE/EECCA since 1991. However, its role has progressively decreased as other frameworks and initiatives have developed.

Today, the EU legislation and standards in the environment area cover the normative needs of its newer member States in Central and Eastern Europe. The large majority of the remaining countries in the UNECE region have established strong links with the EU through pre-accession, stabilisation and association agreements as well as the European Neighbourhood Policy Action Plans, which all promote environment protection through better environmental governance, including legislation and institutions. This bilateral cooperation between the EU and the non-EU countries of the UNECE region offers, in the Commission's view, a more direct instrument to target the environmental challenges of each country and to channel the EU assistance, while also promoting coordination of existing environment processes showing a clear added value.

The EU is truly supportive and actively involved in different multilateral environmental fora where the issues that are in the agenda of the Belgrade conference, are being discussed. This is the case for example of biodiversity, of high priority for the EU and where the Commission

supports internationally a substantially reinforced Convention on Biological Diversity and increased funding towards the Global Environment Facility.⁵

Another example is Sustainable Consumption and Production, where the EU Thematic Strategy on the Sustainable Use of Natural Resources also has an external dimension which provides for, among other measures, the establishment of an International Panel on the sustainable use of natural resources which is being set up in cooperation with the United Nations Environment Programme (UNEP). It will provide independent scientific advice about the key environmental impacts of resource use. Important elements of the work will include contributing to strategies to reduce environmental impacts in rapidly expanding economies, in particular through changing unsustainable patterns of consumption and production, and to building knowledge and capacity in developing countries.

Taking into account, on the one hand, increasingly active EU bilateral environmental relations and, on the other hand, an ever-increasing globalisation of the environmental cooperation, the Commission thinks that, after the Belgrade Conference, the central role for the UNECE should be to facilitate the implementation of the UN environmental conventions in the region, notably with respect to the transboundary scope of these conventions. It is also the Commission's view that the UNECE should also continue playing its important coordinating role in the implementation at the regional level of the Johannesburg Plan of Implementation of 2002 and continue its work on Environment Performance Reviews, which provide valuable policy guidance for the targeted countries as well as an important overview for potential donors.

Along these lines, the Commission intends to concentrate its involvement in the EfE process following the Belgrade conference in those initiatives and activities that could not be sufficiently reached through EU bilateral cooperation.

More generally, in order to avoid unnecessary duplication of activities, ensure coherence with the bilateral work of the EU and optimise resource allocation, the Commission will in so far as EfE is concerned, concentrate its involvement on:

- Actively participating in the implementation work of the existing UNECE environmental conventions,
- Contributing to UNECE Environmental Performance Reviews,
- Facilitating and supporting the network of EECCA Regional Environmental Centres (as long as they can potentially play a key role for capacity building in the neighbourhood countries as well as the Central Asian states)
- Participating in selected sub-regional initiatives of relevance to the EfE process, in particular those focussed on Central Asia.
- Contributing, with EU Member States, to improvement of the water sector in the EECCA region towards the objectives of the EU Water Initiative (EUWI).

⁵ Communication from the Commission: "Halting the loss of biodiversity by 2010 – and beyond. Sustaining ecosystem services for human well-being" COM(2006) 216 final.