



The ECENA Multi-Annual Work Programme 2007-2010 is supported by EC
EC CARDS Programme



Multi-Annual Work Programme

2007 – 2010

Adopted at the ECENA Plenary Meeting in Zagreb, 19-20 January, 2006

ECENA Secretariat:
The Regional Environmental Center for Central and Eastern Europe



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Foreword

The Environmental Compliance and Enforcement Network for Accession is an informal network of environmental authorities from the pre-candidate, candidate countries and Bulgaria and Romania as new EU member states. Members of ECENA are the following countries: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, The Former Yugoslav Republic of Macedonia, Serbia, Montenegro, Kosovo as defined by the United Nations Security Council Resolution 1244 and Turkey.

The European Commission is also a member of ECENA.

ECENA mission statement

The ECENA mission is to protect the environment in its member countries through effective transposition, implementation and enforcement of EU environmental legislation by increasing the effectiveness of inspectorate bodies and promoting compliance with environmental requirements.

ECENA objectives

The general objective of ECENA is to improve the ability of the pre-candidate, candidate and acceding countries to implement and enforce the environmental acquis. The network will closely cooperate with IMPEL and seek its involvement in the network's activities.

ECENA's specific objectives are the following:

- increased effectiveness of enforcement agencies and inspection bodies and compliance with environmental legislation;
- greater understanding of the steps and measures needed to improve implementation of environmental acquis;
- well trained environmental inspectors and permit writers, capable of performing their tasks of enforcing the environmental acquis;
- improved exchange of experience and knowledge with EU member states through stronger cooperation with IMPEL, as well as through training and exchange programmes; and
- taking a consistent approach among pre-candidate, candidate and acceding countries in implementing the environmental acquis.

Information on the ECENA is available at the Regional Environmental Center for Central and Eastern Europe and on its website: <http://www.rec.org/REC/Programs/REREP/ECENA/Default.html>

The MAP as presented in this paper

This document presents the ECENA Multi-Annual work Programme for the period 2007-2010. It summarizes the ECENA priorities and activities for the given period. The MAP was developed taking into consideration the EU accession priorities of the potential candidate and



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pre-candidate countries. It also builds upon the achievements of the previous BERCEN/ECENA MAP 2003-2006.

The ECENA MAP should be regarded as an evolving document, subject to change as new priorities arise for which additional funding is obtained.

The ECENA MAP is linked and draws from the overall ECENA objectives set in the network's Terms of Reference.

ECENA Background

Most of the potential candidate and candidate countries have initiated legislative reforms and are in process of strengthening of their environmental institutions in line with their EU accession objectives. However, too little attention is paid to the institutional capacity and capability required to make the laws work which can result in relatively low compliance and enforcement.

Drawing from experience from IMPEL and (now former) AC IMPEL, the Balkan Environmental Regulatory Compliance and Enforcement Network (BERCEN) was established in the end of 2001 . The network provided a platform for exchange of experience, information sharing and best practices and capacity building on implementation of environmental law among practitioners in the field of implementation and enforcement of environmental law.

The network's organisational structure and its scope of application and activities were developed in line with the IMPEL network, including the former AC-IMPEL network. The close cooperation established between BERCEN and IMPEL was of vital importance for improving environmental compliance and enforcement in SEE countries and for preparing countries to move closer to the EU.

At the 24th IMPEL Plenary Meeting, December 1-3, 2004 in Amsterdam, the European Commission presented its proposal for transforming BERCEN into a new pre-accession network for candidate, pre-candidate and acceding countries, taking over the role previously played by AC-IMPEL.

At BERCEN's Extraordinary Plenary meeting, 18 March, 2005, Sofia, Bulgaria, the plenary adopted the new network Terms of Reference and new name: Environmental Compliance and Enforcement Network for Accession – ECENA.

Since its establishment and over the past 7 years, the network developed into well-structured informal organisation with lot of successful project and concrete results and outcomes. The ECENA contribution towards better implementation of environmental legislation was highlighted by the beneficiary countries. ECENA work is mentioned in a number of documents and it is used as by other similar networks in the developing world.

The former BERCEN now ECENA network focuses on the following project priorities linked to the network's mission statement and objectives:



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- Facilitate the exchange of experience and best practices among the network member countries and with EU member states part of IMPEL network;
- Provide continuous training on implementation and enforcement of EU legislation for environmental inspectors, permit writers and managers;
- Providing analysis and recommendations from the practitioners point of view by Peer Reviews on the enforcement system;
- Assisting the countries in its future membership reporting obligations on the implementation of the EU legislation;
- Providing forum and information channel for addressing practical aspects of implementation of the EU legislation

The network's MAP 2000-2001 focused on:

- Developing the network ToR and related multi-annual work programme;
- Organisation of network Plenary Meetings;
- Assessment of the legal set up and resources available for environmental enforcement agencies;
- Compilation of the projects priorities for the network members;
- Procurement and disbursement of equipment and vehicles for the environmental inspectorates;
- Capacity building for environmental inspectorates through trainings and exchange of experience programmes;
- Cooperation with IMPEL and other networks;

The network's MAP 2003-2006 focused on:

- Supporting the operation of BERCEN Secretariat and preparation and organisation of three Plenary Meetings;
- **Cluster 1** - Developing Capacity in Implementation and Enforcement through Training, Exchange programmes and study tours;
- **Cluster 2** - Peer Reviews Assessments on Enforcement Capacity focused on IPPC and RMCEI;
- **Cluster 3** - Preparation of the 1st Reports on IPPC Directive (96/61/EC) implementation in the BERCEN countries using the Questionnaire on the Implementation of the IPPC Directive adopted by European Commission Decision 1999/391/EC;
- **Cluster 4** - Preparation of the 1st Report on the implementation of the Recommendation of the European Parliament and of the Council of 4 April 2001 Providing for Minimum Criteria for Environmental Inspections (2001/331/EC) in the BERCEN countries. The reports will be developed using the IMPEL guidance for reporting on RMCEI;
- **Cluster 5 (funded by the World Bank)** - ECENA Benchmarking and Progress Monitoring in environmental compliance and enforcement.



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ECENA Strategic Goals and Expected Results for the Period 2007-2010

Strategic Goals

The overall strategic goal is to improve the ability of the ECENA member countries, to implement and enforce the Community environmental legislation through specific regional and local trainings, exchange of experience and best practices.

The specific strategic goals are:

- To increase effectiveness of enforcement agencies and inspection bodies and compliance with environmental legislation;
- To provide greater understanding of the steps and measures needed to improve implementation of environmental acquis;
- Well-trained environmental inspectors and permit writers, capable of performing their tasks of enforcing the environmental acquis;
- Better understanding of the specific problems and potential solutions related to implementation and enforcement in countries;
- To improve exchange of experience and knowledge with EU member states and beyond through stronger co-operation with IMPEL and other sister networks, as well as through training and exchange programmes.

The MAP activities are expected to deliver the following results:

- Regional and national training programmes that will result in increased efficiency and capacity of the SEE enforcement agencies and inspection bodies and better implementation of the IPPC, Seveso II, Waste Landfill and LCP directives, the Recommendation on the Minimum Criteria for Environmental Inspections (RMCEI), development and maintenance of the European Pollutant Emission Register (EPER) and combating environmental crime.
- The training and exchange programmes will result in well trained inspectors and permit writers, capable to perform their tasks related to the implementation of environmental legislation. The Inspection Training Pack will make it possible for the inspectors to work continuously on improving their knowledge and skills.
- The project activities will result in better understanding of the specific problems and solutions for beneficiaries when implementing and enforcing the EU environmental legislation.
- The exchange programmes and participation in IMPEL and other networks projects will improve the exchange of information and experience and the transfer of best practices that will further strengthen the capacity of the beneficiaries to implement environmental legislation.

ECENA MAP Activities

Secretariat

Management of ECENA Secretariat and Organisation of Plenary



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Management	Meetings
Activity	<p><u>Management of the ECENA Secretariat:</u></p> <ul style="list-style-type: none"> - Providing secretariat support; - Preparation of draft documents and reports for consideration at plenary meetings; - Management and implementation of projects that are part of the work programme, including training, study and exchange programmes; - Reviewing the implementation of the multi-annual work programme and presenting a report during the Plenary Meeting; - Liaising with IMPEL and presenting network activities at IMPEL plenary meetings together with the European Commission; - Disseminating ECENA products and coordinating general requests for information; - Maintaining the ECENA web page and ensuring creation of links to/from other sister networks; - Liaising with other networks, e.g. INECE, REPIN, AECEN and MED-POL and supporting participation of ECENA inspectors to participate at INECE 8th conference <p><u>ECENA Plenary Meetings</u></p> <ul style="list-style-type: none"> - 3 plenary meetings

Cluster 1	<p>Training and Exchange of Best Practices</p> <p>Cluster 1 activities directly support the ECENA mission statement and overall objective. Training and exchange of best practices has proven to be one of the most powerful capacity building tools. Cluster1 activities will be implemented taking into consideration the lessons learned from the BERCEN network operations (2000-2005), AC IMPEL trainings and IMPEL cluster on training and exchange and INECE and INTERPOL's input.</p>
Activity	<p>The activities will cover exchange of experience within the network among the pre-candidate, candidate and acceding countries. Furthermore, the activities will further strengthen the co-operation with IMPEL and other networks through participation of the countries in specific projects. The REC as ECENA secretariat, analyzing the train-the-trainers programmes, concluded that the sustainability and the long-term impact of the training programmes should be addressed in the Multi-annual Work Programme.</p> <p>The following specific activities are proposed to be implemented in Cluster 1:</p> <ul style="list-style-type: none"> - Prepare training curriculum and materials on IPPC, Waste landfill, Seveso II and LCP directives and Recommendation Providing Minimum Criteria for Environmental Inspections (RMCEI) as well as application and use of GIS systems in enforcement and compliance; - Organize 3 regional train the trainer programmes; - Organize 16 to 20 national/local training programmes on local language provided either by national experts or by international experts with translation if needed; - Develop "Inspection Training Pack" Interactive training manual available on CD; - Disseminate useful guidelines, checklists and other materials/instructions



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	<p>prepared for inspectors or permit writers in each ECENA member country;</p> <ul style="list-style-type: none"> - Organize 3 exchange programmes for environmental inspectors and permit writers. The activity will focus on exchange of experience and best practices on IMPEL projects experience, IPPC, Seveso II, Waste Landfill, LCP directives as well as on EPER development and combating Environmental Crime. Participants of the Exchange programmes will be inspectors and permit writers from ECENA network, IMPEL member countries practitioners and experts, international experts, representatives from INTERPOL sub-committee for environmental crime, representatives from the industries and representatives from institutions and organisations on activities relevant to the project. - Participation of ECENA inspectors in IMPEL projects. This activity will contribute towards further strengthening the co-operation with IMPEL as requested by the EC at the IMPEL plenary meetings. Participation in IMPEL projects dealing with issues relevant to the ECENA member countries will further strengthen the knowledge previously gained and will contribute towards countries preparation for future IMPEL membership. The projects and eligibility for participation will be agreed with the IMPEL secretariat and the IMPEL troika. - Participation of the secretariat and ECENA inspectors on case by case basis in INECE activities whenever relevant. This activity will enable the continuation of the established co-operation with INECE as global network. It will also make possible wider exchange of experience.
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Cluster 2	EPER Development, Implementation and Maintenance
Activity	<p>EPER, the European Pollutant Emission Register, established by a Commission Decision 2000/479/EC of 17 July 2000 is based on Article 15(3) of Council Directive 96/61/EC concerning integrated pollution prevention and control (IPPC). EPER covers large and medium-sized industrial plants which are listed in Annex I of the IPPC Directive (identical with Annex A3 of the EPER Decision) and which exceed specified emission thresholds. To limit the administrative burden on industry, the threshold values have been fixed at a level that aims to cover about 90% of the emissions from facilities covered by IPPC.</p> <p>The Community Regulation (EC) No. 166/2006 of the European Parliament and the Council of January 18 2006 which also amended Council Directives 91/689/EEC and 96/61/EC, entered into force in February 2006.</p> <p>The capacity building under Cluster 2 first of all will focus on increasing the capacity of project beneficiary countries regarding the development and maintenance of EPER as well as promoting better understanding of the specific problems and potential solutions related to its development and maintenance. The role of the inspectorates and the permit writers is very important in development and maintenance of EPER. This activity will further assist the beneficiary countries to develop and maintain EPER.</p> <p>The capacity building will include two regional trainings, each including up to 25-30 practitioners from the beneficiary countries.</p> <p>The trainings will address legal, institutional, practical and methodological issues related to the implementation of EPER requirements. It will also provide practical training to the country experts on issues related to the practical operation of EPER reporting and setting up a register at national level. The trainings will also inform the beneficiary countries about the differences regarding the requirements of EPER, E-PRTR and UNECE PRTR Protocol, thus preparing them for the future implementation.</p>



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	As a result, the materials will also be used for the Section on EPER in the “Inspection Training Pack” part of cluster 1.
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Cluster 3	Protection of Environment through Enforcement of Criminal Law
Activity	<p>The 7th Conference INECE, 8-11 April, 2005, highlighted the role of the environmental inspectors in combating environmental crime. INECE as global network on environmental compliance and enforcement requested the regional networks to work on improving the capacities of environmental inspectors in combating environmental crime as well as to take part in the initiative launched by INTERPOL on reporting environmental crime.</p> <p>In response to the INECE and ITERPOL initiatives, Cluster 3 aims to improve capacity of environmental inspectors in combating environmental crime by capacity building and increasing the cooperation among different stakeholders such as police, customs and prosecutors.</p> <p>3 train the trainers programmes will organised in co-operation with INTERPOL. The main focus will be on: criminal penalties in pre-candidate, candidate and acceding countries; inspection investigations and preparing law suits; trans-border shipment of hazardous waste with emphasis on Basel Convention and Waste shipment regulations, especially in less developed countries, illegal dumping of oil in seas; illegal shipment of ozone-depleting substances; and illegal discharge of waste into rivers and lakes; reporting environmental crime to INTERPOL.</p>

ECENA MAP draft Time Schedule and Funding

The draft time schedule is attached to this document. The final implementation schedule will be decided at the 2nd ECENA Plenary Meeting.

The ECENA MAP 2007-2010 is supported by the EC CARDS and PHARE programmes.

The EC CARDS programme supports the management of the secretariat and implementation of the MAP as well as the participation of Albania, Bosnia and Herzegovina, Serbia, Montenegro, Kosovo as defined by UNSCR 1244 and the Former Yugoslav Republic of Macedonia. The implementation of the MAP funded by EC CARDS programme is done by the REC as ECENA Secretariat. The EC CARDS project budget is 1 MEUR over 36 months.

The EC PHARE programme supports the participation of Bulgaria, Romania, Croatia and Turkey in the ECENA and IMPEL MAPs. The PHARE project budget is EUR 600.000 over 24 months. The project will be implemented by Consultancy Company selected in the EU tendering procedure.