

# Minutes of the Meeting

## 1<sup>st</sup> Annual Meeting of WG 4 ECENA

### Regional Environmental Network for Accession (RENA)

**Date:** 20th October 2010, Becici, Montenegro

**Place:** Hotel Splendid, Becici, Montenegro

**Time:** 08:30 – 18:00

#### Participants:

Beneficiaries/WG 4 Coordinators



**Mr. Mladen Rudez**, *WG 4 Coordinator, Federal Ministry of Environment and Tourism*



**Ms. Anita Pokrovac Patekar**, *WG 4 Coordinator, Ministry of Environmental Protection, Physical Planning and Construction*



**Mr. Darko Blinkov**, *WG 4 Coordinator, Ministry of Environment and Physical Planning*



**Ms. Florije Kqiku**, *WG 4 Coordinator, Ministry of Environment and Spatial Planning*



**Mr. Dragan Asanovic**, *WG 4 Coordinator, Ministry for Spatial Planning and Environment*



**Ms. Ljiljana Stanojevic**, *WG 4 Coordinator, Ministry of Environment and Spatial Planning*



**Ms. Svetlana Parezanin**, *WG 4 Deputy Coordinator, Ministry of Environment and Spatial Planning*



**Ms. Pinar Topkaya**, *WG 4 Deputy Coordinator, Ministry of Environment and Forestry*

European Union

- Mr. Octavian Stamate, DG Environment, European Commission
- Mr. Sladjan Maslac, Task Manager for Energy and Environment, EC Delegation to Montenegro

Other initiatives

- Mr. Mihail Dimovski, REC

Environment Forum Project

- Mr. Metodija Sazdov, Environment Forum representative

Project Team

- Mr. Ike van der Putte, TL/WG4 Leader
- Mr. Rob Glaser, WG 4 Senior ST Expert

RENA Secretariat

- Mr. Tumennasan Dolgor
- Mr. Ruza Radovic



## Official welcoming

The meeting was opened by Mr. Stamate by thanking all participants for coming to the first annual meeting of WG 4 ECENA, to discuss the work plan as proposed by the RENA Team, emphasising that the intention of the EC is to involve to the largest possible extent the beneficiaries, enabling regional networking and exchange of experience through one regional mechanism such as RENA. The participants were welcomed by Mr. Maslac on behalf of EC Delegation to Montenegro. Mr. Maslac confirmed that the Delegation is looking forward to the activities and outcomes of one regional initiative such as RENA, especially since one of the outputs will be practical training that are needed for all the countries in the region. Mr. Asanovic, welcomed participants on behalf of Montenegro, confirming that WG 4 will have a good partner in Montenegro and offering to host more events of WG 4 in the future. Mr. van der Putte welcomed the participants, outlining in brief the main elements of the agenda, including the involvement of other initiatives, IMPEL activities, cooperation with Environment Forum project and work plan of WG4 and inviting the participants to briefly introduce themselves.

## Approval of the agenda

Ms. Pokrovac Patekar suggested that the agenda should be updated for one more element focusing on the discussion if the work plan of ECENA should be based on the existing directives or it should be based on the new legislation (Industrial Emissions Directive) that is still to be adopted. Mr. van der Putte replied that the programme will cover the changes between new and the old legislation and these changes are going to be discussed under Activity Scheme 4.1. Mr. Stamate agreed that this element should be covered in the work programme, also informing that the IPPC recast (IED) will most probably be adopted in February 2011 and the advice to the countries that are still working on transposition is to slow down with the process, waiting for the final and definite results. Before the closure of the meeting Mr. Stamate held the presentation on IPPC recast (IED). Mr. Dimovski presented the interactive DVD on IPPC legislation prepared by REC.

## Overview of developments in selected Accession Countries in permitting, compliance and enforcement / Inventory ongoing projects in compliance and enforcement in RENA beneficiary countries (Rob Glaser/Ike van der Putte)

Mr. Glaser presented the overview of developments in permitting, compliance and enforcement in RENA beneficiary countries explaining that currently most of the countries have done major part of the transposition of regulations and have established certain permitting system. However, the situation with compliance promotion is a not so good in most of the countries, as well as with the enforcement actions. Monitoring is performed, but checking and validation of monitoring data is still largely missing. Finally, without proper feedback on the information and activities the system will not function.

Mr. Dimovski explained that the countries have achieved significant progress in the area of both transposition and implementation of the legislation during the past several years, and this is clearly shown in the Progress monitoring reports. The countries are indeed at different levels and it is quite difficult to design regional program in that conditions but it is quite important to consult PMR in order to design appropriate training programme. During REReP the approach was to train core group of people in order to create flagships of people that are going to take over the burden of further transfer of knowledge in their respective countries. Transfer of knowledge is a difficult task, but during latest national trainings organised in the respective countries it could be noted that the progress achieved was significant.

Mr. van der Putte presented the list of ongoing projects based on the data received from the WG 4 coordinators. He explained that some data on the ongoing projects were collected during inception missions to the countries and that work plan developed is not the same as in the previous years as it is based on the data collected in order to avoid overlaps with activities under other initiatives. Another reason for different programme proposed is the fact that the programme is facing budget limitations. Even where there will be overlap with subjects in existing projects, there will be a difference as the proposed work plan will strongly focus on the learning by doing approach.

Ms. Pokrovac Patekar presented the list of projects in Croatia financed by PHARE 2006 and IPA 2007, 2008, 2009 and 2010 funds. The relation was made to the overview provided by Mr. Glaser, expressing the opinion that the overview is somewhat general and that during last years Croatia made significant progress in transposition and implementation, being the member of different international forums, member of SEVESO working group, provision of trainings for EU member countries, which can also be seen from the list of projects submitted. A more detailed needs assessment for development of an appropriate training plan might also be carried out by the consultant.



Mr. Stamate replied that taking into account different level of development of countries, the more a country is developed it is expected from it more to be aware of its needs and priorities without having these imposed by external consultants.

Mr. van der Putte added that the list offered in the inception phase contained range of topics and priorities for countries to choose in accordance with their needs. Where no selection has been made, the decision was taken by the consultant in accordance with the collected and available data.

Mr. Blinkov provided additional data on the list of ongoing projects submitted and also related those to the overview provided by Mr. Glaser, confirming the statement that the overview presented was very generalized and has to consider the progress countries had achieved during last years thanks to activities under ECENA and projects financed by IPA funds. Mr. Blinkov also stressed that under RENA project almost no activities have been made since the start of the project and that he is rather sceptical to the activities that will be done in the next two and a half years.

Replying to the remark of Mr. Blinkov, Mr. van der Putte explained that up to now the project is not having significant delays. The contract was signed in March, team was assembled in April, May caused some delays due to postponement of kick off meeting due to volcanic ash episode, preparatory SC meeting was held in June, missions to countries were made in July and August which is not the best possible period for visiting the Ministries, August was devoted to development of inception report and work plans, September to organisation of Ministerial Meeting. The project team is sharing the anxiousness to start with the activities but the scheduled is followed and for the proper start the approval of work plan is needed.

Mr. Asanovic agreed that the overview provided is rather general and there is not much to object, since the overview shows that the countries are following the process imposed, most of them mostly finished with transposition, most of them started with the implementation but are far away from completion since the implementation is a general problem also for the EU Member States.

Ms. Topkaya gave brief overview of the list of ongoing projects submitted for the meeting.

Ms. Parezanin presented the ongoing projects submitted for the meeting, financed by IPA funds, but also bilateral and twinning projects.

Ms. Stanojevic added that the data on improvement in capacity building and the constantly increased number of inspectors since 2005 in Serbia were not sufficiently taken into account. Serbia made significant progress since 2004, adopting four new laws in accordance to EU legislation (on environmental protection, IPPC, SEA, EIA). Last year 16 new EU laws were adopted, so the transposition is mostly achieved. The organisation structure of inspection sector is changed adding six new departments. The cooperation with the judges and prosecutors has been established at the very high level. The conclusion that can be made is that the overview presented at the beginning of the meeting is outdated.

Mr. Rudez briefly presented the ongoing project, financed through IPA 2007, explaining that the country is progressing in both transposition and implementation, but is still suffering the damages from the war, having industrial installations that are still out of function, adding that the topic could be taken into consideration for planned RENA activities.

### **Networks on Illegal Logging and Environmental Crime (Mihail Dimovski)**

Mr. Dimovski presented the REC work in the area of implementation and enforcement of environmental crime and nature protection legislation. Based on the demands from the region and based on the experiences gained during implementation of REReP and management of ECENA, the conclusion was made that there is not much attention paid to the implementation of nature protection legislation. Based on this conclusion the discussions were made with the countries on the need for establishment of regional cooperation platform for implementation of nature protection legislation. The design of the multi annual work programme for such regional platform is on going and the complete design will be made in collaboration with the beneficiaries. The support have been received from the Ministry of Foreign Affairs of Finland for production of reports on capacity building needs, regional assessment of the state of play regarding forestry legislation and policies in the beneficiary countries as well as to produce diagnostic reviews which are already finalised and ready to be published. The documents are providing recommendations indicating the needs for establishment of regional structure similar to those previously established that will be focused to exchange of knowledge and capacity building in the area of nature protection and environmental crime. The whole concept is designed as a regional network to be established and endorsed by the beneficiary countries end of November 2010.



In the area of environmental crime, the proposal to set up the platform together with Interpol has been adopted on the recently held Interpol meeting by all European countries. The Interpol is keen to have full participation in the activities of the platform regarding implementation of environmental crime and with Interpol joint work will be done toward additional fund raising for implementation of additional activities in the field of environmental crime implementation. Last week INECE also agreed to endorse new platform.

The complete documentation at this stage cannot be presented since additional consultation with beneficiary countries is needed, but the planned activities are described in brief and the contacts will be maintained with ECENA in order to avoid possible overlaps and copy of the final version of the document will be shared.

### **Overview of IMPEL Activities (Rob Glaser)**

Mr. Glaser presented the short history of IMPEL and overview of current IMPEL activities.

The WG 4 Coordinators provided during the session the estimated level of approximation related to permitting and enforcement in their countries, with the capacities of inspectorates.

### **General description of RENA Network and status of project implementation (Ike van der Putte)/ RENA Secretariat - Role and function (Ruza Radovic)**

Mr. van der Putte presented the established structure of RENA and gave the overview of RENA implementation status, adding the information on recently held Ministerial Meeting, outcomes of that meeting and strong support of the EC and devotion to RENA activities expressed by the country representatives during the meeting. Additional details were provided on the methodology applied during the inception missions and preparation of the Inception Report and work plan and comments received on the first draft IR. Mr. Stamate added that another Ministerial Meeting will be organised in the period of finalisation of RENA in order to assess and to exchange information on the activities performed and results achieved.

Ms. Radovic presented the roles and functions of RENA Secretariat including the rules for utilisation of the Incidental Expenditures in line with the project ToR. As explained under the rules for utilisation the IE per diems are not to be paid to beneficiaries instead of provision of meals and accommodation. Mr. Stamate added that since the project is financed under IPA, therefore no reimbursement in cash is allowed to be made to the beneficiaries.

In relation to recently performed monitoring mission Mr. Blinkov noted that the monitors should be better prepared before the mission, not being in the situation that beneficiary has to explain the overall structure to them. Mr. Blinkov suggested more people to be involved in the trainings, in order to avoid provision of trainings to always same group of people, and asked to receive written confirmation from RENA and EC on the number of participants that will be invited for training and number of participants whose participation to trainings and events of other related networks will be financed through RENA. Mr. Blinkov added that without payment of per diems, people might not be very motivated to participate at the events organised by RENA.

Mr. Stamate agreed that the methodology for organization of training activities should aim to involve all relevant people from the beneficiary countries to the largest possible extent in order to increase the sense of ownership of the project. As it was said several times before, per diems will not be paid to the participants in accordance with the project ToR and IPA funded projects procedures. All expenses of participants are and should be covered in advance and therefore there are no additional costs for participants, not to mention that payment of per diems should not be the only motivation to participate at the certain training or event.

### **Multi annual work plan of ECENA (Clusters 1-3 and networking activities) (Ike van der Putte)**

Mr. van der Putte presented in more details the work plan of WG 4 ECENA, divided to three clusters and cooperation with other networks. The design of the programme was limited by the available IE budget. The activities planned are the following:

**Activity 4.1** Capacity building regarding compliance with environmental legislation through better understanding of issues and identification of targeted solutions (training of inspectors and permit writers) Cluster 1 activity, including common inspection in site visits as Cluster 2 activity.

National trainings provided for each of the beneficiary countries. Practical trainings provided on the selected pilot sites. A central part of the training is IPPC permitting and consecutive inspection (learning by doing based on pilot sites with site visits). Two other inspectors from other countries will be to join the inspection and site visit (common inspections). Further training topics will be selected based on the questionnaire provided and filled in by each of the countries. The training topics will be extended in accordance with the comments received on the first draft inception report. The training methodology will allow maximum number of 20 training



participants. Apart from the participants from the country, training and common inspection, site visits will include invitation to representatives of two other countries. Some of the countries proposed already possible pilot sites during the inception phase. This activity will be implemented during 2010 and 2011. The dates for carrying out the various training countries for each country were presented and accepted.

Mr. Asanovic added that the methodology presented during the Inception Missions needs more clarification and that Montenegro proposed thermal power plant and landfill and agreed on the cement industry pilot sites just because this can be of interest also to other countries. If the national trainings are designed to overcome differences and to accommodate to the needs of the each country separately that proposal for pilot site from Montenegro would be aluminium and steel industry as this is the biggest problem. Serbia for the same reasons had not listed chemical industry as a proposal. Montenegro agreed on the cement industry proposals but in case of training they will not be able to send any inspector as participant simple because there is no cement industry in the country. This kind of issue can occur in other countries as well.

Ms. Patekar asked for additional explanation on the participants that will be invited to attend these trainings. The work plan describes national trainings for 3 to 4 days for inspectors and permit writers. The outputs to be achieved are fully trained inspectors and permit writers. The question is how to achieve the proposed output within the frame of 3 to 4 days if the country would like to send young inspectors and permit writers. Based on this it can be assumed that more experienced staff has to be nominated to attend the trainings?

Regarding common inspections and site visits, Mr. Stamate asked for an additional explanatory note to be added by the consultant to the description of the activity scheme. In addition it was proposed that the inspectors to be invited from other countries should preferably come from the group of beneficiary countries. This was accepted under the condition that sufficient know how was available with the invited inspectors on the type of industry to be selected for common inspections.

Mr. van der Putte explained that in accordance with the ToR we had to look at the different needs of the countries. Due to that and due to language barriers the national trainings as initially designed are proposed as the final solution.

Mr. Asanovic added that for the national trainings high level translator has to be provided fully familiar with the topics that will be discussed. This has been taken into consideration by the consultant.

Ms. Patekar raised the question on number of days allocated for this activity. Since the number of allocated days is large, and one of the outputs is preparation of manuals, question is whether these days will be used for preparation of industry specific manuals for each of the countries and what kind of manuals are going to be prepared when there are a lot of procedures and documents already available and this is something to be explained in more details too.

Mr. van der Putte explained that the backbone of manuals will be the same for all countries but other elements of the manual will be country specific, with specific additions of requested topics.

Ms. Topkaya and Mr. Asanovic pointed out that the questionnaire received contains section on training of the management, which in this case is not applicable and cannot be filled in since inspectors and permit writers are not management and this WG should be focused on training of inspectors and permit writers.

The WG 4 coordinators expressed their initial interest in directives to be covered by the trainings, with remark that definitive choices will be confirmed later in direct correspondence.

#### **Activity 4.2** Country external assessments Cluster 2 activity

The activity will be implemented during 2011. The situation in the countries will be assessed with regards to capacities for enforcement and inspection. Ms. Topkaya added that Turkey would like to have an update of the existing report and assessment of the complete regulatory cycle during this exercise. Croatia will not participate in this activity as next year they will be the host country for the IMPEL review initiative, therefore there is no need for duplication and overlap of the activities.

Mr. Stamate asked how this activity will be related to IMPEL activities. Mr. van der Putte replied that the IMPEL review together with the progress monitoring will be used as a grounds for preparation and implementation of this activity.

#### **Activity 4.3** EU ETS Compliance (Cluster 3 activity)

#### **Activity 4.4** TFS (Cluster 3 activity)

#### **Activity 4.5** Inspection and enforcement in Cross-border Nature Protection Areas (Cluster 3 activity)



Activities 4.3, 4.4 and 4.5 are to be implemented during 2012 as regional trainings. Due to budget limitations one regional training per topic (EU ETS, TFS and Nature Protection) is envisaged. Mr. Dimovski proposed that the possibility of organising back to back trainings on cross-border nature protection should be discussed. The comments received from the EC were that the possibility for combining two topics in one training course should be checked in order to increase the number of training sessions provided under this activity. In this regard EU ETS and TFS might be combined in one session. Mr. Blinkov added that FYR of Macedonia is covering TFS topic through joint project with Serbia and that for EU ETS they are not eligible at the moment, so priority should be put on cross border nature protection areas including protected species. Turkey has offered to have TFS training at the pilot site, harbour in Ederna. For nature protection workshop Albania has proposed Skadar Lake as potential pilot site. Montenegro could support but it has to decide whether the training will be held in Montenegrin or Albanian side of the lake. It was proposed that EU ETS should be held in Croatia since they are the most advanced in this area.

Ms. Patekar added that in the comments to the IR, Croatia asked for methodology and level of involvement of NGOs into this activity. Mr. van der Putte replied that RENA participated at the annual meeting of Environment Forum project to discuss the modalities of involvement of NGOs in the RENA activities. It was agreed that NGO representatives will participate at the annual working group meetings, Ministerial meeting and that NGOs will participate in some of the activities where they have specific interest (mostly within WG 1 and 3). Mr. Sazdov added that NGOs within Environment Forum created mirror working groups to RENA and nominated the coordinators for each WG. NGOs will in general have role of observers but they would like to participate in the number of activities as they are of great interest to them.

Mr. Stamate added that idea of involving NGOs should be kept and elaborated further. He also added that number of working days allocated under these activities is quite big in comparison to relatively modest output which is only one regional workshop per topic. Ms. Patekar added that all beneficiaries share the same concern regarding the proposed output since it was expected that within WG the beneficiaries will have at least the same number of activities as within previous ECENA. With this kind of work plan WG 4 does not seem to be the complete successor of ECENA from the previous phase. Ms. Patekar also added that the purpose of this WG is to achieve networking and this cannot be achieved with national trainings. Also description of activities in submitted work plan is that only neighbouring countries are involved in this type of training. Mr. van der Putte replied that increase of funds allocated under Activity 4.6 has reduced other activities within this WG. He also explained that the description is wrong and that all beneficiary countries are involved in foreseen trainings under these activities. Mr. Stamate added that increase of outputs under these activities have to be reconsidered in the revised version of the work plan. Mr. Sazdov added that the possibility to combine the trainings with those organised under WG3 should be checked.

**Activity 4.6** ECENA participation in relevant networking activities including IMPEL and other sister networks (Interpol, GREENFORCE and INECE)

Mr. Stamate commented that from the IR and work plan it seems that only three or four countries are benefiting from this activity and that should be considered to reduce budget allocated under this activity in favour of activities 4.3, 4.4. and 4.5.

Mr. Asanovic added that this kind of proposal is not acceptable for countries not involved in the proposed work plan, so it has to be checked how the activity should be revised in order to allow all countries to participate in some of the events organised by other networks which are open such as IMPEL TFS, Interpol and GREENFORCE, otherwise the activity as described will not be accepted. Mr. Asanovic recognized that there are activities which are only eligible for IMPEL members. He added that the countries just want to have a possibility to participate for those activities that are open also to non IMPEL members, which in this proposal is not given. Mr. Blinkov added that the proposed budget should be revised since some of the planned events have already passed without financing from RENA. Mr. van der Putte also explained that IMPEL Secretariat has been contacted and the possibilities for financing by IMPEL has been checked. The budget proposed has been prepared in line with the correspondence with IMPEL.

#### Other

Ms. Patekar proposed that RENA website should be ready to serve as a forum for exchange of documents between WG members.

Mr. Blinkov reminded that the per diem issue can be a problem for level of participation. Mr. Stamate replied that per diems should not be motivation for participation in activities, but what can be done is to organise the events in such a way that any additional costs not covered in advance and directly by the RENA Secretariat are avoided.



Ms. Kquiku added that the proposed work plan is fine as it is except for the Activity 4.6 which should be revised in order to allow all countries to participate in the events organised by other networks as explained by Mr. Asanovic.

Ms. Topkaya added that additional info not given in the questionnaire is that Turkey is preparing the evaluation report of the inspection activities in 2009. The proposal is if RENA experts can provide opinion on the report and propose improvement measures where needed.

Mr. Asanovic proposed that since the country external assessment under activity 4.2 will be finished during 2011, the possibility of revising the prepared reports at the end of 2012 should be considered.

### Closure of the meeting

The follow-up points resulting from the meeting are:

Follow-up points	By whom	Deadline
Revised version of the Inception Report and work plan to be sent to the beneficiaries, with an explanatory note on site visits and common inspections.	RENA Secretariat	Mid of November (approximately)
Finalisation of questionnaires on trainings and overview of ongoing projects in the field of inspection and enforcement	Beneficiaries WG coordinators	Within two weeks
Revision of the work plan to be done in accordance with the lines proposed during the meeting	RENA project team	December 2010
Next Annual Meeting of WG 4 ECENA to be organised in FYR of Macedonia	RENA Secretariat	October 2011

