



□ **Concept Note**

**Bridging the Gaps:  
Enhancing MEA Implementation in the Balkans**

**A Project for the Enhanced Implementation of Key Global and Regional  
Multilateral Environmental Agreements (MEAs) in the Balkans, Including the  
Development of National Legislation and Policies in Light of the  
EU Environmental Acquis**

(UNEP/Government of Austria)

**Objective of the project:**

To build and improve national capacities for the development and implementation of legislation for an enhanced and more effective national implementation of key global and regional MEAs, as well as integrating the EU Environmental Acquis – and streamlining reporting and information management systems in the Balkan region.

**Background:**

The rapid increase in MEAs addressing a multitude of environmental concerns and the wide range of decisions taken by their governance bodies has resulted in widespread concern that MEAs are neither complied with nor enforced or **inadequately implemented** and that implementation efforts at both national and international levels are insufficiently coordinated.

Studies by UNEP (EC Environmental Law and Multilateral Environmental Agreements for Europe, UNEP and UNITAR, 2004) and EU implementation reports (Sixth Annual Survey on the Implementation and Enforcement of Community Environmental Law 2004) **show significant gaps in the implementation of MEAs in the Balkan region.**

UNEP is currently working on projects to enhance the **coherent and synergistic implementation** of obligations and expectations arising from multiple global and regional agreements.

As MEAs form the basis for significant parts of the **EU's Environmental Acquis**, MEA implementation is particularly relevant to a number of new EU member states and even more so to those seeking EU membership. The new EU member states have acceded to and ratified a large number of global and regional MEAs over the past 2 years as part of their EU membership and future accession countries will be expected to do the same.

**The sixth Ministerial Conference "Environment for Europe" will take place in Belgrade (Serbia and Montenegro), in October 2007.** The Belgrade Environment for Europe Conference will likely focus on (UNECE) Conventions, their coordination and implementation, as well as Chemicals.<sup>1</sup> Secondly, the Conference in Belgrade will have a great focus on the Balkan countries, which is also the key geopolitical interest of the EU in the Environment for Europe - Process.

UNEP has assessed the implementation of the protocol on pollution to the Black Sea from land-based activities under the Bucharest Convention and produced a revised protocol in line with the EU Water Framework Directive. These findings show a need for an **in-depth analysis and adjustment of national procedures**, routines, and institutional arrangements for reporting to and coordination of MEAs. They call for training of MEA-related officers, and implementation of institutional and organisational changes to improve national implementation and enforcement of MEAs.

Recently, a high-level meeting of eminent experts on envisioning the next steps for MEA compliance and enforcement (21-22 January 2006, Colombo, Sri Lanka), underlined the need to **reinforce national measures to enhance the national implementation of MEAs** by the development, harmonization and application of environmental legislation, capacity building and coordination of focal points for MEAs. Equally, there is need to **harmonize, enhance synergies and inter-linkages** in the implementation of MEAs and to assist national and local governments in implementing identified synergies and inter-linkages between the various MEAs.

---

<sup>1</sup> Ad hoc open-ended Working Group of Senior Officials (WGSO), 1st session, Geneva, 12-13 October 2005.

UNEP, through ROE, has over recent years assisted countries in Eastern Europe, upon request, to develop and conclude environmental agreements, and to improve enforcement and compliance with the provisions of Multilateral Environmental Agreements (MEAs). UNEP provides support to national implementation and enforcement of MEAs, particularly aspects related to information management and reporting, based on an analysis of the current institutional and legal situation in the countries. UNEP ROE in cooperation with MEA secretariats and the REC implemented Workshops on integrated approaches to MEA implementation in Albania, Bosnia and Herzegovina, Moldova and Serbia and Montenegro.

UNEP currently is implementing the programme “Improving regional cooperation for risk management from pollution hotspots as well as the transboundary management of shared natural resources” in South Eastern Europe the framework of the UNDP-UNEP-OSCE Environment and Security Initiative, with the support of the Austrian Development Agency (ADA).

UNEP is also implementing the project on the “Cooperation on the Protection and Sustainable Development of Mountain Regions in South-Eastern Europe”, in cooperation with the Alpine and Carpathian Conventions under the umbrella of the Global Mountain Partnership.

### **Outline of the Project and Strategy:**

The Project will build and significantly strengthen the national capacities for an enhanced and more effective implementation of key global and regional MEAs, as well as integrating the EU Environmental Acquis by utilizing the synergies of MEAs and addressing their implementation based on at least two clusters or thematic areas or cross-cutting issues related to: **Chemicals/Waste and Biodiversity**. It will have as its aim the integration of MEA requirements and other related domestic priorities into the general developmental and environmental management capabilities and approaches of the target countries, rather than seeking merely to achieve implementation of the MEAs in isolation from the national development plans and environmental management efforts of the countries.

The project will also seek to build and enhance the involvement of the public in the implementation of MEAs, including reporting. It will work closely with European Union Network for the Implementation and Enforcement of Environmental Law

(IMPEL) and utilize the experience from its reviews of enforcement practices in Hungary and Poland and its institutional analysis in the Czech Republic.

**The Project will target the following countries of the Balkan region:**

- Albania
- Bosnia and Herzegovina
- Macedonia
- Serbia
- Montenegro
- Croatia

The project will build on synergies within UNEP's work like the ENVSEC SEE programme (e.g. chemicals waste management at hotspot sites, reduction of transboundary risks and pollution; implementation of CBD by strengthening the Protected Areas system in SEE).

The project will draw on the findings of the AIMS project under the EU financed ReREP implemented by the Regional Environment Center.

**Project Phases and Timelines:**

The Project is designed in two separate Phases, Phase 1 and Phase 2. Each Phase will constitute of specific measures and activities to attain the overall objective of the Project. **Phase 1** will last from the inception of the Project until June 2006 and will **conclude with a regional Meeting in Vienna** (26-27 June 2006) to analyse the first findings and results – and possibly the impact – the Project has yielded. **Phase 2** will then follow-up these findings and results and implement them in the respective target countries. The end of Phase 2 and the Project will coincide with the sixth Ministerial Conference "Environment for Europe" in Belgrade, where the **final results and outcomes of the Project will be delivered and presented.**

**Phase 1:**

- (a) Analysis and assessment of current national organisational infrastructures and how they currently respond to the needs for implementation of international obligations and expectations, including mechanisms in place for coordination, taking into account national development priorities.

- (b) Prepare and present a written report on the existing legal and institutional arrangements for MEA implementation in the target countries, the national needs and preconditions in the two thematic areas of MEAs, including a socio-economic cost-benefit analysis as well as providing recommendations to strengthen the national capacities for an enhanced and more effective implementation of the related environmental obligations, as well as the related EU Environmental Acquis.
- (c) Organize conference/workshop by the end of June 2006 (in Vienna or Balkans) in order to present and analyse the results of the preceding analysis and assessments of national needs and preconditions in the two thematic areas – and chart the way forward.

**Phase 2:**

- (a) Organize and carry out national training courses to implement the results of Project Phase 1 and build the capacity of Government officials, NGOs, enforcement officials and other stakeholders to:
  - Better coordinate and report on national measures or actions to comply with, implement, and enforce MEAs; and
  - Improve their MEA-related negotiating skills/techniques for effective MEA COP participation.
- (b) Effectively enhance Government infrastructure for coordinating and reporting on measures and actions to comply with, implement, and enforce MEAs.
- (c) Develop, where required, sets of national legislation or regulations implementing MEAs or cluster of MEAs including EU environmental regulations and directives.
- (d) A final project summary, including a description of the Project, lessons learned, and recommendations regarding institutional approaches – including “clustering” – to reporting on and coordinate efforts to comply with, implement, and enforce MEAs.
- (e) Presentation of the final Outcome of the Project and the respective Project Report at the sixth Ministerial Conference "Environment for Europe" in Belgrade, October 2007.