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WWF Proposals

**for the European Neighbourhood and
Partnership Instrument (ENPI)
Implementation**



Introduction

WWF believes that environmentally sustainable development cannot be isolated from the other major goals of the European Neighbourhood Policy (ENP), notably those underpinning human rights, strengthening the rule of law, extending democracy and reducing poverty.

WWF warmly welcomes the fact that the European Neighbourhood and Partnership Instrument (ENPI) regulation adopted by the European Council in October 2006 opens up opportunities for enhanced sustainable development, environmental protection and governance. In particular, we are pleased that the scope of assistance (Article 2) includes explicit references to:

- Promotion of sustainable development in all aspects (Article 2d);
- Promotion of environmental protection, nature conservation and sustainable management of natural resources, including freshwater and marine resources (Article 2e);
- Support for poverty reduction policies in line with the UN Millennium Development Goals (Article 2f);
- Promotion of renewable energy sources, energy efficiency and clean transport (Article 2l);
- Support for cross-border cooperation through joint local initiatives to promote sustainable economic, social and environmental development in border regions and integrated territorial development across the European Community's external border (Article 2u).

WWF also welcomes recognition of civil society development as a priority for inclusion in Action Plans (Recital 6) and emphasis on developing non-governmental organisations (NGOs) (Article 2.2.j).

While recognising that ENPI is a framework for external policy implementation, and has therefore been designed with simplicity and flexibility in mind, WWF is concerned that this could result in minimum practical requirements. WWF would therefore welcome the development of clear guidance and conditionality under the implementing rules. These should ensure that the ENPI is fully compatible with European Union (EU) policies and actions on environmental protection and sustainable development, in particular with regard to energy and transport policies in neighbouring countries. They should also be coherent with the

Cohesion Policy (regarding ENPI cross-border cooperation) and the European Consensus on Development (2005)¹.

From 2007, the ENPI will be the sole instrument covering a wide range of priorities but with a financial envelope reduced from nearly €15 billion to €11 billion. WWF is concerned that even if the implementing instruments attach high priority to sustainable development and environmental objectives, actual implementation in these areas may be undermined by lack of awareness, weaknesses within environmental administrations, and competition with other priorities. Promoting access to information and building a strong civil society in ENP countries will help to ensure that sustainable development, environmental protection and good governance are not overtaken by short-term interests.

¹ Joint Statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission on European Union Development Policy: 'The European Consensus', COM (2005) 311 final.

Key areas of concern to WWF

1. Objectives for sustainable development

In 2000, adoption of the UN Millennium Development Goals included Goal 7 “Ensure Environmental Sustainability”, incorporating measures to “integrate the principles of sustainable development into country policies and programmes, and reverse loss of environmental resources”. These commitments were reinforced by the 2002 World Summit for Sustainable Development (WSSD).

The EU has made a number of significant commitments to sustainable development at European and global levels. These include the EU Sustainable Development Strategy, the External Sustainable Development Strategy and, most recently, the Declaration on Guiding Principles for Sustainable Development approved by the European Council on 17 June 2005, which recalls inter alia that “sustainable development is a key objective set out in the Treaty, for all European Community policies”.

WWF proposals:

- **Ensure ENPI implementing tools are in line with the Declaration on Guiding Principles for Sustainable Development and the provisions of the EU Sustainable Development Strategy.**
- **Orient National Action Plans and Country Strategy Papers (CSPs) toward meeting the goals and objectives of national sustainable development plans/strategies, and ensure that both are regularly updated to take account of progress and new challenges.**
- **Make the inclusion of environmental and sustainable objectives in each of the cross-border cooperation (CBC) programmes a requirement of the CBC guidelines² and implementing rules³.**

² Draft guidelines for preparing CBC programmes under the ENPI, April 2006.

³ Draft implementing rules for CBC programmes under the ENPI, 28 April 2006.

2. Supporting the 'Green Agenda'

Many of Europe's last natural and semi-natural ecological systems are found in EU neighbouring countries and are not only a rich pool of biodiversity, but also the 'natural capital' on which economic development is based. WWF has identified key priority areas and is working with neighbouring country partners to ensure that their natural and socio-economic values are maintained⁴.

As noted above, reduction of the overall ENPI financial envelope and competition with other focal sectors may lead to a reduction of focus and expenditure on environmental priorities. The Thematic Programme for the Environment and Sustainable Management of Natural Resources, including Energy (ENRTP)⁵, offers an important opportunity to fill that gap.

Political dialogue and environmental cooperation are already underway in the Mediterranean, in Central and Eastern Europe and in the Caucasus. Furthermore, environmental cooperation is often the only area where political dialogue and regular exchanges are possible in areas of conflict such as the Middle East. It is therefore a potentially powerful tool for helping to build mutual understanding and lasting peace.

WWF proposals:

- **Ensure conservation of natural areas by requesting Neighbouring Countries to identify as a matter of urgency potential areas for designation as 'Natura 2000' sites (or equivalent). ENPI funds should be used to ensure sustainable management of the areas identified.**
- **Ensure the ENRTP fully applies to the ENPI ecoregions. The ENRTP should support not only climate change, biodiversity and energy actions in the ENPI context, but also horizontal measures (capacity building for environmental integration, civil society actors, environmental monitoring and assessment and innovative measures). Opportunities for synergy with other related EU initiatives, such as those on forests and freshwater, should also be sought.**

⁴ More information can be found in: www.panda.org/eu.

⁵ COM (2006) 20.

- **Ensure the ENPI regional strategies and programmes contain an integrated sustainable development and environmental component, and that ENPI funds are earmarked for environmental priorities. ENPI regional strategies and programmes should build upon existing processes and environmental agreements.**

3. Greening the 'Brown Agenda'

Environmental mainstreaming is crucial because ENP programmes/projects (e.g. on transport, energy infrastructure, tourism development, macro-economic support) may have negative and irreversible impacts on the natural resources of neighbouring countries, endangering the livelihoods of the poorest and most vulnerable citizens. The ENPI regulations do not include specific requirements to prevent such negative impacts and it is therefore essential that the implementing rules, strategies and programmes require full environmental assessment (at both strategic and individual project impact levels) prior to the granting of any EU financial assistance, and that rigorous environmental monitoring and evaluation of assisted projects is in place.

Particular efforts in terms of environmental mainstreaming have already been instigated by the European Commission in the context of EU development policy and the establishment of a new joint-programming framework guidance adopted at the EU Council meeting in April 2006. This new framework requires that Country Strategy Papers must include a diagnosis or analysis of the political, economic, social and environmental situation in the country concerned.

WWF proposals:

- **Ensure inclusion of country environmental diagnosis as an entry point for mainstreaming the environment in ENP programming.**
- **Ensure the prior assessment of environmental impacts for all major projects funded through the ENPI, including the use of Strategic Environmental Assessment as a specific tool for environmental integration.**
- **Ensure that initial identification of major infrastructure projects takes full account of natural areas identified by neighbouring countries so that these remain intact.**

4. Environmental governance and the partnership principle

The principle of partnership between the European Commission and the beneficiaries is referred to several times in the ENPI regulation, in relation to the establishment of the overall Community assistance under the ENPI (Article 4) and more specifically in relation to CBC programmes (Article 9.2b and Article 9.7). Unfortunately, neither the ENPI regulation nor the implementing tools currently available provide any definition of what the ‘partnership principle’ stands for in the ENP context.

Representatives of civil society, including NGOs, can play a vital role in holding governments and donors accountable for their decisions and investments, including those involving natural resources. However, the preparation of strategy papers and the negotiations of the first Country Action Plans were carried out without appropriate civil society participation.

Likewise, though not excluded, participation of civil society in the definition, implementation and monitoring of CBC programmes is not specifically encouraged in the implementing rules. Thus, decision-makers may opt to ignore non-state actors, especially in countries where public authorities are still unused to dialogue with civil society partners.

WWF proposals:

- **Enhance civil society capacity for involvement in ENPI implementation. Provisions in the revised CSP guidance for African, Caribbean and Pacific (ACP) countries concerning allocation for capacity building of non-state actors should also apply to ENP countries. In addition, NGO representatives from Neighbouring Countries should be included in training programmes such as TAIEX.**
- **Develop regular dialogue with, and enhance participation of, non-state actors in the drafting of the CSPs (following the model of the Cotonou agreement)⁶.**
- **Promote establishment of clear and transparent mechanisms for structured consultation of civil society by both the European Commission and national governments in the planning, implementation and monitoring of ENPI assistance.**
- **Ensure public participation in the definition, implementation and monitoring of CBC programmes.**

⁶ See the programming orientations for ACP countries under the 10th EDF, p3
http://ec.europa.eu/comm/development/body/csp_rsp/files/ACP_guidelines_en.doc

- **Ensure environmental NGOs in Neighbouring Countries are involved in SEAs, the drafting of CEPs, and in the overall assessment of environmental mainstreaming in close dialogue with local authorities and EU delegations.**

5. Visibility of the ENP

There has been too little information about the ENP and how it works (although there is an ENP website) and hence a lack of interest from national governments and a lack of awareness among civil society in neighbouring countries. In order for civil society to participate effectively in the ENP, there needs to be sufficient information and transparency in programming, implementation and monitoring, particularly in relation to environment and sustainable development. However, few if any provisions have been made in the ENPI regulation to ensure proper information and outreach to civil society. Hence, the drafting and negotiation of Action Plans have been entirely a high-level intergovernmental process.

WWF welcomes Article 2.3.4 of the CBC guidelines providing for the inclusion of an information and publicity plan in the CBC programmes, but is concerned that there is no mechanism to ensure that this will be properly implemented in all CBC programmes.

WWF proposals:

- **Enhance capacity in the EU Delegations in Neighbouring Countries to support civil society development, involvement and understanding of the ENP policy processes.**
- **Launch media campaigns in the EU to promote better understanding of the major ENP challenges in terms of human development, conflicts and sustainable development.**

For more information

Please check WWF European Policy Office (EPO) website:

<http://www.panda.org/eu>

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WWF's mission is to stop the degradation of the planet's natural environment and to build a future in which humans live in harmony with nature, by:

- conserving the world's biological diversity
- ensuring that the use of renewable natural resources is sustainable
- promoting the reduction of pollution and wasteful consumption

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