

REFORM OF THE “ENVIRONMENT FOR EUROPE” PROCESS

DRAFT REFORM PLAN

Compromise proposals by the Chair¹ 11 November 2008

I. BACKGROUND

1. The Sixth Ministerial Conference “Environment for Europe” (Belgrade, 10–12 October 2007) recognized the important value of the “Environment for Europe” (EfE) process as a unique pan-European forum for tackling environmental challenges and promoting broad horizontal environmental cooperation, and as a pillar of sustainable development in the UNECE region. The EfE process was considered to be an important framework for bilateral and multilateral cooperation in the region. The added value of the EfE process was recognized in its close links with other regional and subregional initiatives and processes, which help to integrate environmental and sectoral policies.

2. The ministers in Belgrade agreed that the EfE process, initiated in 1991, needed to be reformed. The purpose of the reform was [to examine the full cost and unique benefits of the process in order to strengthen its effectiveness so as - USA] to ensure that it remained appropriate for, and fully aligned with, the needs of the UNECE region and the evolving political and economic landscape, as well as the environmental priorities of the region.

2. Compromise proposal:

The ministers in Belgrade agreed that the EfE process, initiated in 1991, needed to be reformed. The purpose of the reform was to ensure that it remained appropriate for, and fully aligned with, the needs of the UNECE region and the evolving political and economic landscape, as well as the environmental priorities of the region.²

3. The Belgrade Ministerial Declaration stated that the reform should focus on, although may not be limited to, the following aspects:

- (a) The format, focus and priorities of the process and Ministerial Conferences;
- (b) Evaluating the performance and impact of the process;
- (c) Attracting the broader interest and more active engagement of all stakeholders, in particular the private sector;
- (d) Expanding the use of partnerships as vehicles for improving implementation;
- (e) Leveraging external contributions of expertise, manpower and resources;
- (f) Assessing ways and means to promote more effectively the UNECE region-wide dimension of environmental cooperation;
- (g) The full cost of the process and the effective allocation of available resources;
- (h) Future secretariat arrangements.

¹ The current compromise proposal is prepared to facilitate the discussions at the special session of the CEP in January 2009. Once the CEP has agreed on the major contentious issues, the language of the document should be changed from conditional to indicative.

² The text in brackets is proposed to be deleted as it repeats the language of the Belgrade Ministerial Declaration (para 38) which is quoted in the para 3 (g) of the current draft.

4. In order to address the above issues in depth and with due consideration, the ministers invited the UNECE Committee on Environmental Policy (CEP) to develop, in consultation with EfE partners [such as intergovernmental organizations, non-governmental organizations (NGOs), the private sector - OECD, Georgia] [, and the Regional Environmental Centres (RECs) - Kazakhstan], a plan for EfE reform so that it could be endorsed at the political level by UNECE in spring 2009.

4. Compromise proposal:

In order to address the above issues in depth and with due consideration, the ministers invited the UNECE Committee on Environmental Policy (CEP) to develop, in consultation with EfE partners a plan for EfE reform so that it could be endorsed at the political level by UNECE in spring 2009.³

5. The ministers further decided that the next EfE Ministerial Conference would be organized on the basis of the agreed reform.

II. OBJECTIVES AND PRIORITIES OF THE “ENVIRONMENT FOR EUROPE” PROCESS

6. [The main objective of the EfE process should be providing a framework for improving environmental policies, conditions and cooperation in the UNECE region and bridging gaps between countries. This would contribute to enhancing a convergence of environmental standards and would secure conditions for peace and security at the regional as well as the global level. The process should also seek to contribute to a better quality of life by promoting linkages between environmental protection and social prosperity - Czech Republic].

6. Compromise proposal:

The EfE process should continue to serve as a mechanism to: (a) improve the environment throughout the region, contributing to sustainable development which may in turn contribute to poverty eradication, to improving the quality of life, and to a safer world; (b) enhance the implementation of national policies; (c) support convergence of environmental policies and approaches as appropriate; and (d) encourage the participation of civil society.⁴

7. The political priorities should be based on commitments already taken under the EfE process. These priorities may include:

- (a) Improvement of environmental governance, including strengthening environmental institutions and implementation of policy instruments;
- (b) Streamlining the implementation of the existing UNECE legally binding and legally non-binding instruments;
- (c) Enhancing efforts in environmental monitoring;
- (d) Ensuring implementation of the Environmental Performance Review programme;
- (e) Raising public awareness of environmental issues;
- (f) Promoting linkages between environmental policy, economic and social well-being and competitiveness.

³ The text in brackets is proposed to be deleted to make it shorter and consistent with the text of the Belgrade Ministerial Declaration (para 38)

⁴The proposed text captures the main elements of the former bracketed text and is made consistent with the para 2 of the Belgrade Ministerial Declaration.

8. Furthermore, thematic priorities of the EfE process would be identified in line with current needs, national circumstances and in respect to future emerging issues.

9. In the future, the EfE process will be based on general principles and agreements on the operational modalities, as described below.

III. GENERAL PRINCIPLES

10. The ministers in Belgrade agreed that the EfE process should:
- (a) Keep its UNECE region-wide dimension and be open for all interested countries of the region;
 - (b) Engage all stakeholders, including the private sector, to strengthen the work in partnership;
 - (c) Maintain close links with other regional and subregional initiatives, and focus on specific needs that are not entirely addressed by other cooperative frameworks, instruments or processes in the region and its subregions;
 - (d) Concentrate on results-based, action-oriented activities;
 - (e) Be kept open to issues on which the process can provide added value;
 - (f) Use delivery as a major criterion of its effectiveness. CEP should regularly consider and assess progress achieved under the process.
11. To complement the above principles, a consensus emerged from CEP in relation to the EfE process and the Conference:
- a) On the one hand, the EfE process-related principles are as follows:
 - (i) Broader engagement from the Governments to achieve long-term policy integration between sectors;
 - (ii) [More focused and results oriented – EU] implementation of the commitments taken at the EfE Ministerial Conferences [and between Conferences – EU];
(ii) Compromise proposal:
Stronger focus on implementation of the outcomes of the EfE Ministerial Conferences in the period between Conferences;⁵
 - (iii) [[Ways and means would be considered to provide more support to – ~~delete, EU~~]/[Encouragement of and support to/Increased emphasis on – EU] subregional activities; - ~~delete the para, USA~~];
 - (iv) [Effective coordination should be enhanced between the regional and subregional partners in the region – contact group];
ALT (iii + iv) [Increased emphasis on subregional activities with/including stronger involvement of RECs and other relevant subregional structures in the implementation – CAREC, Russia];
Compromise proposal for (iii), (iv) and ALT (iii+iv):
(iii) Encouragement of and support to subregional activities including stronger involvement of relevant subregional structures in the implementation;⁶

⁵ The proposed text captures the main idea of the sub-para.

⁶ The proposed text is in line with the principles agreed by the Ministers in Belgrade and stated in the paras 10(a) and 10(c) and includes some text of sub-para ALT (iii+iv) of the para 11(a). The RECs are not highlighted separately to avoid listing of other relevant subregional structures. Specific reference to the role of the RECs in the EfE process is made in the compromise proposal for the para 19.

- (iv) **Enhanced coordination between the regional and subregional partners in the region;**⁷
 - (v) [[Mechanisms to link – ~~delete UNDP, Georgia~~]/[Links between - ~~UNDP, Georgia~~] the activities under the EfE and global processes and cooperation with relevant global international [and regional - ~~Montenegro~~] organizations should be [explored – ~~delete, UNDP, Georgia~~]/[enhanced - ~~UNDP, Georgia~~] – ~~delete the para, USA~~];
 - (v) Compromise proposal:**
Stronger links between the activities under the EfE and relevant global processes and international institutions;⁸
 - (vi) [Promotion of implementation of and compliance with the UNECE multilateral environmental agreements by relevant parties [and [harmonization – ~~delete, EU~~]/[convergence – ~~EU~~] of environmental legislation - ~~Kazakhstan~~] - ~~EU~~];
ALT (vi) [Contribution to implementation and development of multilateral environmental agreements under UNECE – ~~Russia~~];
 - (vi) Compromise proposal:**
Enhancement of the implementation of bilateral and multilateral environmental agreements;⁹
 - (vii) Utilization of the Environmental Performance Reviews as an important instrument.
- b) On the other hand, the Conference-related principles are:
- (i) The ministerial level of the Conferences should be maintained;
 - (ii) Specific mechanisms for attracting high-level participation, including those from the private sector, should be developed;
 - (iii) A limited number of themes, not more than two, to be identified in advance and addressed by each Conference;
 - (iv) Within the identified themes there should be a focus on specific needs of the subregions, in order to contribute to better cooperation and more substantive and action-oriented outcomes of the Conference;
 - (v) An effective communication strategy, including broad mass-media coverage, as appropriate, should be further developed, comprising, inter alia, special events for journalists, circulation of electronic newsletters and maintaining a dedicated website;
 - (vi) The outcome documents, in all forms, should be focused and action-oriented;
 - (vii) Carbon neutrality of the Conferences should be [considered /based on the voluntary contributions available, - ~~EU to be agreed ad ref~~].
- (vii) Compromise proposal:**
Carbon neutrality of the Conferences based on the voluntary contributions available.

⁷ The text is edited to keep the same style as in the other sub-paras of the para 11(a).

⁸ The proposed text is shorter and captures main ideas of the current sub-para.

⁹ The proposed text is consistent with the para 2 of the Belgrade Declaration.

IV. THE “ENVIRONMENT FOR EUROPE” CONFERENCE

Preparatory process

12. Materializing the above-mentioned principles calls for streamlining and improving the preparatory process for the Conferences. In this spirit, the following measures should be taken:

- (a) Not later than 18 months before the Conference the CEP at its regular session will decide on not more than two themes and discuss the outline of the agenda of the Conference. When deciding on the themes preliminary findings of available assessments and statistical reports on environment should be taken into consideration. A decision on the agenda of the Conference should be taken at the regular meeting of the CEP approximately 12 months prior to the Conference and further preparatory work would commence. Documents on substantial themes of the Conference should be released 6 weeks before the Conference;
- (b) CEP would act as the convening body for the preparatory process. To maintain the open nature of the preparatory process and the engagement of all stakeholders, representatives of major groups will be invited to participate in meetings of the CEP in preparation of the Conference, as appropriate, in accordance with the existing UN rules and procedures. Furthermore, CEP would consider and approve the official documents for submission to the Conference. Special sessions of the CEP could be scheduled, if needed, in the year prior to the Conference;
- (c) Particular efforts would be made to involve private-sector representatives in the [Conference, including in the – USA] preparatory process [including identifying – delete, USA]/[and in the identification of the - USA] themes;
- (c) **Compromise proposal:**
Particular efforts would be made to involve private-sector representatives in the preparatory process and the Conference;¹⁰
- (d) To reduce the amount of documents produced for the Conference, only one official document per selected theme would be prepared by the UNECE or another EfE partner, in close cooperation with other EfE partners. The official substantive documentation would thus comprise the pan-European assessment and theme-specific reports;
- (e) Interested UNECE member States, EfE partners and other stakeholders could produce other documents featuring their activities and initiatives related to the EfE process, which would be circulated as background documents;
- (f) [The preparatory process would be serviced by the UNECE secretariat - pending future discussions, USA];

¹⁰ Specific reference to the participation of the private sector is not needed, as according to the para 12 (a), the identification of the Conference’s themes is an integral part of the preparatory process, in which, according to the para 12 (b), representatives of major groups, including the private sector, would be invited to participate.

- (g) [For the preparatory process of the Conference and the Conference itself, the necessary extrabudgetary financial resources would have to continue to be provided to UNECE to supplement the United Nations core budget resources – pending future discussions, USA]
- (h) The host country should assume relevant financial commitments.

Format

13. The periodicity, duration and the organization of discussions at the Conference should be as follows:

- (a) The Conferences should be held every four to five years, with each Conference lasting two-and-a-half to three days maximum;
- (b) Based on the previous experience, the Conference should start with a short opening event. The host country would be given an opportunity to organize events highlighting its special features in addition to the official Conference agenda;
- (c) The discussions at the Conference should be arranged in an interactive manner and combine various types of sessions, e.g. plenary sessions, roundtables and moderated panel discussions, with a limited number of main speakers from different stakeholders (e.g. UNECE member States, EfE partners and major groups, including the private sector). When possible, interactive sessions, such as roundtables, could be run in parallel;
- (d) The Conference could be structured around the following main clusters (all of them focusing on the agreed priorities):
 - (i) Plenary sessions for the presentation and discussion of the priority topics;
 - (ii) Sessions on ongoing cooperation and partnerships in the UNECE region and its subregions with different stakeholders, including the private sector;
 - (iii) [A session of NGOs and ministers in the roundtable format as an integral part of the Conference - Eco-Forum, Georgia, EU];
 - (iii) Compromise proposal:**
A session of NGOs and ministers in the roundtable format as an integral part of the Conference;¹¹
 - (iv) Sessions dedicated to announcing new partnerships and initiatives by stakeholders;
 - (v) A brief concluding session with the presentation (and adoption, if appropriate) of the main outcomes of the Conference [identifying follow-up activities to be undertaken prior to the subsequent Conference – EU];
 - (v) Compromise proposal:**
A brief concluding session with the presentation (and adoption, if appropriate) of the main outcomes of the Conference;¹²

¹¹ The text has been un-bracketed in the view of the existing practice of EfE Conferences.

¹² Reference to the identification of the follow-up actions is proposed to be omitted as this is specifically mentioned in the para 14(c).

- (e) To address issues relevant to the agenda of the Conference in more detail, side-events should be organized by interested UNECE member States, EfE partners and stakeholders;
- (f) To attract the attention of the private sector, opportunities should be provided for the organization of promotional events such as poster exhibitions, trade fairs, roundtables and environmental award initiatives.

Outcomes

14. Conference outcomes might include:
- (a) A chairperson's summary;
 - (b) Statements [, (decisions) – delete, USA] and initiatives by interested ministers on specific subjects and/or for specific subregions;
 - (b) Compromise proposal:**
Statements and initiatives by interested ministers on specific subjects and/or for specific subregions;¹³
 - (c) [A [agreed/negotiated] statement/outcome on follow up and further action strictly limited in terms of scope to the themes of the Conference, [including a roadmap] not longer than 1 page. This statement/outcome should not be duplicative of previous agreements under the EfE process – contact group];
 - (c) Compromise proposal:**
A brief decision(s) on follow up and further actions strictly limited, in terms of scope, to the themes of the Conference;¹⁴
 - (d) [[Soft law – delete, Georgia]/[Non-legally binding - Georgia] [and legally binding, - Kazakhstan] documents ([e.g. – delete, Kazakhstan]/[including - Kazakhstan], guidelines, recommendations – delete, USA], [roadmaps - EU], action plans and strategies);
 - (d) Compromise proposal:**
Policy tools, including strategies, action plans, guidelines and recommendations;¹⁵
 - (e) [Adoption or decision to start negotiations of new legally binding regional or subregional agreements, if relevant - delete, Turkey];
 - (e) Compromise proposal:**
to delete sub-para e¹⁶
 - (f) Announcement of pledges by stakeholders and governments, at all levels, and of new initiatives and public-private partnerships launched;
 - (g) [Assessment reports - EU].

¹³ The word (“decisions”) is proposed to be omitted as it is included in the compromise proposal for the para 14 (c).

¹⁴ The proposed text captures the essence of the bracketed text. Each individual Conference may choose an appropriate form for its decision(s).

¹⁵ Types of the outcomes mentioned are mostly those that EfE Conferences adopted, endorsed or welcomed in the past. With regards to the legally-binding documents see comment on the para 14 (e).

¹⁶ The para 14(e) may not be needed as the para 14 (b) provides a possibility for interested countries to initiate launching negotiations on any new legally binding instruments.

(g) Compromise proposal:
to delete sub-para g¹⁷

[V. Title to be identified]

15. [The EfE process is an evolving process which comprises the EfE Conferences and the implementation activities between Conferences, including activities by all EfE partners. The implementation phase should also be more focused and results-oriented – EU].
16. [The EfE process should continue to build on good practice, also taking into account the [priority - Kazakhstan] needs of the region [and subregions - Kazakhstan] in the context of globalization, and should include different players such as Governments, producers and consumers, financing institutions and others to achieve the goals of the process – EU, Montenegro].
17. [The process should provide additional value to the state of the environment at the pan – European level through enforcement and putting in place the practical tools and financial means for implementation of the political decisions made in the framework of UNECE – Montenegro].
18. [The REC network can play a greater role not only in the preparatory process of the Conferences, but also in the implementation of the overall EfE process' objectives and priorities – EU].
19. [Active participation by and input of the countries of Eastern Europe, Caucasus and Central Asia, and [South-Eastern Europe – Montenegro] should be recognized as a prerequisite for activities under the EfE process – EU].
20. [The ways and means to strengthen implementation of the objectives and priorities of the EfE process should be regularly considered by the member States, and the required partnerships should be encouraged – EU].
21. [Guidelines to improve the national systems for environmental management, in particular in regard to building and improving the human and technical capacities of EECCA and SEE countries, should developed – Montenegro].
22. [The establishment of a roadmap, with leading countries or organizations for one or more issues as well as specific time frames, would contribute to the EfE process' objectives and priorities- EU].
23. [A mid-term review to give an oversight of the implementation of the EfE commitments would provide renewed impetus to the process – EU]. [For the purposes of this review, a limited number of indicators could be developed - Eco-Forum, Armenia, France, Switzerland]. [The findings of the evaluation process will be translated into recommendations for UNECE member States – Montenegro].

¹⁷ The bracketed text contradicts to the paras 12 (a) and 12 (d) where assessment reports are proposed to serve as inputs rather than the outcomes of the Conference.

15 – 23. Compromise proposal:

to delete the whole bracketed section V above and consider compromise proposals hereunder.

**Alt: [V. IMPLEMENTATION – EU]
Compromise proposal: V. IMPLEMENTATION¹⁸**

15. [The implementation is a key factor for success of the EfE process - EU].

15. Compromise proposal:

Particular efforts should be made to implement the outcomes of the EfE Ministerial Conferences.

16. [The ways and means to strengthen implementation of the objectives and priorities of the EfE process should be regularly considered by the member States, and the required partnerships should be encouraged – EU].

16. Compromise proposal:

Member States should regularly consider ways and means, and encourage relevant partnerships, to promote objectives and priorities of the EfE process and strengthen implementation of the outcomes of the EfE Conferences through national policies.

17. [A mid-term review to give an oversight of the implementation of the EfE commitments would provide renewed impetus to the process – EU]. [For the purposes of this review, a limited number of indicators could be developed - Eco-Forum, Armenia, France, Switzerland]. [The findings of the review should be translated into recommendations for UNECE member States – Montenegro].

17. Compromise proposal:

A mid-term review to be conducted by the CEP should give an oversight of the implementation of the outcomes of the EfE Conferences and provide renewed impetus to the process. For the purposes of this review, a limited number of indicators might be developed. The findings of the review may serve as a basis for the recommendations for further actions.

18. [Active participation by and input of the countries of Eastern Europe, Caucasus and Central Asia, and [interested South-Eastern Europe – Montenegro] should be recognized as a prerequisite for activities under the EfE process – EU].

18. Compromise proposal:

Active participation by and input of the countries of Eastern Europe, Caucasus and Central Asia, and interested countries of South-Eastern Europe is imperative for the success of the activities under the EfE process.

19. [The REC network can play a greater role both in the preparatory process and the implementation of the overall EfE process' objectives and priorities – EU].

19. Compromise proposal:

The REC network can play a greater role both in the preparatory process for the Conferences and achievement of the overall EfE process' objectives and priorities.

¹⁸ The compromise proposals for paras 15 to 19 aim at streamlining the text of this section and making it consistent with the texts of other sections.

20. [The establishment of a roadmap, with leading countries and/or organizations for one or more issues as well as specific time frames, would contribute significantly to the EfE process' objectives and priorities- EU].
