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We look forward to adding your name to this list! This handbook has been specifically designed to be a living document, to be added to and changed in response to changing policies and input from users. We encourage you to help us make this as comprehensive and useful as possible. Please send your comments to pdennisel@wwfepo.org

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List of acronyms

- AP : Action Plan
- CBC: Cross Border Cooperation
- CDM: Clean Development Mechanism
- DG ENV: Environment Directorate-General
- DG RELEX: External Relations Directorate-General
- EC : European Community
- EEA: European Environmental Agency
- EIA : Environmental Impact Assessment
- ELV : Emission Limit Value
- ENP : European Neighbourhood Policy
- ENPI: European Neighbourhood and Partnership Instrument
- EU : European Union
- IFI : International Financial Institution
- IPPC : Integrated Pollution Prevention and Control
- NEAP : National Environmental Action Plan
- NGO: Non Governmental Organisation
- NSSD : National Strategy for Sustainable Development
- PPP: Purchasing Power Parity
- RBD : River Basin District
- SMART: Specific, Measurable, Achievable, Relevant, and Trackable
- SoE: State of the Environment
- TAIX: Technical Assistance and Information Exchange
- TPES: Total Primary Energy Supply
- UNEP: United Nations Environmental Programme
- UNFCCC: United Nations Framework Convention on Climate Change
- WFD: Water Framework Directive
- WQO : Water Quality Objective

Introduction

This handbook is the result of the successful cooperation between the Heinrich Böll Stiftung and WWF and NGO partners in the neighbouring countries. It builds on the expertise gained and the work done in the context of the joint “Greening the ENP” project initiated in 2005.

It is part of a process aiming to increase the capacity and involvement of NGOs in ENP implementation and monitoring.

Although focusing on the environment and sustainable development areas of the Action Plans, this handbook also seeks to provide a methodological contribution that could also be considered for adaptation to other areas covered by the Action Plans. hbs and WWF are pleased to share this methodology with other stakeholders, including NGO networks, research institutes, the European Commission and public administrations in the ENP countries. Contacts and exchanges have been established and cooperation should continue.

Last but not least, the present methodology is to be seen as a flexible tool that may need further refinement. It has been tested in several countries between April 2008 and April 2009 by NGO partners and WWF offices in East ENP (Armenia, Azerbaijan, Georgia, Moldova and Ukraine). Their feedback and input have been crucial to ensure that this is and continues to be a living document.

1. Context

Objectives of the handbook

This handbook aims to contribute to better implementation of the Action Plans in ENP countries, focusing on their environmental and sustainable development areas. The specific objectives are:

- To improve the system of ENP monitoring and reporting by developing guidelines for future assessments of the implementation of ENP Action Plans. Such guidelines will ensure consistency in the evaluation carried out in different countries. They are intended for use primarily by environmental NGOs in neighbouring countries and civil society organisations in general.
- To enhance the capacity of NGOs in selected neighbouring countries to participate in the monitoring of the ENP and to lobby for sustainable public policies when dealing with national authorities and the EC delegation.

The European Neighbourhood Policy Action Plans

The European Neighbourhood Policy (ENP) foresees strengthened cooperation with EU neighbouring countries in the South¹ and in the East². As part of the ENP, the EU has signed Partnership and Cooperation Agreements with eastern countries and Association Agreements with Mediterranean (southern) countries.

Within the framework of these agreements, the EU has negotiated an ENP Action Plan with the country, a mutual cooperation “contract”. These documents are not merely the policy framework for EU assistance: they are also intended to guide future assistance provided by IFIs and bilateral donors to ENP countries.

The Action Plans cover the specific areas in which the countries commit to making reforms in order to come into line with the EU values and policies. Among these areas are democracy and the rule of law, human rights and fundamental freedoms. The Action Plans have an important section on energy, transport and the environment as well as specific objectives related to sustainable development (including environment integration) and civil society development.

Twelve ENP countries have now signed an ENP Action Plan (AP)³. These twelve Action Plans have a similar overall structure but set specific priorities that vary from country to country, according to ‘each partner’s political situation, its level of ambition with regard to the EU, its reform agenda and achievements, and its level of socio-economic development’⁴.

Monitoring Action Plan implementation

The Commission services undertake regular monitoring exercises and prepare progress reports that help to shape the evolution of relations between the EU and individual countries, including to some extent the priorities for EC funding to these countries. The first general review of the implementation of the ENP, including the preparation of country-specific reports

¹ Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, the Palestinian Authority, Syria, Tunisia

² Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine

³ Four countries have not signed an AP: Algeria, Belarus, Libya, Syria

⁴ Communication from the Commission, ‘A Strong European Neighbourhood Policy’, COM(2007) 774 final

on the implementation of the first seven Action Plans, was carried out in 2006⁵. In April 2008, the Commission published progress reports on all existing ENP Action Plans⁶.

In addition to its own monitoring, the Commission has recognised the potential role of civil society in assessing the implementation of ENP AP⁷. In line with this policy and since 2008, the Commission has invited civil society organisations active in the fields covered by the ENP Action Plans to contribute information to the ENP Progress reports.

Why this handbook is needed

NGOs in neighbouring countries are willing to become more involved in the monitoring of the APs. Some NGOs and other institutions are already carrying out their own evaluations of Action Plan implementation⁸. However, the methodologies used are not consistent, in particular due to the lack of common tools, and the results of this monitoring have so far not been very well publicised. Besides the general nature of ENP Action Plans, the lack of timeline and benchmarks make the monitoring exercise very challenging.

Whilst we recognise the importance of diverse and complementary insights from civil society, we believe that such a methodology could help overcome these difficulties and bring some evidence to support NGO arguments. In addition, it would allow a common approach to monitoring ENP implementation to be taken across different neighbouring countries. However, it should be underlined that the aim is not to compare the level of implementation of APs between countries since there is no absolute standard that all countries should meet, but rather to assess progress made in the implementation of individual APs over time. At the same time, the handbook should be flexible enough to be adaptable to each of the countries and to each of the individual APs, and even to other documents developed in future, such as second-generation Action Plans.

Structure of the handbook

Section 2 of the handbook establishes the scope of the study by identifying objectives that are common to all twelve ENP Action Plans and that cover all the types of environmental measures foreseen in these Action Plans.

Section 3 provides an overview of indicators.

Section 4 then defines, for each objective, a series of questions based on the actions needed to translate it into concrete and specific policy measures: these questions provide the basis for the indicator. The handbook further develops a methodology on how to assess the achievement of the selected objectives and how to use the indicators.

Section 5 provides advice on how to use the assessment results as a tool to influence the development of key policies, processes and activities related to Action Plan implementation.

⁵ Commission Staff Working Document accompanying the Communication from the Commission to the Council and the European Parliament 'On Strengthening the European Neighbourhood Policy: Overall Assessment', COM(2006)726 final

⁶ http://ec.europa.eu/world/enp/documents_en.htm#3

⁷ Commission's non-paper '*Strengthening the civil society dimension of the ENP*'

⁸ See for example the initiative to monitor the EU-Georgia ENP AP at <http://www.enp.ge/>

2. General Remarks

2.1 Main Criteria for Selection of Objectives

The Action Plans (AP) set major objectives to be achieved in order to come into line with European standards. A review of the twelve existing APs has identified specific objectives, and this is used as a basis for defining a corresponding indicator for each objective.

These objectives have been selected mainly from the section of the Action Plans dedicated to the environment but also from other relevant sections of the APs, such as transport, energy, sustainable development and civil society development. General governance issues, such as the rule of law or fight against corruption may also be pertinent as pre-conditions to ensure environmental governance. However, we have not included these, as we chose to limit the scope of the study to objectives directly related to environment.

The selected objectives are common to all or most APs, even if the formulation could vary slightly from one Action Plan to another. Thus objectives which have been set only for a very limited number of countries have not been considered in the handbook. Such objectives can easily be added when preparing the country-specific assessment.

The selection also aims to reflect the main categories of objectives set up in Action Plans. It covers all types of policy measures, and notably the harmonisation of legislation, the setting of political objectives, the planning of measures and actions for international cooperation. The effective implementation of these measures is an important aspect although it is not prominent in the current the Action Plans.

The objectives set in the plans are very broad and do not have associated timelines or deadlines. This makes the identification of indicators extremely problematic. Some objectives have been excluded due to their vagueness and lack of clarity. However, it should be noted that, overall, the objectives are more precise and concrete in the most recent Action Plans than in the older ones. This evolution facilitates the identification of indicators.

On the basis of these criteria, fifteen objectives have been selected and are listed in the box below. These objectives are included in most Action Plans and are typical of the categories and formulations used in the Action Plans. For each objective, a single indicator is proposed.

Selected ENP Action Plans Objectives:

- Strengthening cooperation with the EU
- Assessing the level of EU commitment
- Ratifying environmental international Conventions and Protocols
- Developing plans and programmes for the environment
- Promoting the adoption of environmental legislation
- Strengthening administrative structures and procedures
- Reinforcing structures and procedures to carry out EIA
- Improving permitting & enforcement structures
- Improving public information and participation
- Preparing regular reports on the state of the environment
- Supporting civil society actors and local authorities
- Enhancing cooperation with neighbouring countries
- Ensuring integration of environmental aspects in other policy sectors (promoting sustainable development)
- Implementing the provisions of the Kyoto Protocol and UNFCCC
- Improving sustainability of energy and transport policy

2.2 General Remarks on Indicators

Indicators are tools that measure and track progress, evaluate policy and project results and inform the public. They are increasingly used in policy making and implementation⁹.

Three possible indicator approaches

There are many different types of indicators. Three indicator approaches are particularly relevant for the monitoring of APs: environmental indicators, government performance indicators and development cooperation indicators.

Environmental indicators measure conditions and trends in the state of the environment. The European Environment Agency divides these into five categories: indicators that measure *driving forces* (such as economic trends) affecting the environment, the specific *pressures* on the environment, its resulting *state* and *impacts* (for example on human health), and policy *responses*. In terms of this format, the indicators proposed here focus on policy *responses*, and specifically the responses related to commitments in the Action Plans.¹⁰

Government performance indicators are used to measure the effectiveness, impacts and results of actions across policy areas. For example, the European Commission's Better Regulation Initiative proposes using indicators to assess national regulatory systems.¹¹ In a similar fashion, the indicators in this handbook aim to track the results of the Action Plans implementation.

Indicators are increasingly used in international cooperation and development, in particular to measure the effectiveness of specific programmes and projects. For example, EuropeAid uses indicators as one of the tools for evaluating project results.¹² Cooperation and development indicators can cover many areas including policy actions, the subject of the indicators in this handbook.

Assessing policy actions

The assessment of policy actions can focus on three broad areas: *commitments* – found in legislation and policy documents, such as the Action Plans – *actions* to achieve these commitments and *results*, e.g. in terms of reduced pollution levels and improved environmental conditions.

The indicators proposed here focus on actions, for two reasons. Firstly, in most cases the Action Plans state commitments in terms of preparing plans or programmes or ensuring integration, rather than in terms of environmental conditions. Secondly, for many environmental issues, from biodiversity to climate change, it may take years before lasting change is seen.

The handbook aims to develop SMART¹³ indicators, whilst at the same time adopting a pragmatic approach. SMART Indicators should be:

⁹ Indicators are also used in business to measure performance: see, for example, <http://kpilibrary.com/>

¹⁰ In its full definition, the European Environment Agency describes an “environmental indicator” as: “A parameter or a value derived from parameters that describe the state of the environment and its impact on human beings, ecosystems and materials, the pressures on the environment, the driving forces and the responses steering that system. An indicator has gone through a selection and/or aggregation process to enable it to steer action.” (from eea.europa.eu)

¹¹ See <http://www.brad.ac.uk/irq/project/> for ongoing work

¹² http://ec.europa.eu/europeaid/evaluation/methodology/methods/mth_ind_en.htm

¹³ Specific, Measurable, Achievable, Relevant, and Trackable

- Specific: the indicator should be based on precise and concrete questions. This is one of the main reasons we have chosen to focus on Yes or No questions (see below).
- Measurable: there are practical ways to measure indicators. This is a difficult area in the case of political responses where evaluation is sometimes partly subjective.
- Achievable: data can be obtained in a cost-effective way. For example, it does not require carrying out a costly monitoring exercise.
- Relevant: the indicator has to be relevant for a specific objective. It should be closely linked to the objective and provide relevant information for the selected objective.
- Trackable: data can be collected frequently enough to evaluate progress over time.

Yes/No questions

Yes/No questions are more appropriate in meeting the first three criteria of SMART indicators than a complex scoring system that would create a broad scope for subjective opinion. In addition, indicators based on Yes or No questions are easy to use, not over-demanding in terms of resources and time, and ensure a more transparent evaluation. This will facilitate the review of results across countries and allow other stakeholders to understand the results more clearly.

However, the Yes/No questions also have some limitations. In particular, clear-cut answers may not leave enough space for nuances in the answer and may therefore give an incorrect picture of the level of implementation of the Action Plan in the country. On the basis of the Yes/No system, the range of possible answers has thus been extended to four possible answers, from “No for nothing in place” to “Yes, Excellent”, along with two intermediate answers, “Yes, poor” and “Yes, adequate”. This system takes into account the need for a more accurate assessment of the implementation of each objective. It also allows the evaluator to comment on his/her answer, and to add recommendations to improve the level of implementation. This is crucial to justify the assessment and to limit the level of subjectivity inherent in this exercise.

In developing the questions used for setting up indicators, special attention was paid to the full implications of each objective. We did not look solely at the strict fulfilment of the objective – e.g. prepare a report on the state of the environment, develop plans and programmes – but also at the standards and quality of the process, e.g. the involvement of civil society in the preparation of these documents as well as implementation aspects. The assumption is that once the document foreseen by the action plan e.g. a programme or a piece of legislation, has been adopted, it should be effectively implemented in practice.

3. How to use the handbook

In the following section, each selected objective is presented along with the score sheet and the questions to be used for the corresponding indicator. In other words, for each objective, a set of questions has been developed (reflecting benchmarks). On the basis of the answers to these questions, the indicator is scored in the form of a percentage. In this approach, the indicator for each objective can be compared in its evolution over time for each country.

The Action Plans are intended to be implemented over three to five years, depending on the country. It will be useful to score the indicators approximately once a year. This will provide a close review of progress over the course of implementation which can provide input to the Commission's own monitoring as well as the negotiation of new agreements between the EU and the country.

The following steps should be followed:

- Forming a team of experts
- Selecting relevant questions
- Collecting data
- Adapting the questions to the country's specific context
- Identifying the baseline and scoring
- Consulting other stakeholders
- Explaining the results
- Communicating the results (see 5. conclusions: how to use the results)

Forming a team of experts

The first step will be to form a team of experts (environmental lawyers, technical experts...) who will carry out the assessment. Specialised experts will be able to identify reliable sources of information or to cross-check the information with different sources, including personal contacts.

It might also be useful to constitute a network of stakeholders (evaluators, other experts, government officials, EC representatives, etc.) who can be contacted/consulted throughout the evaluation and informed on the progress of the evaluation.

Selecting relevant questions

As a second step, the team will carry out a close review of the AP for the relevant country and identify relevant questions and possible new questions in order to tailor them to the country characteristics and specifics. In particular, some questions may not be relevant to the specific conditions in the country taking into account the formulation of the objective in the specific Action Plan. Or some of the benchmarks¹⁴ used may not be achievable for political reasons. In which case, questions can be adapted or taken out altogether.

At this stage, it is recommended that the questions used to set up indicators are discussed with government officials (the Ministry of Environment, the Department on European integration/cooperation in the Ministry of Foreign Affairs if there is one) and key stakeholders such as national NGOs.

¹⁴ Benchmark should be understood, as a criterion by which to measure something. In this case, the criteria used would generally be a series of actions and measures, which, if fulfilled, demonstrate that the objective has been met.

This will help tailor the questions to country conditions and to check that the benchmarks are achievable and realistic, with a view to adapting them if necessary. It will also provide a starting point for discussion with the government and other stakeholders on the implementation of the Action Plan, raising awareness and helping the government to set benchmarks for its own activities in relation to Action Plan implementation during the coming year.

Collecting data

The third step will be data collection. Access to and reliability of information are key issues. In countries where government information is broadly available, government web sites, national statistics, reports and legislative documents should be sufficient. In many cases, however, the country evaluator will have to obtain information via contacts with NGO representatives, government and Parliament officials, the scientific community, independent experts and the EC delegation. A full list of sources of information is included in Appendix 1. It is particularly important to cross-check the information whenever possible by using different sources of information.

In cases where information is not made available to the public, the Aarhus Convention on access to information, public participation and access to justice in environmental matters might be a useful instrument. The first pillar of the Convention allows the general public and NGOs to have access to environmental information held by the authorities. A formal request for information may be sent to the relevant authority quoting Article 4 of the Convention, which guarantees access to information upon request without having to state a reason and in the format requested within one month after submission of the demand. It should however be noted that there are some exceptions to disclosure, and in particular confidentiality reasons.

Adapting the questions to the country's specific context

A more thorough review of the questions listed on the score sheet will take place after data collection, during the evaluation exercise. It may be necessary to adapt or delete some questions:

- Where scoring is hindered by a lack of reliable information. Such adaptation should be done on a case-by-case basis, and clearly justified and documented.
- Similarly, specific questions may be added to address issues that are specific to the country. However, the number of country-specific questions shall be limited (maximum 3 questions) to avoid misbalance in the final assessment for each objective. Here again, any additional question shall be explained and justified.
- Questions may be taken out if, on the basis of the collected information, they appear not to be relevant in the specific country context and the stage of implementation of the Action Plan in this country. For example, if the legislation provides for the setting up of River Basin Districts and sets a deadline which falls outside the time of the assessment, the question on implementation is not relevant anymore.
- Finally, linkages between several questions, in the sense that a number of questions are only relevant if a first question has been answered 'yes', may require taking out some questions. For example, if there is a question on the adoption of a strategy, and the answer is 'no', the inter-linked ('if yes') questions on the content of the strategy, its implementation and revision should not be considered in the assessment.

Baseline and scoring

The indicators measure the national initiatives taken for the implementation of the Action Plan from a baseline point.

- For this reason, the evaluator should first identify the baseline situation in the country – i.e. the starting point for the assessment. The first assessment of the baseline situation should cover the period from the adoption of the Action Plan to the time of this first assessment. The documents in place prior to the adoption of the Action Plan, such as Conventions already ratified, may be mentioned in the comments but should not be included in the evaluation itself. For the next evaluation, the analysis will then consider those actions put in place since the baseline point, i.e. a comparison with the baseline.
- When making the evaluation, in some cases the questions can only be answered by Yes or No, without any possible nuance. In this case, “Yes, excellent” shall be selected as the “Yes” answer. However, if the evaluator still considers that the answer can be nuanced, the choice should be particularly well explained and the system of evaluation clearly indicated in order to justify the assessment.
- Each level of answer corresponds to a mark (from 0 for “Nothing in place” to 3 for “Excellent”). Each indicator may be scored on a scale of 0 to a maximum score corresponding to the maximum mark by question (i.e.3) multiplied by the number of questions per objective. For example for 10 questions, the maximum mark would be 3 x 10, i.e. 30. This can be converted into a percentage (e.g. a score of 6 out of 30 would equal 20%). The percentage obtained for one given evaluation for each objective reflects the level of achievement of the objective in absolute terms.

Yes, poor/adequate/excellent: how to score

The score is decided on the evaluator’s own judgment and on a case-by-case basis. One solution to balance the subjectivity will be to discuss with other stakeholders involved in the issue. Nevertheless, we can give some illustrations on how to score:

a) If a box contains two questions, if the answer to both is “Yes”, it can be scored as 3, excellent; if one question is answered positively, 2 or 1 depending on how positive the answer is; and 0 where both questions are answered negatively.

b) Under Objective 3, to the question “*If not, has the government taken steps to initiate the ratification procedure?*”, the score could be:

- 3 if the text is already before the Parliament to be ratified
- 2 if the ratification procedure has been formally initiated
- 1 if it is only part of the governmental program, but nothing concrete has been done.

c) Under Objective 4, to the question under the subsection “Process” on the active role of the civil society in the preparation of the plans and programmes, the score could be:

- 3 if civil society has effectively been given early opportunities to participate in the process of the plan/programme development both in terms of information provision and consultation, if the public at large has been consulted and not only a restricted number of stakeholders, if the opinions expressed have been taken into account and effectively addressed and if reasons not to include the recommendations made in the plans/programmes have been communicated to the public

- 2 if, although a consultation process has taken place, some of the elements listed above were not ensured in a satisfactory manner e.g. not all information was made

available or information was made available too late in the process, or the authority, who adopted the plan/programme, was not required to motivate the reasons why the opinions expressed were not taken into account

- 1 if the consultation process was merely a formality, for instance there was only one consultation at the very end of the procedure.

d) Under Objective 5, to the question “*Is the process of identifying river basin clearly set up?*”, the score could be:

- 3 if all elements of the process e.g. lines of responsibility, criteria, decision-process, deadlines are provided for in a clear and realistic manner

- 2 if the process is quite clearly identified, but some elements are missing or the deadline is not realistic

- 1 if there are general requirements in place, without further specifications, or certain aspects are in contradiction with the Directive or the competences are not clearly identified.

Consulting other stakeholders

It is recommended, whenever possible, to consult other NGOs and relevant stakeholders – e.g. practitioners, the scientific community, local authorities and government representatives – not only before the beginning of the evaluation, but also to review the assessment and analysis. The discussion would provide an informal review of the evaluation, it might yield information not previously gathered and it could help to better understand the specific context and constraints in the country.

Explaining the results

Whilst indicator values provide a snapshot, interpretation is needed to explain the results. Thus, for each indicator, the evaluator should also prepare a brief explanation of the actions undertaken in the country as well as of the broader context. A box at the bottom of each score sheet is provided for a synthesis of this explanation. As previously mentioned, the box also provides the opportunity to present recommendations of actions to be undertaken to improve the implementation of AP environmental objectives.

A report provided with the score sheet should contain a fuller explanation of progress and obstacles, including a discussion of the actions taken/not taken for each objective at the time of assessment and reasons why. Factors that could have a strong positive (or negative) impact on progress, such as a change in government, should also be identified. For the second and subsequent assessment exercises in a country, the interpretation would discuss progress since the previous assessment.

Although the tools developed for this methodology aim to give the most accurate representation of the situation, it should be borne in mind that the score in itself cannot reflect perfectly the level of implementation of the Action Plan. In particular, there is a risk that the score will be the only information retained by the media and the authorities, excluding de facto from the message the analysis of the reasons which led to the final score and the recommendations that may have been given to remedy the problems identified.

Thus it is left to the evaluator’s discretion to use the scoring system by percentage or by marks for each separate objective and/or for the overall assessment. A more general assessment (poor, medium, fair or excellent) on the level of implementation, and possibly on the progress made since the last assessment, may alternatively be given.

4. Objectives and Indicators

This section reviews each objective and introduces the corresponding score sheet, listing the questions for the indicator. For each objective, the different wordings used in the Action Plans are discussed, and those Action Plans which do not include the relevant objective are identified. Subsequently, the content and meaning of the objective is discussed and closely linked objectives are identified. Finally, the section presents key questions selected for the indicator.

It should be borne in mind that for some of the questions, the answer can in principle only be Yes or No, without nuance. For these questions, the intermediate answers have been shaded in grey. However, the shading is only indicative, and can be removed if it is considered that the answer can be nuanced. In such a case, the assessment given should be clearly justified.

In other cases, two (or three) questions are asked in a single box. In such cases, the first question is more general and the remaining questions are intended to guide the evaluation as to the different degrees of “yes”.

Objective 1: Strengthening cooperation with the EU

In addition to the indicators for each major environmental objective, as identified in the Action Plans themselves, a general indicator on the level of commitment of the countries towards cooperation with the EU should be considered.

Although this broad objective is not linked to a specific element of the Action Plans, it has been included in the handbook in order to give a general overview of the neighbouring countries' engagement in their cooperation with the EU and in their implementation of the ENP agreements and associated Action Plans.

The questions used for this indicator focus on strategic policy, on planning documents and on the institutional setting, in order to assess how the country has concretely incorporated its commitments to cooperation with the EU in its national policy.

Objective 1 Strengthening cooperation with the EU						
This objective is not linked to specific provisions of the Action Plan. Its aim is to present a general overview of the country's commitment toward the development of its cooperation with the EU and the implementation of the ENP agreements and associated Action Plans						
Evaluation						
Relevant? (Y/N)	Question	Yes,			No	Notes
		Excellent	adequate	poor		
	Grade	3	2	1	0	
<i>Policy</i>						
	Has a policy declaration on integration/cooperation with the EU been adopted ¹⁵ ?					
	Has a strategic policy instrument for the implementation of the Action Plan been adopted? If yes, does it have legal status?					
	Do legislative programming instruments ¹⁶ incorporate the adoption of legislation necessary for the implementation of the Action Plan? If yes, does it set clear deadlines?					

¹⁵ This question refers to a general internal policy act, which would clearly state the Government/State's commitment to cooperate with the EU or to harmonise its legislation with EU requirements.

¹⁶ Legislative programming instruments include the Parliament work plan and sections of the Government or individual ministries' work plans related to the development of new regulations or the amendment of existing ones.

	Does the work plan of the relevant ministries integrate steps for the implementation of the Action Plan? If yes, does it set clear deadlines?					
<i>Implementation (general aspects)</i>						
	Have the adopted documents been actually implemented?					
	Are the necessary financial resources available and effectively allocated?					
	Are monitoring mechanisms in place to follow-up implementation? If yes, is the Action Plan implementation regularly and officially monitored through these mechanisms?					
<i>Institutional Aspects</i>						
	Within the Ministry of Foreign Affairs has a department on cooperation/integration with the EU been set up ¹⁷ ?					
	Have government officials received training on cooperation/integration with the EU?					
	Does the Government provide information to the public on cooperation policy and activities with the EU?					
<i>Cooperation in the field of the environment</i>						
	If a policy instrument has been adopted for the implementation of the Action Plan, does it describe specific actions and deadlines for achieving environmental objectives?					
	Do legislative programming instruments provide for the adoption of the legislation necessary for the implementation of the environmental objectives of the Action Plan?					
	Does the work programme of the Ministry in charge of the Environment provide for the adoption of legislation necessary for the implementation of the					

¹⁷ Here, the evaluation is based on the evaluator's assessment of the level of efficiency of this department.

	environmental objectives of the Action Plan?					
	Are the necessary financial resources regarding the environmental aspects of the Action Plan available and effectively allocated?					
	Are monitoring mechanisms in place and used to follow-up implementation on environmental issues?					
<i>Country-specific questions</i>						
Overall assessment						
	Overall assessment: Score of 0 to 39 (3x number of questions)					
	Total Score = % of maximum score obtainable	%	%			
	Comments, explanation and recommendations regarding the overall assessment:					

Objective 2: Assessing the level of EU commitment

Similarly to Objective 1, this general indicator on the level of EU commitment towards cooperation with the neighbouring countries comes in addition to the indicators for each major environmental objective identified in the Action Plans themselves. However, unlike Objective 1, the questions listed here focus only on aspects linked to environment and not to the general policy. This approach was chosen because the EU overall commitment is already established and has been implemented through a comprehensive set of policies, programmes and projects (see detailed references in Appendix I).

This objective has been selected in order to give a general assessment of the level of EU engagement to support neighbouring countries in the implementation of their Action Plans in the particular field of environment.

The questions used for this indicator focus on the different tools at the disposal of the EU and its Member States to support the effort of neighbouring countries at a national as well as at a regional level.

The European Neighbourhood and Partnership Instrument (ENPI) is designed as a flexible, policy-driven instrument targeting approximation to EU policies and standards and is the main tool for supporting implementation of the priorities in the ENP Action Plans. Overall, for the budgetary period 2007-2013, approximately €12 billion in EC funding are available to support the neighbouring countries' reforms. Although national programmes constitute about 75% of the total ENPI envelope, countries can also benefit from ENPI funds through regional and cross-border cooperation (CBC) programmes. Regional and CBC programmes can sometimes be further adapted to support the implementation of specific environmental priorities of the AP, e.g. active participation in the Danube – Black Sea Task Force to implement a trans-boundary approach to water management, but less adapted for other priorities, e.g. enhancing/adopting national programmes and plans for key environment sub-sectors. Hence both levels, country programmes and regional/cross-border cooperation, should be looked at.

It will be important to assess whether ENPI funding effectively contributes to implementation of the environmental priorities of the AP in your country, and whether environment is given sufficient priority in ENPI assistance to each country.

Background information is only indicative and may be useful to support your answers in the score sheet. The aim here is not to obtain accurate amounts for total funding for the environment, as it is often a difficult, tedious and controversial exercise. Indeed, calculating such an amount could be misleading as so-called environmental projects (e.g. water sanitation infrastructures) may have negative environmental impacts if not designed and implemented sustainably. In the same way, projects that are not “environmental projects” per se, e.g. in the field of energy, agriculture may also contribute to achieving some environmental objectives of the Action Plan. This also needs to be taken into account when answering the questions. We would therefore recommend identifying major trends and percentages rather than calculating precise amounts. Examples of environmental projects or environmentally-unfriendly projects funded by ENPI will also be useful to draw comparisons, identify environmental priorities of the Action Plan that are covered/not covered, and justify your arguments.

New forms of technical assistance have also been extended to ENP partner countries. Legislative approximation, regulatory convergence and institution-building are being supported through mechanisms such as targeted expert assistance (Technical Assistance and Information Exchange – TAIEX), long-term twinning arrangements with EU Member

States' administrations – national, regional or local – and participation in relevant Community programmes and agencies, including the European Environmental Agency.

The European Environmental Agency is a specialised body of the European Union that supports the development and implementation of its environmental policies internally at EU level as well as externally in cooperation with third countries. In EEA Strategy 2004-2008¹⁸, the EEA committed to support the EU wider Europe neighbourhood policy, through the sharing and exchange of environmental information and experience on issues, working methods, frameworks, etc. with south-east and Mediterranean countries and, subject to additional resources with Eastern Europe Caucasus and Central Asia countries. The EEA does not work bilaterally with each individual neighbouring country, but rather at a regional level ensuring an equal participation of all Eastern neighbouring countries and all Southern neighbouring countries. The objective of “Enhancing participation in selected EEA activities” is expressly mentioned in all action plans.

Technical Assistance provided through TAIEX, twinning arrangements and projects implemented by the EEA are also funded through Community Assistance, in the past through TACIS and MEDA, now through ENPI and therefore should be considered when answering the general question on ENPI funding allocated to the environment.

The programming documents for the relevant programmes from which the country benefits should therefore be analysed prior to answering the ENPI-related questions. Priorities and projects are detailed in so-called Annual action programmes and project fiches which should be available on the EuropeAid website or by contacting EC Delegations and/or national authorities.

Besides funding allocated through ENPI, the European Commission and the EC delegations in the neighbouring countries have a special role in supporting implementation of the Action Plan, notably by involving civil society actors. Two questions have been included on this key aspect.

In countries where there is significant support provided from EU Member States bilateral assistance, this should also be assessed.

¹⁸ http://reports.eea.europa.eu/corporate_document_2003_1/en/strategy_web_en.pdf

Objective 2						
Assessing the level of EU commitment						
This objective is not linked to specific provisions of the Action Plan, except where it concerns EEA activities. Its aim is to present a general overview of the EU's commitment to supporting the neighbouring countries in their implementation of the association/cooperation agreements and ENP Action Plans.						
<i>For EEA, please add relevant reference from the AP.</i>						
Evaluation						
Relevant? (Y/N)	Question	Yes,			No	Notes
		Excellent	adequate	poor		
	Grade	3	2	1	0	
<i>EC support to civil society actors</i>						
	How active is the EC in communicating and supporting civil society actions? In particular, in your activities, are the delegation officials easily accessible and ready to share information? ¹⁹ Has the EC set up a capacity-building system and/or information mechanisms for civil society actors?					
	How active is the EC in involving civil society actors in the preparation and adoption of programs, reports, etc.?					
<i>ENPI</i>						
	Do projects funded by ENPI ²⁰ under the current annual programming address the needs of your country in order to implement the environmental objectives of the Action Plan?					
	Do the environmental projects funded by ENPI ²¹ under the current annual					

¹⁹ The answers to these first two questions shall be assessed on the own judgment of the evaluator, based on the various consultations he/she should have carried out. However, a certain level of subjectivity is unavoidable, given that the opinions of the different stakeholders may diverge.

²⁰ Contrary to the next question, the evaluator should not merely take into account environmental projects but also projects in general, including those with potential negative impacts on the environment and environmental projects. The analysis should take into account projects funded by ENPI country, CBC, and regional programmes from which the country benefits.

²¹ The answer should take into account contributions from country, CBC and regional programmes from which the country benefits. See background information. Besides, this second question focuses on the priorities defined by the country itself in order to implement the AP objectives.

	programming address satisfactorily ²² the environmental priorities set by your country for implementing the Action Plan?					
	Is ENPI funding for environmental projects available for civil society in the country? If yes, is it easily accessible (e.g. amount of grants and co-financing required, procedure, etc.)					
<i>EEA Activities</i>						
	Has the region been supported by the EU (including financially) to participate in EEA's activities? If yes, has the country benefited from this program (e.g. capacity-building, data collection)?					
<i>Bilateral cooperation</i>						
	If some form of bilateral cooperation with EU Member State(s) is in place with your country in the field of the environment, do the projects funded by the Member State(s) address the needs of your country in order to implement the environmental objectives of the Action Plan?					
<i>Country-specific questions</i>						
Overall assessment						
	Overall assessment: Score of 0 to 21 (3x number of questions)					
	Total Score = % of maximum score obtainable	%	%			
	Comments, explanation and recommendations regarding the overall assessment:					

²² The answers to this question shall be assessed on the own judgment of the evaluator, based on available information related to programming of ENPI funds.

Background information ²³			
Relevant (Y/N)?	Question		Notes
	What is the share of ENPI funds allocated to environmental projects under the previous country annual programming?		
	What is the planned share of ENPI funds allocated to environmental projects under the current country annual programming?		
	Environmental projects from which your country benefited under the previous annual ENPI programming and their amounts. If possible break down into country, regional, and CBC programmes. ²⁴		
	Same as above, for current annual ENPI programming.		
	Projects with potential damaging impacts for the environment under the previous annual ENPI programming and their amounts. If possible break down into country, regional, and CBC programmes.		
	Same as above, for current annual ENPI programming.		
	Environmental projects from which your country benefited under the previous annual programming under the thematic programme for the environment and sustainable management of natural resources, including energy (ENRTP). Their amounts ²⁵ .		
	Same as above, for the current annual programming.		

²³ Please mention when the information is not available.

²⁴ The list of projects may not be exhaustive, but examples are always useful to support your arguments.

²⁵ The list of projects may not be exhaustive, but examples are always useful to support your arguments.

	Does your country benefit from capacity building and technical assistance programmes (e.g. TAIEX, twinning, participation in EEA activities) in order to address environmental issues in the country?		
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Objective 3: Ratifying international environmental Convention and Protocols

The ratification of international environmental Conventions is mentioned as one of the objectives in terms of active participation in cooperation initiatives at the international or regional level. The objective is usually worded as “ratify” or “complete the ratification process” of ‘X’ convention/ protocol. In the case of Israel, the wording is softer as it states “taking into account specific national circumstances, work towards ratification and acceptance of the Protocols and amendments to the Barcelona Convention”.

There is a different degree of detail as to the Conventions mentioned in the action plan from country to country. It ranges from a very general objective of ratification of UNECE Conventions on the environment, without any specification as to which ones (Armenia, Georgia), to named Conventions corresponding to the specific environmental issues linked to the geographical characteristics of the region. All Mediterranean countries have to ratify the Barcelona Convention and/or its Protocols (Emergency Protocol and Land Based Sources Protocol for Egypt, Emergency Protocol and Protocol on Biodiversity for Morocco, Emergency Protocol for Tunisia). The ‘relevant UNECE Conventions on environment’ include:

- The Convention on Long-Range Trans-boundary Air Pollution and its eight protocols
- The Convention on Environmental Impact Assessment in a Trans-boundary Context (Espoo, 1991) and its Protocol on Strategic Environmental Assessment (Kiev, 2003)
- The Convention on the Trans-boundary Effects of Industrial Accidents (Helsinki, 1992)
- The Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus, 1998)
- The Convention on the Protection and Use of Trans-boundary Watercourses and International Lakes (Helsinki, 1992) and its 1999 Protocol on Water and Health (London, 1999) and its Protocol on Civil Liability (Kiev, 2003)

In Azerbaijan, Jordan, Moldova, the Palestinian Authority and Ukraine Action Plans, there is no objective focusing on ratification of conventions or protocols.

In order to develop indicators, it is first necessary to define which conventions fall under the scope of the objective for the country concerned. The evaluator should then assess the situation at the time of signing the AP in order to define which conventions, agreements or protocols have already been ratified, and which ones were ratified after the adoption of the Action Plan. Only the latter should be taken into account in the evaluation.

Although the signature and ratification of such Conventions, which can easily be verified, indicates a greater or lesser desire to commit at the international level, this kind of initiative might be difficult to assess in terms of implementation.

Bilateral agreements with neighbouring countries are covered by objective 12.

Objective 3						
Ratifying environmental international Conventions and Protocols						
Relevant text in the Action Plan:						
Evaluation						
Relevant? (Y/N)	Question	Yes,			No	Notes
		Excellent	adequate	poor		
	Grade	3	2	1	0	
<i>Include a new section for each relevant international agreement</i>						
<i>Adoption of an international agreement</i>						
	Has the convention/agreement/protocol been ratified since signing the AP/previous assessment?					
	If not, has the Government taken steps to initiate the ratification procedure? ²⁶					
<i>Implementation of the international agreement²⁷</i>						
	Has legislation been adopted or adapted to implement the requirements of the international agreement? If yes, does it address satisfactorily the obligations set out in the agreement?					
	Have other steps been taken to implement the international agreement?					
	Is there a reporting system for the implementation of the international agreement in place in your country? If yes, has the country already reported on the implementation of the agreement?					
	Does the competent authority (focal point) have enough resources and competence to take measures for the implementation of the agreement?					
<i>General questions on international agreements</i>						
	When relevant, was the country found to be in non-compliance with any of the					

²⁶ This procedure will vary in each country as it is regulated at the national level. What is important is to assess at which stage of the ratification procedure the country is, which would include looking at draft laws of ratification, submission to the Parliament, reviewing Parliament committees, etc.

²⁷ This section concerns the agreements ratified after the adoption of the Action Plan and mentioned in the AP as requiring particular action.

	international agreements adopted, and in particular, by treaty bodies?					
<i>Country-specific questions</i>						
Overall assessment						
	Overall assessment: Score of 0 to 21 (3x number of questions)					
	Total Score = % of maximum score obtainable		%	%		
	Comments, explanation and recommendations regarding the overall assessment:					

Objective 4: Developing Plans and Programmes for the Environment

Many Action Plans call for the development of environmental plans and programmes. This objective is usually worded in the Action Plans as “develop and/or implement national plans and programmes”. While some Action Plans only set a broad objective (Azerbaijan, Georgia, Ukraine), most specify the sectors on which planning should focus, including: biodiversity (Moldova, Egypt), waste (Israel, Tunisia), air and water (Egypt). Depending on the wording used, both the adoption and the implementation of plans and programmes should be taken into account.

Plans and programmes can play a crucial role in ensuring the effective implementation of environmental actions and the achievement of objectives. These plans and programmes are often closely linked with the adoption of national legislation – in some cases, they precede and appeal for new laws; in others, they help to implement new legal requirements.

Plans and programmes can either have a broad remit – such as the National Environmental Action Plans (NEAPs) that have set overall priorities for action in several ENP countries – or focus on specific sectors.

In either case, plans and programmes are effective when they are related to the adoption of environmental legislation, the strengthening of institutional structures and procedures and the involvement of stakeholders in their preparation.

The questions for this indicator refer to the preparation, adoption, process, content and implementation of the relevant plans and programmes. Several questions focus on content, including whether the plans have realistic financial plans and set clear priorities. This already provides an indication as to whether plans and programmes are likely to be implemented: in the past, many countries have developed plans that present “wish lists” of actions without a clear indication of how they will be implemented (or by whom).

Many of the questions can be answered by reviewing the relevant plans and programmes, if they are available. If they are not available, then contacts with the government may be necessary to discover whether the plans identified in the AP are under preparation. Such contacts would also be useful for obtaining information about implementation activities, if these are not described on national web sites or in other information sources.

Objective 4						
Developing plans and programmes for the environment						
Relevant text in the Action Plan (e.g. including any specific plans or programmes identified):						
Evaluation						
Relevant? (Y/N)	Question	Yes,			No	Notes
		Excellent	adequate	poor		
	Grade	3	2	1	0	
<i>Preparation and adoption</i>						
	Have relevant plan(s) or programme(s) been prepared since the AP was signed/ previous assessment?					
	Have these plan(s) or programme(s) been officially adopted at ministerial or government levels?					
<i>Process</i>						
	Did ministries in different sectors e.g. transport, industry, energy, health, play an active role in preparing the plan(s) or programme(s)? In particular, did the Ministry of the Environment play a significant role in the development of the plan(s) and programme(s)?					
	Did local and regional governments play an active role in preparing the plan(s) or programme(s)?					
	Did stakeholders in different sectors (environmental NGOs, industry, others) play an active role?					
<i>Content</i>						
	Do(es) the plan(s) or programme(s) clearly define responsibilities for their implementation?					
	Do(es) the plan(s) or programme(s) include a clear and realistic financial plan that identifies resources, requirements and ways of meeting them?					
	Do(es) the plan(s) or programme(s) set priorities					

	for action?					
	Do(es) the plan(s) or programme(s) provide monitoring and evaluation mechanisms?					
	If so, are the monitoring systems in place? If yes, are these being used?					
<i>Implementation</i>						
	Have steps been taken to implement the plan(s) or programme(s)?					
	Have the planned resources been allocated?					
<i>Country-specific questions</i>						
Overall assessment						
	Overall assessment: Score of 0 to 36 (3x number of questions)					
	Total Score = % of maximum score obtainable	%	%			
	Comments, explanation and recommendations regarding the overall assessment:					

Objective 5: Promoting the adoption of environmental legislation (sectoral approach)

The adoption of legislation is a recurrent objective in the Action Plans (only the AP for the Palestinian Authority does not mention it clearly). It might be a general objective, often formulated in Action Plans as “develop legislation and basic procedures and ensure planning for key environmental sectors” (or similar wording in Armenia, Azerbaijan, Georgia, Morocco and Ukraine). The Egyptian Action Plan calls for the “implementation of national priorities in the field of environmental protection with particular attention to legislation [...]”. The Action Plan might also indicate a specific sector for legislation. For instance in Moldova, the adoption of legislation on wild fauna and flora and ecological networks is indicated as an objective, whilst legislation on waste, soil erosion and water are mentioned in the Tunisia Action Plan.

Thus, this is a very broad objective which can cover different sectors and issues depending on the particular situation in a given country. For this reason, the presentation here focuses on one particular sector to provide an example of the approach and analysis: the water sector has been selected as a case study for the development of indicators to monitor promotion of the adoption of environmental legislation. This is an important issue in most countries and one that reflects the complexity of the overall objective, including possible political issues.

In addition, objectives linked to the adoption of legislation should be read in conjunction with the broader legal goal of the Partnership and Cooperation or Association Agreement, which as a general rule calls for harmonisation of national legislation with EU requirements. The wording differs from one agreement to another: different APs refer to harmonisation, approximation or alignment. Therefore, the establishment of the indicator for this environmental objective requires a clear definition of what is meant under these various formulations. As the ENP countries are not required to adopt the whole *acquis communautaire* (unlike candidate countries), we consider that these different terms relate to the notion of convergence. Convergence can be defined as ‘bringing two legal systems closer together rather than the full alignment required by approximation’²⁸. The extent of convergence would not be identical in all countries as it is linked to national priorities, as well as existing legislative framework and capacities. Besides, the wording and thus the scope of the objective of improved environmental legislation varies from one Action Plan to another. This complicates the evaluation of the adequacy and extent of convergence, although clearly the evaluator must make a judgement on this issue in order to be able to carry out a meaningful assessment. It is strongly recommended to consult information documents listed in Appendix I in order to characterise the level of convergence required.

Convergence involves in particular:

- the adoption of the legal instruments necessary to integrate the main principles and features, including quality standards and emission limit values (ELVs)²⁹, of EU legislation,
- together with the required institutional arrangements for effective implementation and measures to ensure compliance, which reflects the EU compliance-based approach to regulation and control, backed by economic incentives.

In line with this principle, it should be noted that the formulations used in some Action Plans regarding this objective include, in addition to adoption of relevant legislation, its

²⁸ See ‘Convergence with EU environmental legislation in Eastern Europe, Caucasus and Central Asia: A Guide’, section 2.1.1 for a detailed explanation of the definition of convergence as compared to approximation.

²⁹ ‘Emission limit values’ means the quantity, expressed in terms of certain specific parameters, concentration and/or level of an emission of a pollutant, which may not be exceeded during one or more periods of time.

implementation. This area should also be taken into account when defining the questions for this indicator.

A closely linked area is the development of plans and programmes for the environment.

The questions proposed for this indicator include:

- General questions aimed at evaluating the quality of the legislation: these would always be applicable and relate to any legislative act. Other general questions are meant to evaluate the convergence approach in a broad fashion.
- Specific questions for water-related legislation: within the framework of this handbook it is not possible to detail the principles of all EU water-related legislation. Therefore, a choice has been made to focus on the Water Framework Directive as an example. Other water-related directives and legal documents which could be reviewed if deemed necessary and relevant in view of national priorities, are:
 - Directive 2000/60/EC Water Framework Directive
 - Directive 2006/118/EC: New Groundwater Directive
 - Directive 98/83/EC: Drinking Water Directive
 - Directive 2006/7/EC: New Bathing Water Directive
 - Directive 91/271/EEC: Urban Waste-Water Directive
 - Directive 96/61/EC: Integrated Pollution Prevention and Control (IPPC) Directive
 - Directive 91/676/EEC: Nitrate Directive
 - Directive 2006/11/EC: Discharge of Dangerous Substances (codifying Directive 76/464/EEC)
 - The Marine Strategy

In order to define which EU legislation is relevant for a specific sector, the evaluator should carefully define which particular pieces of EU legislation can most readily address priority national environmental issues. For example, the Marine Strategy would not be relevant in the case of Moldova, which does not have a coastline.

Finally, some of the questions on convergence with the Water Framework Directive relate directly to other EU Directives on water. For example, when evaluating if Water Quality Objectives or ELVs set in Community legislation are integrated into national legislation, the relevant WQOs or ELVs can be found in the Urban Wastewater Treatment Directive, the Directive on Discharges of Dangerous Substances to Water or the IPPC Directive.

To answer most of these questions, the evaluator should review draft or new national legislation, regulation or standards.

The sector of water has been selected here as an example of how the questionnaire may be developed regarding one specific environmental sector. However, other sectors may have been focused on in the Action Plan of the country being studied. In such cases, a similar list of questions can be developed regarding each specific environmental sector of particular relevance in the country.

Objective 5³⁰						
Promoting the adoption of environmental legislation (water sector)³¹						
Relevant text in the Action Plan:						
Evaluation						
Relevant ? (Y/N)	Question	Yes,			No	Notes
		Excellent	adequate	poor		
	Grade	3	2	1	0	
General						
<i>Convergence Planning</i>						
	Has the required new legislation or amendment to legislation been adopted?					
	Have the main principles and features of the relevant EU legislation been well identified?					
	Has a satisfactory analysis of the relevant national legislation and institutional arrangements been conducted in order to determine to what extent it integrates the EU principles and features?					
	Has a satisfactory economic assessment of implementation costs been carried out?					
<i>Legislation or draft legislation content</i>						
	Have all the terms been clearly defined in line with EU definitions?					
	Are the rights and obligations of those to whom the legislation applies clearly defined?					
	Are the different provisions of the legislation consistent with each other?					
	Are the provisions of the legislation consistent with other related legislation (e.g. the Framework Law on Environment Protection)? If					

³⁰ This score sheet does not include many specific questions on implementation. This would have multiplied the number of questions to a too high number and, in several cases, it would have not been possible to develop general questions applicable to all countries, given the differences between national legislation requirements from one country to another, including on the deadlines for entry into force and implementation.

³¹ This score sheet has been developed for water-related legislation. To review another sector, a separate score sheet grouping the questions relevant to this specific sector should be developed.

	not, have amendments necessary to ensure such consistency been adopted or prepared for adoption?					
	If the full implementation of the legislation requires the adoption of secondary legislation, are such measures likely to be adopted on time?					
Water legislation (WFD)						
	Does the legislation provide for a river basin approach?					
	Is the process of identifying river basin districts (RBD) clearly set up?					
	Have RBDs been set up?					
	If yes, are satisfactory administrative arrangements provided within each RBD?					
	Is coordination between the competent agencies properly ensured?					
	Do appropriate cooperation procedures and structures exist for cooperation with other countries when RBDs extend beyond the territory of the country?					
	Does the legislation provide for river basin management plan, including a programme of measures to ensure achievement of good water status?					
	Does the legislation provide for public consultation for the development of river basin management plans?					
	Does the legislation provide for the classification of water bodies in line with the classification set up in the WFD?					
	In this case, does it provide for the designation of water bodies according to this classification?					
	Does the legislation provide for and define environmental objectives?					
	Are water quality objectives already set up by EU legislation integrated in national legislation?					
	Are emission limit values already set in EU legislation integrated in national legislation?					

	Does the legislation provide for prior authorisation or regulation with emission controls for point source discharges?					
	Does the legislation provide for prior authorisation for abstraction and recharge of surface and groundwater?					
	Does the legislation prohibit the direct discharge of dangerous substances into groundwater?					
	Does the legislation provide for measures to prevent or control diffuse pollution?					
	Does the legislation provide for water monitoring programmes?					
Country-specific questions						
Overall assessment						
	Overall assessment: Score of 0 to 81 (3x number of questions)					
	Total Score = % of maximum score obtainable	%	%			
	Comments, explanation and recommendations regarding the overall assessment:					

Objective 6: Strengthening administrative structures and procedures

In nearly all Action Plans, the strengthening of administrative structures and procedures is mentioned as crucial to “ensure strategic planning of environmental issues and coordination between relevant actors” (this formulation is used in Armenia, Azerbaijan, Georgia, Moldova and Ukraine). The Ministry of Environment is especially mentioned as the administrative authority to be supported in the Israel and Jordan Action Plans. An environmental policy framework is mentioned as a third element, with strategic planning and coordination for Egypt. For Jordan and Moldova, in addition to strategic planning, the Action Plans refer to financial planning.

Administrative structures and procedures cover all aspects related to the organisation of the authorities in charge of the environment in the country, including the different levels of decision-making and the corresponding competences, the resources available, as well as any formalised system of cooperation between these authorities.

Good administrative structures and procedures ensure good capacities to address environmental issues from the national to the local level in a coordinated manner.

At least three other objectives are closely linked to this one: the development of plans and programmes for the environment, the improvement of permitting and enforcement structures and environment integration.

The questions proposed for this indicator cover administrative structures as such at both national and regional levels, together with strategic planning.

Objective 6						
Strengthening administrative structures and procedures						
Relevant text in the Action Plan:						
Evaluation						
Relevant ? (Y/N)	Question	Yes,			No	Notes
		Excellent	adequate	poor		
	Grade	3	2	1	0	
Administrative structures						
<i>At the national level</i>						
	Are the responsibilities of the Ministry in charge of environment clearly defined?					
	Are structures of cooperation with other governmental authorities sufficient and effective?					
	Have resources been increased in order to ensure that the national authorities can carry out their mission?					
<i>At the regional/local level</i>						
	Do regional/local authorities have competences for environmental issues? Is the distribution of competences between national and regional/local authorities clearly defined?					
	Have resources been increased in order to ensure that the authorities can carry out their mission?					
Strategic Planning						
	Is there a strategy in place or planned for the environment? If yes, is it of good quality?					
	Have steps been taken to implement the strategy?					
	Is the strategy being regularly revised (e.g. three yearly)?					
	Are there sector-specific strategies to support the overall strategy?					
	Are there procedures such as consultation procedures between ministries/authorities in place? If so, are these					

	used?					
	If yes, is the role of the Ministry of Environment or environmental authorities important in these procedures?					
	Are there formal procedures in place to facilitate coordination between the authorities and other relevant actors (civil society, the scientific community)?					
	Has cooperation between the different actors improved?					
Country-specific questions						
Overall assessment						
	Overall assessment: Score of 0 to 39 (3x number of questions)					
	Total Score = % of maximum score obtainable	%	%			
	Comments, explanation and recommendations regarding the overall assessment:					

Objective 7: Reinforcing structures and procedures to carry out EIA

Most Action Plans identify this objective (all of them except for Jordan and the Palestinian Authority) and most refer to the “reinforce[ment of] structures and procedures to carry out environmental impact assessments” (Armenia, Egypt, Georgia, Moldova and Ukraine). In several Action Plans, impact assessment is addressed together with public information and participation (Morocco and Tunisia), which would suggest the possibility of using a single, combined indicator to monitor both objectives.

The Environmental Impact Assessment (EIA) can be defined as the process of identifying, evaluating and mitigating the biophysical, social and other relevant effects of development proposals prior to decision-making. It is a ‘horizontal’ instrument as it applies across different environmental sectors and is a key tool for improving the decision-making, planning and implementation process.

This reinforcement of existing systems can be assessed through two types of information: first, the legislation in place (i.e., if there is specific legislation, to what level of detail, and if the principal elements contained in the European legislation are incorporated in this legislation, Strategic Environmental Assessment legislation, etc), and second, the means for the implementation of the assessments (specific procedures, by whom should they be carried out, etc).

Closely linked to this objective is the objective for public information and participation, as well as for environment integration.

In developing questions for the indicator that will track this objective, due consideration has been made of the key requirements under the Environmental Impact Assessment Directive³² on structures and procedures, without prejudice to the national institutional model, administrative arrangements and procedures in place for EIA. Other relevant legal requirements include the ESPOO ‘Convention on EIA in a Trans-boundary Context’.

³² Directive 85/337/EEC on Environmental Impact Assessment of the effects of projects on the environment as amended by 97/11/EEC and 2003/35/EC

Objective 7 Reinforcing structures and procedures to carry out EIA						
Relevant text in the Action Plan:						
Evaluation						
Relevant ? (Y/N)	Question	Yes,			No	Notes
		Excellent	adequate	poor		
	Grade	3	2	1	0	
<i>General</i>						
	Does the existing legislation require EIA for activities likely to have a significant impact on natural resources and the environment? If not, is the adoption of such legislation planned?					
	Is the EIA process linked to enabling and condition setting?					
<i>Structures</i>						
	Are responsibilities clearly defined and distributed between the national and local/regional governments?					
	Is the capacity of the regulatory authorities sufficient ³³ ?					
<i>Procedure</i> ³⁴						
	Are criteria and procedure for defining which activities are subject to EIA clearly established?					
	Does the procedure in place provide for a preliminary screening stage to decide if an EIA is required for the proposed project?					
	Does the procedure in place provide for a scoping stage to identify the potential significant impacts and the main alternatives to assess?					
	Is the information to be provided by the developer in the EIA clearly established					

³³ This is a rather subjective benchmark, although it is important as without sufficient capacity, legal requirements can hardly be implemented and enforced. It relates mainly to the number and the degree of qualifications (technical capacity) of people in charge of reviewing EIA at both national and local levels.

³⁴ In the evaluation of these questions, the implementation aspect should be taken into account. If there is a full implementation of the procedure, the score should be 3; if the implementation is partial, the score should be 2 and if there is no implementation, the score will be 1, and if there is nothing in place, the score should be 0.

	e.g. through setting the minimum content of the EIA?					
	Are consultation procedures with authorities likely to be concerned by the project in place and well applied?					
	Does the legislation clearly require the relevant country authorities and stakeholders to be informed in the case of probable trans-boundary impacts?					
	Does the legislation clearly require consultation with the relevant country authorities and stakeholders in case of probable trans-boundary impacts?					
	Are clear procedures in place to ensure effective information for the public early on in the process?					
	Is the public concerned given early and effective opportunities to participate in the environmental decision-making procedures?					
	Are the results of the consultations with the public and relevant environmental authorities taken into account in the decision-making process?					
	Is the competent authority required to inform the public of the decision to grant or refuse development consent?					
	Is the competent authority required to inform the country/ies consulted in case of trans-boundary impact of the decision to grant or refuse development consent to the developer?					
	Are the exceptions to information rights, e.g. related to commercial confidentiality, clearly set out?					
	Can the authority, which takes a decision on the development consent, attach conditions to a positive decision?					
	Is a public right of appeal against the decision clearly set up and in place?					
	Does the EIA procedure include a follow-up requirement? If yes, is it well					

	applied?					
<i>Country-specific questions</i>						
Overall assessment						
	Overall assessment: Score of 0 to 60 (3x number of questions)					
	Total Score = % of maximum score obtainable		%	%		
	Comments, explanation and recommendations regarding the overall assessment:					

Objective 8: Improving permitting & enforcement structures

Most Action Plans call for the reinforcement of administrative capacities in order to ensure a satisfactory implementation of legislation. Only the Egypt and Jordan Action Plans do not include such an objective. In most cases, this is formulated as “enhance administrative capacities, including for issuing of permits as well as for enforcement and inspection” (Armenia, Azerbaijan, Georgia, Moldova, Tunisia, Ukraine). The administration concerned by this measure is specified in the Action Plans for Israel (Ministry of the Environment) and Morocco (the authorities responsible for environmental protection and water management). In the Israel and Palestinian Authority Action Plans, the enhancement of administrative capacities is dealt with without mentioning the specific area of permits and enforcement.

This objective is a very important area of the environmental policy. Effective and efficient enforcement is a condition *sine qua non* to ensure compliance with environmental legislation requirements. Without proper enforcement, environmental legislation is ineffective and its objective of protecting the environment cannot be achieved.

An issue closely linked with this objective is the strengthening of administrative structures and procedures.

The questions for this indicator cover the permitting and enforcement structures. Therefore, the questions focus on institutional and capacity aspects e.g. training, allocation of resources, and also on the results of enforcement activities e.g. the trend in the number of infractions punished. The question related to the permitting system i.e. the permit content and the permitting procedure should be covered individually under the review of legislative aspects. For example, if the monitoring of an Action Plan implementation requires evaluating the legislation on waste, it should cover procedures and requirements applicable to waste-related permits, e.g. permits for waste treatment facilities.

It should also be underlined that EU legislation itself does not specify what the permitting and enforcement structures should be. These aspects are left to the Member States and vary from one country to another depending on their specificities and traditions. Therefore, the questions focus on key principles and conditions related to permitting and enforcement structures.

Objective 8 Improving permitting & enforcement structures						
Relevant text in the Action Plan:						
Evaluation						
Relevant ? (Y/N)	Question	Yes,			No	Notes
		Excellent	adequate	poor		
	Grade	3	2	1	0	
<i>Permitting</i>						
	Is there a satisfactory permitting system in the country both from a legal point of view and in practice?					
	Is the permitting system integrated, i.e. is there a single integrated permit? How well integrated are permits for water, air or IPPC type installations?					
	Are there resources allocated to environmental permitting in the administration in charge of the environment ³⁵ ?					
	Have the resources (human and financial) allocated to permitting been increased since the signing of the AP/previous assessment?					
	Have initiatives been launched in order to strengthen the capacity of the permitting authorities (e.g. training, manuals...)?					
	Are the authorities in charge of permitting easy to identify and contact?					
	Are there time limits imposed by law on the administration to issue permits? If so, are they satisfactorily applied?					
<i>Enforcement structures</i>						
	Are there environmental inspection authorities in place in the country?					
	Does the police (or equivalent enforcement authorities in the country) have specific units in charge					

³⁵ The assessment should take into account the level of resources, e.g. no resources, limited resources, highly trained civil servants, etc.

	of environmental matters?					
	Are the tasks of the authorities in charge of enforcement clearly defined and competences shared?					
	Is a plan (or plans) for environmental inspection adopted or in the process of being adopted?					
	Have initiatives been launched in order to strengthen the capacity of the enforcement authorities (e.g. training, manuals...)?					
	Are there statistics publicly available as to the number of environmental infractions punished? If so, are they regularly updated?					
	Are there in-depth analyses of the data obtained through statistics to further interpret the quality of enforcement?					
	Have specific resources (human and financial) allocated to the enforcement of environmental laws been increased since the signing of the AP/previous assessment?					
<i>Country-specific questions</i>						
Overall assessment						
	Overall assessment: Score of 0 to 45 (3x number of questions)					
	Total Score = % of maximum score obtainable	%	%			
	Comments, explanation and recommendations regarding the overall assessment:					

Objective 9: Improving public information and participation

Public information and participation is an element mentioned in most Action Plans, with the exception of the APs for Jordan and the Palestinian Authority. The objective refers to the establishment of “procedures regarding access to environmental information and public participation, including implementation of the Aarhus Convention”. This Convention has been ratified by Armenia, Georgia, Moldova and Ukraine, whilst Azerbaijan is in the accession process. However, for the countries which are not part of the UNECE³⁶, the wording is obviously different. The Action Plans for Egypt and Morocco refer only to public information and participation. The Action Plan for Tunisia has a different wording, with the objective to “complete the regulatory framework and introduce procedures for access to information and public participation [...]”. The Israel AP refers only to the “availability of environmental information to the public”.

Access to environmental information and public participation, two among the three pillars of the Aarhus Convention, are, according to the Action Plans, elements that should be implemented. Two different aspects should be considered depending on the level of implementation of the Convention in the countries. For some of them, legislation should be adopted to implement the Convention (e.g. Georgia). The second aspect is the establishment and effectiveness of procedures to guarantee that civil society can access environmental information and its right to participate in procedures related to the environment.

The third pillar of the Aarhus Convention, on access to justice, promotes the right to access to justice for citizens in cases of dispute over environmental matters. This pillar is not directly mentioned in the Action Plans. However, since it is part of the Convention and it is necessary to ensure that the two other pillars are applied satisfactorily, it would seem consistent to also take steps to implement this aspect, and to ensure that the judicial systems of neighbouring countries allow access to justice for environmental issues. For those countries which are not parties to the Aarhus Convention, access to justice should also be considered as an instrument for the effective implementation of public participation and information rights.

Objectives that are closely linked to this one include: the reinforcement of structures and procedures for EIA³⁷, the preparation of regular reports on the state of the environment and support to civil society actors.

The questions for this indicator are based on the structure of the Aarhus Convention i.e. access to information, public participation, access to justice, but are sufficiently general to apply equally to countries which have not acceded to the Convention. The focus is on the development of procedures to ensure access to information and public participation, as well as the availability of resources to apply these procedures.

³⁶ The Aarhus Convention is open to signature only to States which are members of the UN Economic Commission for Europe as well as States having consultative status with the Economic Commission for Europe, and regional organizations constituted by States which are members of the Economic Commission for Europe. UNECE includes Armenia, Azerbaijan, Georgia, Israel, Moldova and Ukraine. The other ENP countries are not participating in the UNECE and hence could not be signatories of the Aarhus Convention.

³⁷ Please note that public participation in EIA is mentioned in this objective, as well as in objective 7, which relates specifically to EIA. This reflects the fact that public participation and EIA are two closely interlinked areas.

Objective 9						
Improving public information and participation						
Relevant text in the Action Plan:						
Evaluation						
Relevant ? (Y/N)	Question	Yes,			No	Notes
		Excellent	adequate	poor		
	Grade	3	2	1	0	
<i>General³⁸</i>						
	Has the country ratified the Convention?					
	Have texts been adopted to transpose the Aarhus Convention in national legislation?					
<i>Access to environmental information</i>						
	Are there satisfactory administrative systems in place for prompt responses to requests for information from the general public?					
	Are there satisfactory guidelines available on information held by authorities & how to request access to this information?					
	Are there well established channels of publication of environmental information in the country (e.g. laws, case-law, decisions of the administration...)?					
	Is access to information free of charge ³⁹ or inexpensive ⁴⁰ ?					
	Is there a secure data management system to handle commercially sensitive information & personal data in place in the country?					
	Are there clear guidelines for authorities on how to apply commercial confidentiality requirements, including on the disclosure of information because of public interest?					
<i>Public participation</i>						

³⁸ This question is only relevant for Eastern ENP as members of the UNECE.

³⁹ If so, it should be assessed as "Yes, excellent".

⁴⁰ If so, it should be assessed as "Yes, adequate" or "Yes, poor", depending on whether the access is still easy even if not free of charge, or if there are obstacles to access.

	Are there procedures for enabling public participation in decision making in place in the country, e.g. have clear procedures been established for submitting comments in writing or at hearings and for the notification of decisions?					
	If so, are the citizens well informed of these procedures?					
	Have tools been developed for the identification of the participating public? In particular, if there is an Environmental Impact Assessment procedure in place, does it also involve public participation?					
	Are the outcomes of public participation procedures taken into account in an appropriate manner, e.g. does public input have a tangible influence on the actual content of the decisions?					
	Have incentives been developed to allow applicants to engage in early dialogue within the framework of participation procedure?					
<i>Access to justice</i>						
	Does the country provide for independent and impartial review bodies, including courts?					
	Have clear rules been developed concerning the standing of individuals and NGOs to access judicial and other reviews for violations of the Convention and for violations of domestic environmental law?					
	Have remedies been developed to stop the application of a decision dangerous for the environment (e.g. preliminary injunctive relief while the decision is being challenged)?					
	Have mechanisms been established to provide the public with information on access-to-justice procedures?					

	Have assistance mechanisms been developed for the public in accessing review procedures, e.g. financial support to pay a lawyer if necessary?					
	Is there a time limit set by national law between the introduction of an appeal and the decision given by the judge/authority of appeal? If not, is the average length of the procedure) acceptable?					
<i>Country-specific questions</i>						
Overall assessment						
	Overall assessment: Score of 0 to 57 (3x number of questions)					
	Total Score = % of maximum score obtainable	%	%			
	Comments, explanation and recommendations regarding the overall assessment:					

Objective 10: Preparing regular reports on the state of the environment

Many Action Plans call for the preparation of state of the environment (SoE) reports. This objective is usually worded as 'prepare/draw up/continue preparing regular reports on the state of the environment' (Armenia, Azerbaijan, Georgia, Moldova, Morocco). In the case of Jordan, the wording is more precise as it states, 'prepare a state-of-the-environment report by the end of 2006, drawing on support from and experience of the UNEP and European Environment Agency, where appropriate'.⁴¹

This objective is not included in the Action Plans for Egypt, Israel, Palestinian Authority, Tunisia and Ukraine. Nonetheless, these plans set broader objectives linked to environmental communication and information, and the preparation of state of the environment reports would support these objectives.

SoE reports assess environmental conditions and trends, including natural resources. These reports thus provide information for policy decisions and for the public. Some SoE reports review the implementation of environmental legislation. SoE reports are therefore an important element of good environmental governance. The preparation of regular SoE reports depends on an effective monitoring system in place to collect relevant data and information, and at the same time, the preparation of SoE reports can provide an opportunity for strengthening monitoring systems.

The process of preparing an SoE will be strengthened with the active participation of civil society actors and with significant input from the national scientific community. The content of an SoE report is important: reports should address the main issues and key problems that a country is facing. Finally, dissemination is a key question: whether the report is available on the web and whether its results have been actively disseminated, for example via summaries for the press, politicians and the public.

This indicator is derived from questions regarding the implementation, process, content and dissemination of SoE reports. To assess these questions, country researchers will need to review information on government web sites. If not directly mentioned on the web site, then research will be needed to determine if there is a legal requirement to prepare regular SoE reports. Contacts with NGOs and government officials will also be valuable in gathering information.

⁴¹ The European Environment Agency publishes a report on the state of Europe's environment every five years, and its expertise could also be valuable for neighbouring countries.

Objective 10						
Preparing regular reports on the state of the environment						
Relevant text in the Action Plan:						
Evaluation						
Relevant ? (Y/N)	Question	Yes,			No	Notes
		Excellent	adequate	poor		
	Grade	3	2	1	0	
<i>Implementation</i>						
	Has a state of the environment (SoE) report been prepared since the signing of the AP, or is a report under preparation?					
	Is there a legal requirement to prepare such a report regularly?					
<i>Process</i>						
	Were NGOs consulted during the preparation of the report?					
	Was the scientific/academic community involved in the process?					
<i>Content</i>						
	Does the SoE report cover the most important environmental issues in the country?					
	Is the report based on recently collected data?					
	Does the report identify important problems that need to be addressed?					
<i>Dissemination</i>						
	Does the report have a clear and understandable summary?					
	Is the report available on the Internet?					
	Did the government widely disseminate the results of the report to the press, schools and other groups?					
<i>Country-specific questions</i>						
Overall assessment						
	Overall assessment: Score of 0 to 30 (3x number of questions)					

	Total Score = % of maximum score obtainable	%	%	
	Comments, explanation and recommendations regarding the overall assessment:			

Objective 11: Supporting civil society actors and local authorities

In most cases, this objective is broadly formulated as “support civil society actors”, and is presented in the context of the establishment or improvement of “communication strategies on the benefit of environmental policy; support civil society actors and local authorities”, as in the Actions Plans for Armenia, Azerbaijan, Georgia, Moldova, Morocco and Ukraine. Communication strategies are also mentioned in the APs for Israel and Tunisia: they apply both to the environment and natural resources management in Tunisia. Environmental education is mentioned as complementary to communication strategies to support civil society actors in the Moldova Action Plan. The wording differs slightly in Egypt, where the objective is to “support civil society actors and local authorities in order to implement the decentralised environmental management policy”. It should be noted that most Action Plans refer to supporting local authorities as well as civil society. Local authorities are the lowest administrative level and are therefore in direct contact with civil society actors.

In contrast, the Israel Action Plan is more restrictive as it focuses only on environmental NGOs, using the wording “promote the involvement of environmental NGOs and exploring mechanisms to enhance their active participation, including with regard to regional cooperation”. Therefore, the indicators identified below should in the case of Israel focus on environmental NGOs. The phrase “exploring mechanisms to enhance their participation” is rather vague and non-committal. However, given the reference to regional cooperation, it appears to relate directly to contacts between environmental NGOs from different countries in the region. Therefore, this objective is closely linked to objective 10 on “enhancing cooperation with neighbouring countries”. However, the achievement of this objective is hindered by the fact that an equivalent objective is not included in the Action Plans for Jordan and for the Palestinian Authority.

The participation of civil society actors is considered a key factor for the improvement of the environment, especially to share values, raise awareness and inform citizens to encourage them to participate and influence decision-making at different levels. Civil society actors can influence and trigger changes to environmental legislation and policy adopted by national and regional authorities. There is no commonly accepted or legal definition of the term “civil society actors”. These can be non-governmental organisations (specialising in environmental issues or not), associations bringing citizens together for a specific purpose (e.g. neighbourhood associations), scientific institutes (e.g. an institute dedicated to the protection of a river), schools, journalists, community groups, professional associations, trade unions, target groups (women, the elderly, ethnic minorities), religious communities, and may also involve non-organised interests where appropriate. Therefore, this indicator covers not only the civil society active in the field of environment, but also civil society in general.

Closely linked objectives are those concerning public information and participation and reporting on the state of the environment.

The questions for the indicator have been selected according to the wording used in the different Action Plans. In particular, several aspects have been highlighted, such as the implications of communication strategies, the role of civil society actors and in particular of NGOs, and the role of local authorities. It should be noted that this objective is by its nature closely linked to objective 7 on public information and participation.

Public information and participation are an important component of support to civil society actors. However, in order to avoid overlapping and repeating the same questions under two different objectives, which would wrongly impact on the overall score, it has been decided that if the question of public participation is already covered under objective 9, i.e. as a separate objective in the Action Plan, this topic would not then be covered under this

objective. In other words, if Objective 9 'Improving public information and participation' applies to your country and the corresponding indicator has been assessed, you will not need to include the questions listed below under the heading 'Public participation and information', when assessing the present objective.

Objective 11						
Supporting civil society actors and local authorities						
Relevant text in the Action Plan:						
Evaluation						
Relevant ? (Y/N)	Question	Yes,			No	Notes
		Excellent	adequate	poor		
	Grade	3	2	1	0	
<i>Role of civil society actors</i>						
	Are there NGOs or NGO networks active in environmental issues in your country?					
	Are there legally binding procedures requiring the involvement of civil society actors in decision-making regarding environmental issues?					
	Are civil society actors included in practice in the legal decision-making process?					
	Are civil society actors included in practice in the development of policies at the national level?					
	Are civil society actors included in practice in the development of policies at the local level? ⁴²					
	Are NGO initiatives supported (financially or by other means) by the State?					
	If yes, has this support increased since the previous assessment?					
<i>Role of local authorities</i>						
	Are local authorities in regular contact with civil society actors?					
	Do local authorities freely					

⁴² This may be difficult to assess at the level of each local authority. However, the evaluator should be able to obtain a general overview of the situation through data from official reports or contacts with professional organisations as regards which projects are likely to be assessed at the local level. The professional association/organisation of EAI practitioners would also be a useful source of information.

	provide information to civil society actors?					
<i>Communication strategies and other tools</i>						
	Have communication strategies been established in the country regarding environmental issues? If already in existence at the time the baseline situation was assessed, have they been improved since then?					
	Have awareness raising programmes targeting civil society (including information campaigns) been developed and implemented?					
	Have civil society actors initiated environmental education in the country?					
	If so, have they been supported by the authorities?					
<i>Public participation and information⁴³</i>						
	Are there satisfactory administrative systems in place for prompt responses to requests for information from the general public?					
	Are there satisfactory guidelines available on information held by authorities & how to request access to this information?					
	Are there well-established channels of publication of environmental information in the country (e.g. laws, case-law, decisions of the administration...)?					
	Is access to information free of charge ⁴⁴ or inexpensive ⁴⁵ ?					
	Is there a secure data management system to handle commercially sensitive information & personal data in place in the country?					
	Are there clear guidelines for authorities on how to apply commercial confidentiality requirements, including					

⁴³ As mentioned above, these questions should only be answered under this objective if they have not already been answered under Objective 9 on public information and participation.

⁴⁴ If so, it should be assessed as “Yes, excellent”.

⁴⁵ If so, it should be assessed as “Yes, adequate” or “Yes, but poor”, depending on whether the access is still easy even if not free of charge, or if there are obstacles to access.

	when to disclose because of public interest?					
	Are there procedures for enabling public participation in decision making in place in the country, e.g. have clear procedures been established for submitting comments in writing or at hearings and for the notification of decisions?					
	If so, are the citizens well informed of these procedures?					
	Have tools been developed for the identification of the participating public? In particular, if there is an Environmental Impact Assessment procedure in place, does it also involve public participation?					
	Are the outcomes of public participation procedures taken into account in an appropriate manner, e.g. does public input have a tangible influence on the actual content of the decisions?					
	Have incentives been developed to allow applicants to engage in early dialogue within the framework of participation procedure?					
<i>Country-specific questions</i>						
Overall assessment						
	Overall assessment: Score of 0 to 72 (3x number of questions)					
	Total Score = % of maximum score obtainable	%	%			
	Comments, explanation and recommendations regarding the overall assessment:					

Objective 12: Enhancing cooperation with neighbouring countries

The objective to “identify possibilities with neighbouring countries for enhanced regional cooperation” is included in all Action Plans. In most Action Plans, particular fields of cooperation with neighbouring countries have been identified, corresponding to environmental policy areas of concern in the region, such as water issues (Armenia, Azerbaijan, Georgia, Israel, Palestinian Authority), water issues and desertification (Morocco and Tunisia) or trans-boundary issues (Ukraine and Moldova). It should also be noted that in the case of the Palestinian Authority, the wording in the Action Plan is slightly different as it refers to the ‘promotion’ of enhanced cooperation.

This objective reflects the trans-boundary nature of many environmental issues such as water pollution or the management of natural resources shared among several countries, and the need for cooperation between countries in order to address such issues.

This politically important objective supports the pacification and cooperation goals of the EU neighbourhood policy. However, the objective has different implications depending on each individual country’s relations with its neighbours. Therefore, the indicator will have to be adapted according to the national situation. For instance, for countries which historically have had difficult relations as in the case of Armenia and Azerbaijan, the ambition and depth of the cooperation may be more limited.

Accordingly, the questions for this indicator vary depending on the level of existing cooperation. Different typical settings have been identified and should be considered in relation to the baseline situation:

- Some countries have already signed cooperation agreements e.g. agreements on management of shared water resources or marine pollution⁴⁶. Such agreements express these countries’ commitment to regional cooperation. However, the signing of such agreements is only a first step. In order to fully assess the countries’ engagement, indicators should also focus on the implementation of the agreements.
- There is potential for negotiation or signing of new cooperation agreements: this already presupposes a certain level of regional cooperation. In this case, the issue to be monitored is the progress in the negotiations.
- Cooperation with neighbours only occurs informally: in this case, questions focus on concrete cooperation activities which, if poor or non-existent (conflict situation), can also constitute ‘signs’ of openness to some forms of cooperation e.g. in certain cases, the fact that regional/local authorities meet might already represent progress if the level of cooperation is very low, or simply be one indicator of ongoing informal cooperation.

⁴⁶ One example would be the agreement of 20 June 2005 signed between Algeria, Morocco and Tunisia on a sub-regional emergency plan for preparing for and responding to accidental marine pollution in the South-West Mediterranean area.

Objective 12 Enhancing cooperation with neighbouring countries						
Relevant text in the Action Plan:						
Evaluation						
Relevant ? (Y/N)	Question	Yes,			No	Notes
		Excellent	adequate	poor		
	Grade	3	2	1	0	
<i>Existing or possible cooperation agreements with neighbouring countries</i>						
	Are the structures provided for by the agreement ⁴⁷ fully in place?					
	Are these structures functioning properly (i.e. are there regular meetings, are decisions made, etc.)?					
	If the agreement provides for exchange of information, does it happen effectively?					
	Have the financial contributions planned for by the agreement been disbursed?					
	Have steps been taken to implement the agreement at national level?					
	Is it planned to sign a cooperation agreement with neighbouring countries?					
	If this is the case, are negotiations proceeding effectively?					
<i>Informal cooperation</i>						
	Have meetings on trans-boundary/ regional issues been organised at national, regional or local level?					
	Are exchanges of information taking place at national, regional or local level?					
	Have consistent political declarations been made on regional cooperation?					
	Are joint regional projects in place, involving common					

⁴⁷ Here reference should be made to specific bilateral or regional agreements e.g. relating to the management of a given trans-boundary water body, or the Danube River Protection Convention, but also to the implementation of more general regional conventions and agreements, such as the UNECE Convention on the protection and use of trans-boundary watercourses and international lakes (Helsinki Convention), or the Barcelona Convention, as long as they have been ratified.

	activities for stakeholders from both countries?					
	Do regional/local administrations or other stakeholders have regular contacts with regard to environmental issues?					
<i>Country-specific questions</i>						
Overall assessment						
	Overall assessment: Score of 0 to 36 (3x number of questions)					
	Total Score = % of maximum score obtainable	%	%			
	Comments, explanation and recommendations regarding the overall assessment:					

Objective 13: Ensuring integration of environmental aspects in other policy sectors - promoting sustainable development

Sustainable development, a broad issue that includes and goes beyond the environment, is a recurrent objective in the Action Plans: it is expressed in all of them except for the Palestinian Authority AP. Ensuring the integration of environmental aspects in other policy sectors is one of the aspects covered under this heading which addresses more particularly the environmental pillar of the concept of sustainable development.

The wording most frequently used in the Action Plans is a call to “establish/develop and implement the national strategy on sustainable development”, “ensure strategic planning of sustainable development and coordination between relevant actors” and “take steps to improve integration of environmental considerations into other policy sectors”.

Some APs have less precise language. The AP for Israel proposes “the exchange of information regarding a national commission for sustainable development” while the AP for Morocco proposes “the exchange of views and experience on implementation of a long-term sustainable development strategy”. On the other hand, the Tunisian Action Plan calls for the implementation of the sustainable development provisions of the country’s tenth Development Plan.

The implementation of the general objective of sustainable development takes the form of actions towards a national strategy for sustainable development (NSSD) and its implementation. This is a goal found in the global Agenda 21, which calls on all countries to prepare NSSDs (see Chapter 37 of the Agenda). An NSSD aims to provide strategic directions and a framework for authorities to make decisions and design policies for sustainable development. Key factors for successful national strategies include the participation of a broad range of stakeholders in their preparation and a commitment to implement their recommendations.

The environmental side of sustainable development is more specifically promoted through the integration of environmental considerations into other policy sectors such as industry, energy, transport, regional development and agriculture. Many Action Plans refer to the integration of environment into sectoral policies. For example, the Action Plan for Egypt does so with specific language that refers to the country’s Policy Implementation Framework for the integration of environmental policies into sectoral policies.

Closely linked issues include the reinforcement of EIA structures and procedures, as well as the strengthening of administrative structures and procedures.

It should be noted here that although the concept of sustainable development covers economic, social and environmental matters equally, for the purpose of this study and taking into account the various wordings used for this objective in the different Action Plans, the handbook addresses the question of sustainable development mainly from the environmental integration point of view. Therefore, if some questions for this indicator refer to the preparation of national strategies on sustainable development, their process and their implementation in general, the exercise does not aim to carry out an exhaustive review of the implementation of sustainable development principles, but rather to reflect an important element which should have some weight in the assessment of this objective. This aspect is then complemented by questions on the more specific area of actions for the integration of environmental policy into other sectors.

Objective 13 Ensuring integration of environmental aspects in other policy sectors (promoting sustainable development)						
Relevant text in the Action Plan:						
Evaluation						
Relevant ? (Y/N)	Question	Yes,			No	Notes
		Excellent	adequate	poor		
	Grade	3	2	1	0	
<i>Integration of environment into sectoral policies</i>						
	Administration: have joint committees been set up or other steps been taken to integrate the environment into sectoral policies?					
	Plans and programmes: have any joint policy documents i.e. that cover a sectoral policy also integrating environmental aspects, been issued?					
<i>Preparation of the National Strategy</i>						
	Has a national strategy on sustainable development been adopted since the signing of the AP/since previous assessment? If not, is one being developed?					
<i>Process</i>						
	Did ministries in different sectors play an active role in preparing the strategy?					
	Did stakeholders in different sectors (environmental NGOs, industry, others) play an active role?					
<i>Implementation</i>						
	Have steps been taken to implement the actions in the strategy?					
<i>Country-specific questions</i>						
Overall assessment						
	Overall assessment: Score of 0 to 18 (3x number of questions)					

	Total Score = % of maximum score obtainable	%	%	
	Comments, explanation and recommendations regarding the overall assessment:			

Objective 14: Implementing the provisions of the Kyoto Protocol & UNFCCC

The objective to implement the provisions of the Kyoto Protocol is included in all the Action Plans except that of the Palestinian Authority, which is not party to the Protocol. However, the wording differs from one AP to another. The “implementation of provisions under the Kyoto Protocol and the UN Framework Convention on Climate Change” is the objective set in most Action Plans (Armenia, Azerbaijan, Georgia, Moldova, Ukraine). The wording is slightly different in Tunisia and Morocco, where “specific attention shall be paid to implementing the provisions” of the Protocol. Moreover, the Azerbaijan and Georgia APs indicate that the implementation should be achieved through the “elaboration of a National Strategy and Action Plan”.

Two Action Plans (Israel and Egypt) provide for “enhancing co-operation to achieve the commitments by the parties with regards to provision under the Kyoto Protocol and the UNFCCC”. This wording differs significantly from the previous example; therefore, the indicators should also be quite different. Finally, the objective of the Jordan Action Plan to “work towards the implementation” in the medium term also shows that the objective to adopt an active approach concerning climate change might be progressive in certain countries.

Both the UNFCCC and the Kyoto Protocol are mentioned in the Action Plans. Under the Convention, governments must gather and share information on greenhouse gas emissions, national policies and best practices; launch national strategies for addressing greenhouse gas emissions and adapting to expected impacts, including the provision of financial and technological support to developing countries; and cooperate in preparing for adaptation to the impacts of climate change.

The Kyoto Protocol to the Convention is a more powerful tool, with legally binding provisions upon its parties. The implementation of the Kyoto Protocol may have different implications according to the status of the country. All neighbouring countries studied here are “non Annex I countries” under the UNFCCC, except for Ukraine. The most important provisions that should be taken into account for Ukraine as an Annex I country are probably Articles 2 to 7 of the Kyoto Protocol, which address the question of implementation of policies and measures to monitor and reduce the emission of greenhouse gases in the country, proposing instruments to achieve this such as joint implementation (Art. 3 and 4) and emission trading (Art. 6).

Articles 10 and 11 of the Protocol are particularly relevant for non-Annex I countries. They reaffirm the commitments of the parties under Article 4 of the Convention, taking into account the principle of common but differentiated responsibilities. Such commitments include the monitoring of national emissions, the implementation of plans and programmes on climate change, promotion and cooperation regarding technologies, awareness raising, with the financial and technical support of developed countries. In accordance with Article 10 of the Protocol, in addition to the commitments linked to implementation of the Convention, reporting should also be addressed (as per Art.12 of the Convention) through a national inventory system and national communication including information on the implementation of the Convention and/or the Protocol.

The questions below have been divided in two types of commitments, those related to the implementation of the Protocol and the Convention, and those related to the reporting required under the Directives. Some specific questions are only relevant for Annex I countries (i.e. Ukraine), which have more stringent requirements to respect. General questions cover both Annex I and non Annex I countries.

Objective 14 Implementing the provisions of the Kyoto Protocol & UNFCCC						
Relevant text in the Action Plan:						
Evaluation						
Relevant ? (Y/N)	Question	Yes,			No	Notes
		Excellent	adequate	poor		
	Grade	3	2	1	0	
<i>Implementation</i>						
	Is there a monitoring system for the emissions of greenhouse gases in the country?					
	Has the country benefited from the Clean Development Mechanism (participation in CDM activities for non Annex I)? In particular, have projects been carried out to implement the mechanisms?					
	Have cost-effective national and/or regional programmes been formulated to improve the quality of local emissions factors, activity data and/or models for the preparation and updating of the inventory?					
	Are there national and/or regional programmes in place (or planned) containing measures to mitigate climate change (e.g. sectoral programmes on energy, transport, waste, land use, industry, households, buildings or specific technologies such as energy conservation or renewables) (Art. 4.1 (b))?					
	Has the country made efforts regarding the development and exchange of practices and processes to control emissions and to hinder climate change (Art. 4.1 (c), (g), (h))?					
	Have plans been adopted to adapt to climate change (coastal zone management, water resources...) (Art.4.1					

	(e))?					
	Have initiatives been launched to raise public awareness regarding climate change issues (Art.4.1 (i)) (e.g. training programmes)?					
<i>Reporting</i>						
	Does the country have a system of national inventories of anthropogenic emissions (Art.4.1 (a) of the Convention)?					
	If so, is it periodically updated and published?					
	If the country submits a national communication to the UNFCCC Secretariat, does it submit it on a regular basis? In particular, where the first communication has been submitted, are steps being taken to prepare a second communication?					
	Do the communications contain information regarding steps taken or envisaged to implement its legal commitments?					
	In non Annex I countries, (or for countries in economic transition), has the country already made proposals to the Secretariat for financing of projects to reduce emissions on a voluntary basis?					
<i>Country-specific questions (here for Ukraine, i.e. Annex I country)</i>						
	Does the country use the joint implementation mechanism?					
	Does the country use emission trading?					
	Has the country taken steps to support developing countries (e.g. sharing of technologies, financial support)?					
	Has the country benefited from the Clean Development Mechanism (for certified emissions reductions)?					
	Is the national inventory of anthropogenic emissions <i>annually</i> updated and published?					
	Has the country provided a description of policies and measures to implement its commitments and of their effects in its communication					

	to the Secretariat?					
Overall assessment						
	Overall assessment: Score of 0 to 54 (3x number of questions)					
	Total Score = % of maximum score obtainable	%	%			
	Comments, explanation and recommendations regarding the overall assessment:					

Objective 15: Improving sustainability of energy and transport policy

The Action Plans address the transport and energy sectors, often with extensive provisions. Only the Action Plan agreed with the Palestinian Authority does not contain specific provisions regarding sustainable transport, energy efficiency or renewables, and refers mainly to regional cooperation in the sectors of energy and transport.

As these two sectors have wide-ranging impacts on the environment, including impacts on climate change, their provisions related to the environment are included among the objectives identified. The two sectors are closely related, as transport is one of the most important areas for energy consumption. Thus, a single indicator is proposed, based on questions for both sectors.

For the **transport sector**, many Action Plans call for the development and implementation of “a national sustainable transport policy” – though in most cases the text calls for the policy to address in particular “safety and security” and does not mention environmental considerations. Many Action Plans also call for strengthening railroad networks.

The transport questions focus on the development of this policy, including the process followed, and on its content.

In the **energy sector**, most Action Plans call for the development of plans or programmes to improve energy efficiency and increase the use of renewable energy. Thus, the adoption of or steps for adopting “Actions Plan[s] including a financial plan for improving energy efficiency and enhancing the use of renewable energy”, is an objective in the Action Plans for Armenia, Lebanon, Egypt, Georgia, Jordan, Moldova, Tunisia, Ukraine.⁴⁸

Similarly, the AP for Morocco promotes “cooperation on devising and implementing Action Plans and institution-building in the areas” of energy demand management and the use of renewable energy sources. The AP for Azerbaijan states: “implement the National Alternative Energy Programme 2004-2013 and take steps to develop an Action Plan for its implementation”.

A few APs set quantitative objectives: in Israel “by 2007 at least 2% and by 2016 at least 5% of electricity to be produced from renewable energy sources”; in Lebanon, renewables should provide at least 10% of energy needs by 2015.

The energy questions for this indicator focus on the existence of plans for energy efficiency and renewable energy, their financial plans and on whether the process includes NGOs and other civil society actors. Most questions can be answered by reviewing these policies and plans if they have been developed and are available to the public. The last question refers to steps for implementation: here, research into government actions may be needed.

Additional questions refer to current levels of energy efficiency and use of renewables. These are not used directly for the scoring but they do however provide valuable additional information for review in the future, as they will illustrate (in particular in coming years) whether the countries are making concrete progress in these areas.

⁴⁸ The requirement for financial plans is an important step to ensure the implementation of the plans – it is planned for in the Action Plan section on energy.

Objective 15 Improving sustainability of energy and transport policy						
Relevant text in the Action Plan:						
Evaluation						
Relevant ? (Y/N)	Question	Yes,			No	Notes
		Excellent	adequate	poor		
	Grade	3	2	1	0	
<i>Sustainable transport policy</i>						
	Has a national sustainable transport policy been adopted since signing the AP/previous assessment? If not, is one being developed?					
	Does the policy address major environmental issues arising from transport (e.g. air and water pollution, health impacts, acidification of the natural environment and climate change)?					
	Did stakeholders in different sectors (environmental and other NGOs, industry, others) play an active role in the development of the policy?					
	Have steps been taken to improve and enhance railroads and inter-modal services for both freight and passengers?					
<i>Implementation</i>						
	Has the policy been implemented in practice?					
	Are financial resources available for that policy? If yes, have they been effectively allocated?					
<i>Country-specific questions</i>						
<i>Plans for energy efficiency and renewable energy</i>						
	Has a satisfactory national plan for energy efficiency and renewable energy been adopted since signing the AP/previous assessment? If not, is a satisfactory one being developed?					

	If there is a plan, does it contain specific and measurable targets/objectives?					
	If there is a plan, does it contain a clear and realistic financial plan (e.g. identifying likely sources for funding)?					
	Did societal stakeholders (environmental and other NGOs, industry, others) play an active role in the development of the plan?					
	Have steps been taken to implement the actions in the plan?					
<i>Implementation</i>						
	Has the policy been implemented in practice?					
	Are financial resources available for that policy and have they been effectively allocated?					
<i>Country-specific questions</i>						
Overall assessment						
	Overall assessment: Score of 0 to 39 (3x number of questions)					
	Total Score = % of maximum score obtainable	%	%			
	Comments, explanation and recommendations regarding the overall assessment:					
Background information on energy <i>(For use in possible future comparisons, to evaluate whether energy efficiency plans have had results)</i>						
Relevant? (Y/N)	Question					Notes
	What share of energy supply currently comes from renewables? Please break down into separate technologies and sectors (to avoid large hydro power plants swelling the figures!) Available from national statistics or from www.iea.org : hydro, geothermal, solar, etc. as a % of TPES.					

	Trend analysis: Growth in % of renewables since the baseline situation?		
	<p>What is national energy intensity? And specific energy consumption? Available from national statistics or from www.iea.org: TPES/population; TPES/capita and TPES/GDP (PPP⁴⁹)</p> <p>In addition: what is national carbon intensity? (same sources as above) CO2/country; CO2/capita and CO2/GDP (PPP)</p>		
	<p>How does national energy/carbon intensity compare with similar countries in the region? (higher or lower?)</p> <p>In addition: Trend analysis: growth/decline (in %) of above figures compared to the baseline situation?</p>		

⁴⁹ Using a Purchasing Power Parity basis is arguably more useful when comparing generalised differences in living standards on the whole between nations because PPP takes into account the relative cost of living and the inflation rates of the countries, rather than just using exchange rates which may distort the real differences in income.

5. Conclusions: how to use the results

The aim of the assessment should be to contribute to a better implementation of the Action Plans in selected neighbouring countries in the field of the environment. Therefore the results can be used as a lobby tool to influence key documents and processes related to ENP AP implementation. This can be done at different levels and can target different actors. The message may therefore need to be tailored to the particular goal you wish to achieve, the document you wish to influence and the stakeholders you want to reach.

The dissemination of the results of the assessment to the main stakeholders will be needed in order to ensure that the monitoring exercise effectively influences the implementation of the ENP Action Plans and the cooperation between the EU and its neighbouring countries. This is also an excellent awareness-raising tool to draw attention on the fact that the government has commitments under the ENP. The three main issues to consider are:

- Who are the key stakeholders?
- How should the results be presented?
- How should they be communicated?

Who are the key stakeholders?

The main stakeholder is the national government of the neighbouring country. In particular, the evaluation results should be communicated to the relevant officials in the government, e.g. Ministries of Foreign Affairs and the Environment, and any governmental body in charge of coordinating the implementation of the Action Plans, members of the relevant committees in the national Parliament and other civil society groups dealing with these issues.

The monitoring results should be presented to the EU institutions in particular to the European Commission, given its central role in the development, implementation and monitoring of EU policy. The EC delegations in-country represent the Communities' interest and play a key role in analysing and reporting on the policies and developments of the countries to which they are accredited as well as in implementing external assistance. In Brussels, the main Directorates General concerned are DG ENV, DG RELEX, EuropeAid Cooperation Office, in particular in the units dealing with ENP coordination and desk-officers for the relevant country or region.

Under the Cooperation and Association Agreements signed with neighbouring countries, cooperation committees and sub-committees have been established. Their main role is to monitor the implementation of the commitments and objectives included in the Action Plans. Therefore, they are primary stakeholders with regard to the evaluation of Action Plans⁵⁰ implementation.

The European Parliament is also an interesting interlocutor in view of its legislative, budgetary and supervisory powers, and more particularly the Committee on Foreign Affairs. In the field of EU political relations with third countries, it is responsible for drawing up, amending and adopting legislative proposals and own-initiative reports, as well as considering relevant proposals from Commission and Council and, where necessary, drawing up reports to be presented to the plenary assembly.

Similarly, EU Member States' embassies in-country should also be informed, given their role in reporting to their governments and in the development and monitoring of bilateral

⁵⁰ Contact details should be available through the EC delegation.

assistance activities. Information yielded may also be useful for other donors active in the country.

How should the results be presented and communicated?

The results of the evaluation should be presented in a clear and concise manner and should focus on the main conclusions and recommendations so that the message produced is not overly complicated. A short executive summary up-front (about 5 pages long), which could be used as the main tool for communicating the results to decision-makers, should be developed.

In the final and full report, it is recommended to insert the detailed analysis including the assessment score sheets (e.g. as appendices) so as to ensure transparency of the results of the assessment. The report should also include some background information on the political context when it has had an influence on the evaluation and/or on the results. It is important to report not only on negative aspects but also on positive elements, even if they may seem insignificant.

A presentation of the evaluation should include recommendations that are concrete and precise enough to have more weight in the discussions with the target audience. The recommendations could focus on concrete measures to be taken to meet the objectives and/or, if relevant, on formulation of objectives in future agreements between the EU and the country. Recommendations can be organised either per themes, or per target audience e.g. government, EU, etc.

The final report should also include an informal review of the evaluation exercise itself, describing the process, the consultations carried out, and the main problems encountered.

It is advisable to produce a written document that can be easily distributed, including electronically by email or through a website. The possibility of setting up a mailing list or a specific website dedicated to the ENP Action Plan assessment should be investigated. In cases where national authorities have a website dedicated to EU integration and the ENP, it may also be agreed with them that the results of the evaluation are posted on their website. However, this should be complemented by media coverage and public consultation when possible and relevant.

When should the results be communicated?

Timing is an important aspect. We have suggested that the indicators themselves should be reviewed every year. Obviously, in order to increase chances of providing input to the Commission's monitoring, the results of national monitoring should be available while the European Commission is preparing its own monitoring reports, i.e. in principle each year around December/January. In addition, the results of this evaluation should not only be shared with national governments and parliaments at the monitoring stage, but also at the time when detailed national strategies for cooperation with EU and for implementation of the Action Plan are being developed at the national level.

Getting better coordinated

In conclusion, the need for coordination between monitoring activities in the different countries should be underlined. This handbook is a first step in this direction. However, other aspects could be considered, such as the opportunity for exchanging information and experience across countries through, for example, workshops or comprehensive reports.

APPENDIX I: Sources of Information

Sources of Information

General Websites for EU institutions and legislation

- EUR-Lex: General portal to EU law, EUR-Lex provides direct free access to the Official Journal of the European Union, and it includes *inter alia* the treaties, legislation, case-law and legislative proposals. <http://eur-lex.europa.eu/en/index.htm>
- Scad: The Scad Website offers summaries of European legislation, in the form of fiches per legislative act. It is also accessible by topics. http://europa.eu/scadplus/scad_en.htm
- OEIL: This is the legislative observatory of the European Parliament. This website gives access to preparatory documents and legislative proposals and offers a regular update of the evolution of the process of adoption of legislation. <http://eur-lex.europa.eu/en/index.htm>
- General Affairs and External Relations Council: the website of the Council of the European Union gives access to reports of the GAERC meetings. http://consilium.europa.eu/cms3_applications/applications/newsRoom/loadBook.asp?BID=71&LANG=1&cmsid=349
- General Website of the Commission: Gives latest news on the European Union, as well as access to the websites of the different services of the European Commission http://ec.europa.eu/index_en.htm
- DG ENV: The website of the European Commission Environment Directorate General gives an overview of environmental issues in Europe. It describes the missions and projects of the European Commission regarding these issues as well as data on the environmental situation in the European Union through a thematic approach. http://ec.europa.eu/environment/index_en.htm
- DG RELEX: The website of the European Commission External Relations Directorate General offers the latest news on the work of the Commission with countries outside the European Union. This website gives access to working documents of DG RELEX services and gives information on the relations of the European Union with other countries. Information can be accessed by regions or countries and by policies. http://ec.europa.eu/external_relations/index.htm
- European neighbourhood policy website: Gives information on the issue of ENP, and gives access to documents on the policy. http://ec.europa.eu/world/enp/index_en.htm
- European Parliament Committee on Foreign Affairs http://www.europarl.europa.eu/committees/afet_home_en.htm

General Documentation

Documentation on neighbouring countries

- ENP Action Plans and country reports http://ec.europa.eu/world/enp/documents_en.htm#2
- Progress reports on implementation of the European Neighbourhood Policy, 3 April 2008 http://ec.europa.eu/world/enp/documents_en.htm#3
- Communication from the Commission "A Strong European Neighbourhood policy" COM(2007) 774 Final http://ec.europa.eu/world/enp/pdf/com07_774_en.pdf
- Commission's non-paper '*Strengthening the civil society dimension of the ENP*' http://ec.europa.eu/world/enp/pdf/non-paper_civil-society-dimension_en.pdf

Documentation on environmental policy in neighbouring countries

- European Environment Agency 2007 Annual Management Plan, Copenhagen, 2007
<http://www.eea.europa.eu/documents/eea-amp-copenhagen-january-2007.pdf>
- Task Force for the Implementation of the Environmental Action Programme for Eastern Europe, Caucasus and Central Asia (EECCA) countries
http://www.oecd.org/document/2/0,3343,en_2649_34291_1875778_1_1_1_1,00.html
- Benefits of environmental improvements in the ENP countries – a methodology, 2008 (report commissioned by DG ENV)
http://ec.europa.eu/environment/enlarg/pdf/methodology_report.pdf

Documentation on approximation and convergence with EU environmental legislation

- Applicability of Convergence Road-Map for the NIS for the Mediterranean Region:
http://ec.europa.eu/environment/enlarg/pdf/031222_finalreport.pdf
- Handbook on the implementation of EC Environmental Legislation:
http://ec.europa.eu/environment/enlarg/pdf/handbook_impl_ec_envi_legisl.pdf
- Convergence with EU environmental legislation in Eastern Europe, Caucasus and Central Asia: A Guide: http://ec.europa.eu/environment/enlarg/pdf/convergence_guide_en.pdf
- Short convergence guides for ENP partners and Russia (DG ENV)
http://ec.europa.eu/environment/enlarg/short_convergence.htm

Documentation on indicators

On the environment

- Fern Practical Guide on Accessing Environmental Information in and from the EC
http://www.fern.org/media/documents/document_4095_4108.pdf
- Progress Monitoring Manual, Supporting the Accession Process of the Candidate Countries
http://ec.europa.eu/environment/enlarg/pdf/pm3_manual.pdf
- Discussion Paper: INECE-OECD Workshop on Environmental Compliance and Enforcement Indicators: Measuring What Matters: <http://www.oecd.org/dataoecd/37/32/26739891.pdf>
- European Environmental Agency website on indicators:
<http://themes.eea.europa.eu/indicators/>
- External cooperation programmes (EuropeAid) of the European Union website on indicators:
http://ec.europa.eu/europeaid/evaluation/methodology/methods/mth_ind_en.htm
- Regulatory Environmental Programme Implementation Network (REPIN) Recommendations on Performance Measurement for Environmental Enforcement Authorities of Eastern Europe, Caucasus and Central Asia, 2006 <http://www.oecd.org/dataoecd/12/5/38137583.pdf>
- Performance Measurement Guidance for Compliance and Enforcement Practitioners, International Network for Environmental Compliance and Enforcement (INECE)
<http://www.inece.org/indicators/guidance.pdf>

Sources of information by country

Georgia

- Governmental Commission for European Integration <http://www.eu-integration.gov.ge/geo/>
- President of Georgia <http://www.president.gov.ge/>
- Parliament of Georgia <http://www.parliament.ge/>
- Ministry of Foreign Affairs of Georgia <http://www.mfa.gov.ge/>
- Georgian-European Policy and Legal Advice Centre (GEPLAC) <http://www.geplac.org/eng/>
- Government of Georgia <http://www.government.gov.ge/>
- Ministry of Environment Protection and Natural Resources <http://www.moe.gov.ge/>
- Ministry Of Economic Development <http://www.economy.ge/>
- Ministry of Energy www.minenergy.gov.ge
- ENP in Georgia www.enp.ge
- WWF Caucasus Office www.wwfcaucasus.org
- Biodiversity Conservation and Research in the Caucasus _NACRES www.nacres.org -
- Transparency International Georgia <http://www.transparency.ge/>
- Green Alternative – www.greenalt.org
www.forestgeo.net

Morocco

- Ministère des Affaires étrangères et de la Coopération <http://www.maec.gov.ma/>
- Secrétariat d'Etat auprès du Ministère de l'Energie, des Mines, de l'Eau et de l'Environnement, Chargé de l'Eau et de l'Environnement, Ministère de l'Energie et des Mines, de l'Eau et de l'Environnement <http://www.mem.gov.ma/>
- Secrétariat d'Etat auprès du Ministère de l'Energie, des Mines, de l'Eau et de l'Environnement, Chargé de l'Eau et de l'Environnement <http://www.water.gov.ma/>,
<http://www.minenv.gov.ma/>
- Agence de Bassin Hydrologique du Sebou <http://www.abhsebou.ma/>
- Office Nationale de l'eau potable et l'assainissement <http://www.onep.org.ma/>
- Ministère de l'Agriculture et de la Pêche Maritime <http://www.madrpm.gov.ma/>
- Ministère de l'Economie et des Finances
http://www.finances.gov.ma/portal/page?_pageid=33,1&_dad=portal&_schema=PORTAL
- Ministère de l'Industrie, du Commerce et des nouvelles technologies
<http://www.mcinet.gov.ma/mciweb/index.jsp>
- Ministère de l'Equipement et du transport www.mtpnet.gov.ma, www.mtmm.gov.ma
- Ministère de la Justice du Maroc http://www.justice.gov.ma/index_fr.aspx
- Parlement du Maroc <http://www.parlement.ma/sitefr/>
- Gouvernement du Maroc <http://www.pm.gov.ma/fr/gouvernement.aspx>
- Etudes d'Impact sur l'Environnement (Maroc)
http://www.minenv.gov.ma/index.asp?param=3_etudes_d-impact/presentation_generale.htm
- Agenda 21 du Maroc <http://www.agenda21maroc.ma/>
- Portail de développement au Maroc <http://www.tanmia.ma/>
- Délégation de la Commission européenne au Royaume du Maroc
http://www.delmar.ec.europa.eu/fr/maroc_home/index.htm

Palestinian Authority

- Environment Quality Authority - Palestine: <http://www.environment.gov.ps/>
- Strengthening of the Palestinian Environmental Action Programme, Phase IV
<http://www.environment.gov.ps/speap.htm>
- Palestinian National Authority - Ministry of Planning <http://www.mop.gov.ps/>
- Applied Research Institute – Jerusalem (ARIJ) <http://www.arij.org/>
- Palestinian Hydrology Group <http://www.phg.org/>
- Status of the environment in the Occupied Palestinian territories, 2007
www.arij.org/tmp/Status.rar

Ukraine

- Cabinet of Ministers of Ukraine <http://www.kmu.gov.ua/control>
- Ministry of Environmental Protection of Ukraine <http://www.menr.gov.ua/cgi-bin/go>
- Ministry of Economy of Ukraine <http://www.me.gov.ua/>
- Ministry of Justice of Ukraine <http://www.minjust.gov.ua/>
- Ministry of Foreign Affairs of Ukraine <http://www.mfa.gov.ua/>
- State Department of Legislation Adaptation Issues of the Ministry of Justice of Ukraine <http://www.sdla.gov.ua>
- Parliament of Ukraine (Verkhovna Rada) <http://portal.rada.gov.ua/>
- EC Delegation to Ukraine <http://www.delukr.ec.europa.eu/>
- Ukrainian-European Policy and Legal Advice Center <http://ueplac.kiev.ua/>
- Assessment of environmental aspects of the AP in Ukraine, carried out by the NGO Environment- People- Law.

Sources of information by objective

Objective 1 Strengthening cooperation with the EU

- DG RELEX website for general documentation and information regarding the country under study - http://ec.europa.eu/external_relations/index.htm
- National Government
- Ministry in charge of Foreign Affairs and relations with the EU in the country
- Ministry in charge of the Environment
- National Parliament

Objective 2 Assessing the level of commitment of the EU

- DG RELEX ENP website for documentation on ENPI programming regarding the country being studied – http://ec.europa.eu/world/enp/documents_en.htm#5
- DG EuropeAid
 - General website http://ec.europa.eu/europeaid/index_en.htm
 - Country cooperation, Plans and projects http://ec.europa.eu/europeaid/where/neighbourhood/country-cooperation/index_en.htm
 - Regional and cross-border cooperation http://ec.europa.eu/europeaid/where/neighbourhood/regional-cooperation/enpi-cross-border/index_en.htm
 - Thematic Programme on Environment and Sustainable Management of Natural Resources http://ec.europa.eu/europeaid/where/worldwide/environment/working-documents_en.htm
- European Commission websites on:
 - Grants http://ec.europa.eu/grants/index_en.htm
 - Public contracts http://ec.europa.eu/public_contracts/index_en.htm
- EC delegations websites to be found under http://ec.europa.eu/external_relations/delegations/intro/web.htm
- European Environmental Agency website – <http://www.eea.europa.eu/>
- TAIEX website - <http://taieq.ec.europa.eu/>

Objective 3 Ratifying environmental international conventions and protocols

- UNECE website on the environment <http://www.unece.org/env/welcome.html>
- Other websites dedicated to specific Conventions and Agreements.
- Ministry in charge of Foreign Affairs and relations with the EU in the country
- Ministry in charge of the Environment
- National Parliament

Objective 4 Developing plans and programmes for the environment

- National Government
- Ministry in charge of the Environment
- Other Ministries involved in plans and programmes
- Regional and local authorities
- Environmental NGOs

Objective 5 Promoting the adoption of environmental legislation

General on this issue

- Convergence with EU environmental legislation in Eastern Europe, Caucasus and Central Asia: A Guide: http://ec.europa.eu/environment/enlarg/pdf/convergence_guide_en.pdf
- Handbook on the implementation of the EC Environmental Legislation: http://ec.europa.eu/environment/enlarg/pdf/handbook_impl_ec_envi_legisl.pdf

On general questions identified in the handbook

- National Government
- Ministry in charge of the Environment
- National Parliament
- Partnership and Cooperation or Association Agreements, to be found under the country section of http://ec.europa.eu/external_relations/index.htm, or http://ec.europa.eu/external_relations/euromed/med_ass_agreemnts.htm ; http://ec.europa.eu/external_relations/ceeca/pca/index.htm
- DG ENV website for European environmental legislation http://ec.europa.eu/environment/index_en.htm
- National environmental legislation

On water-related questions

- Idem as for general questions
- National environmental legislation
- DG ENV website on water (includes links to EU water legislation) http://ec.europa.eu/environment/water/index_en.htm
- Agencies in charge of water (if any)
- Regional and local authorities in charge of water

Objective 6 Strengthening administrative structures and procedures

- Report on Administrative Capacity for Implementation and Enforcement of EU Environmental Policy in the 13 Candidate Countries http://ec.europa.eu/environment/enlarg/pdf/administrative_capacity.pdf
- National Government
- Ministry in charge of the Environment
- Regional and local authorities in charge of the Environment
- NGOs and other relevant civil society groups
- Scientific institutes

Objective 7 Reinforcing structures and procedures to carry out EIA

- Directive 85/337/EEC on EIA : <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1985L0337:20030625:EN:PDF>
- DG ENV website on EIA: <http://ec.europa.eu/environment/eia/home.htm>
- Espoo Convention on EIA in a Trans-boundary Context http://www.unece.org/env/eia/eia_text.htm
- National legislation on EIA
- National Government
- Ministry in charge of the Environment
- Regional and local authorities in charge of the Environment
- NGOs and other relevant civil society groups

Objective 8 Improving permitting & enforcement structures

- DG ENV report on Best Practice in Compliance Monitoring <http://ec.europa.eu/environment/impel/compliance.htm>
- DG ENV report on Best Practices concerning Training and Qualification for Environmental Inspectors http://ec.europa.eu/environment/impel/environmental_inspectors.htm
- DG ENV website on IMPEL guidance and recommendations on the minimum criteria for environmental inspections http://ec.europa.eu/environment/impel/impel_guidance_doc.htm
- National Government
- Ministry in charge of the Environment
- Regional and local authorities in charge of the Environment
- National enforcement authorities (in charge of environmental matters if any)
- Authorities in charge of permitting
- Authorities in charge of inspections
- National legislation on permitting and enforcement

Objective 9 Improving public information and participation

- UNECE website on the Aarhus Convention <http://www.unece.org/env/pp/>
- UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters <http://www.unece.org/env/pp/treatytext.htm>
- Implementation guide of the Aarhus Convention, UNECE <http://www.unece.org/env/pp/acig.pdf>
- National legislation on public participation, access to information and access to justice in general and in environmental matters in particular
- National Government
- Ministry in charge of the Environment
- Regional and local authorities
- NGOs and other relevant civil society groups
- Judicial authorities (Ministry of justice, judges, prosecutors...)
- Public Environmental Information Centres, also called "Aarhus Centres" (present in Albania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan and Tajikistan)

Objective 10 Preparing regular reports on the state of the environment

- National Government
- Ministry in charge of the Environment
- Regional and local authorities
- European Environment Information and Observation Network (EIONet) Website dedicated to Countries' State of the Environment Reporting Information System (SERIS) <http://www.eionet.europa.eu/seris>
- EEA Website on environmental reports <http://reports.eea.europa.eu/>
- EEA Report on the state of the environment 2007 http://reports.eea.europa.eu/state_of_environment_report_2007_1/en
- UNECE, *Environmental Monitoring and Reporting in Eastern Europe, the Caucasus and Central Asia*, 2003
- Environmental NGOs
- Scientific Institutes

Objective 11 Supporting civil society actors and local authorities

- Commission's non-paper '*Strengthening the civil society dimension of the ENP*' http://ec.europa.eu/world/enp/pdf/non-paper_civil-society-dimension_en.pdf
- NGOs and other important civil society actors representatives of the country
- Local authorities
- National Government
- Ministry in charge of the Environment

Objective 12 Enhancing cooperation with neighbouring countries

- National Government
- Ministry in charge of Foreign Affairs and relations with the EU in the country
- Ministry in charge of the Environment
- DG RELEX website for general documentation and information regarding the country being studied - http://ec.europa.eu/external_relations/index.htm
- Regional and local authorities
- NGOs and other relevant civil society groups

Objective 13 Ensuring integration of environmental aspects in other policy sectors (promoting sustainable development)

- Agenda 21 Chapter 37 on national strategies for sustainable development
<http://www.un.org/esa/sustdev/documents/agenda21/english/agenda21chapter37.htm>
National Government
- Ministry in charge of the Environment
- Other Ministries involved in sustainable issues (industry, energy, transport, regional development, agriculture...)
- Environmental NGOs and other relevant civil society groups
- Industry

Objective 14 Implementing the provisions of the Kyoto Protocol and UNFCCC

- Website of the United Nations Framework Convention on Climate Change
<http://unfccc.int/2860.php>
- Text of the UNFCCC
http://unfccc.int/essential_background/convention/background/items/2853.php
- Website of the Kyoto Protocol http://unfccc.int/kyoto_protocol/items/2830.php
- Text of the Kyoto Protocol (EN) <http://unfccc.int/resource/docs/convkp/kpeng.pdf>
- National Government
- Ministry in charge of the Environment
- Regional and local authorities
- NGOs and other relevant civil society groups
- UNFCCC Secretariat website on reporting issues
http://unfccc.int/national_reports/items/1408.php and by country
http://unfccc.int/parties_and_observers/parties/items/2352.php

Objective 15 Improving sustainability of energy and transport policy

- International Energy Agency (gives in particular information on hydro, geothermal, solar, etc. energy as a % of TPES) www.iea.org
- National Government
- Ministry in charge of the Energy
- Ministry in charge of Transport
- Ministry in charge of Environment
- National statistics services
- NGOs and other relevant civil society groups
- Industry



WWF is one of the world's largest and most experienced independent conservation organisations, with almost 5 million supporters and a global network active in over 100 countries. 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 and promoting the reduction of pollution and wasteful consumption.

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The Heinrich Böll Stiftung sees itself as an agency for green ideas and projects, as well as a forum for the exchange of ideas both nationally and internationally. Working together with more than 100 project partners in over 60 countries, it supports the development of democratic civil societies worldwide. The Heinrich Böll Stiftung maintains offices in 29 countries.

A particular focus of the Stiftung's work is the promotion of sustainable development.

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