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Checking on environment mainstreaming
Guidelines for a Mid-Term Review of ENPI programming documents by civil society
16 March 2009

As the European Commission is carrying out the mid-term review of ENPI programming documents and preparing the drafting of the new Indicative Programmes (2011-2013), it will be important to make sure that environmental protection which is the basis for sustainable economic development is not left aside. Civil Society Organisations have a crucial role to play in influencing these decisions. The present guidelines are intended for CSOs willing to get involved in this process.

I. Context: the Mid-Term Review process

Programming is an essential *decision-making process* aimed at defining the European Community strategy for countries receiving external assistance. For neighbouring countries, it defines EC assistance to support the implementation of the ENP Action Plan.

In theory, programming refers to the process of negotiation between ENP governments and EC, with consultation of civil society and the development of strategies, budgets and priorities for the implementation of the ENP in the Eastern and Southern regions and countries. The programming phase is crucial for environmental integration because key decisions concerning the overall co-operation process are made that can be difficult to adjust in later phases.

As stated in the programming fiche on environment mainstreaming November 2008¹, “a sound ecosystem and natural resources management is vital in the context of promoting sustainable economic growth and is closely linked with low carbon development.”

The integration of the environment during programming serves two purposes:

- **“To identify and avoid any harmful direct and indirect environmental impacts of the co-operation programme** which can undermine sustainability and counteract achieving the development co-operation objectives of poverty reduction.
- **To recognise and realise opportunities for enhancing environmental conditions** thereby bringing additional benefits to development and economic activities and advancing environmental issues which are a priority for the EC”².

In order to influence key decisions, CSOs need to understand the role of programming documents and processes. Programming generally culminates in the production of a Strategy Paper and an Indicative Programme (Box 1 below).

There are different types of ENPI programmes: country programmes, regional programmes, cross-border cooperation programmes and thematic programmes. These guidelines focus on the mid-term review of country programmes. However, the principle of complementarity between these programmes is essential.

¹ http://ec.europa.eu/development/icenter/repository/F50_envir_sust_background_en.pdf

² Source: iQSG (inter-service Quality Support Group) Programming Guide for Country Strategy Papers (update 07/04/2005) quoted in Environmental Integration Handbook for EC Development Cooperation, December 2006

Box 1. Key programming documents

The Country Strategy Paper (CSP) outlines the co-operation objectives of the EC, taking into account a country analysis and a diagnosis of the challenges, including an environmental assessment based on a **Country Environmental Profile (CEP)**, as well as lessons from past and ongoing experiences from EC assistance. The current CSPs are designed to cover a seven-year period from 2007 to 2013.

The National Indicative Programme (NIP) translates the EC donor response strategy into more detailed operational budgets for the period – the NIP can be annexed to the CSP. The first National indicative programmes under the new financial framework covered the period 2007-2010. The new National Indicative Programmes will cover the period 2011-2013.

The Mid-Term Review of ENPI programming documents

Approximately half way through the programming period and in accordance with art 7.1 of the ENPI regulation, a mid-term review is carried out for each of the strategy papers. The aim of the mid-term review is **to keep the strategy up-to-date** with developments in the countries and regions and, if necessary, **to adjust the priorities** laid out in the CSPs accordingly.

The mid-term review process has already started for ENPI programming documents and will culminate in the **preparation of the new National Indicative Programmes for the period 2011-13**. Besides holding consultations with civil society organizations, EC Delegations have been required to post the initial concept note for the new indicative programme on their websites (around April 2009).

⇒ *More information on the process itself and the calendar can be found in the European Commission Instruction Note to Civil Society in Annex 1.*

II. Why mainstream the environment?

Environmental sustainability is identified as a cross-cutting issue because natural resources and healthy ecosystems are **fundamental to human wellbeing** and provide many **socio-economic benefits** to society. On the contrary, the unsustainable use of natural resources and the deterioration of ecosystem services have serious consequences for the development options of future generations.

Environmental sustainability is an obligation for the EC

The European Neighbourhood and Partnership Instrument is policy-driven and focuses in particular on **supporting the implementation of the ENP Action Plans** or other comparable documents. These documents, jointly agreed between the EC and the partner country³ set out the objectives and priorities with regard to political, economic and institutional reforms. In that context, it goes further than promoting sustainable development and fighting poverty to encompass, for example, support for measures leading to closer relations with the EU, through legislative approximation, regulatory convergence and institution building. Environment and sustainable development also appear among the priority sectors for reform. Therefore any analysis of EC assistance to ENPI countries needs to be done in the context of

³ Twelve Action Plans have been adopted so far.

the Action Plans' objectives, including the environmental objectives and their level of implementation.

The ENPI Regulation⁴ identifies the promotion of sustainable development in all aspects (art 2.e) as well as environmental protection, nature conservation and sustainable management of natural resources including fresh water and marine resources (art 2. g) among the areas of cooperation to be addressed.

The **Sixth Environment Action Programme of the European Community 2002-2012** provides a strategic framework for the Commission's environmental policy up to 2012, including on the international dimension. It promotes full integration of environmental protection requirements into all Community policies and actions and provides the environmental component of the Community's strategy for sustainable development.

Policy and Legal basis for environment mainstreaming in EC development cooperation

The European Union – the EC and its 27 Member States – is the largest aid donor in the world, disbursing over half of the total ODA. **The 2005 European Consensus on Development** notes “the eradication of poverty in the context of sustainable development” as a primary and overarching objective of EU development cooperation. There is also a legal requirement (art.6 of the EC Treaty) that the environment should be mainstreamed through development cooperation policies and programmes: “environmental protection requirements must be integrated into the definition and implementation of the Community policies and activities (...) with a view to promoting sustainable development”. Consequently the EC’s Development Policy of 24 April 2000 identified the environment as a key cross-cutting issue to be mainstreamed into all priority themes and on 31 May 2001 the Council endorsed the EC proposed **Strategy on Integrating the Environment into EC Economic and Development Co-operation**.

In its **Special Report 2006 No 6/2006** concerning the environmental aspects of the Commission’s development cooperation, the Court of Auditors points out that much remains to be done in order to fully achieve environmental integration in EC development cooperation. Upon the recommendation of the Court of Auditors made in 2006, the European Commission is currently updating its strategy on mainstreaming environment in EC development cooperation.

ENPI countries, to the exception of Russia and Israel are developing countries according to the definition of the OECD/DAC and therefore are also covered by these strategies.

III. What is mainstreaming?

In the EC, **mainstreaming** is “the process of systematically integrating a selected value/idea/theme into all domains of the EC development co-operation to promote specific (transposing ideas, influencing policies) as well as general **development outcomes**”³. Mainstreaming involves an **iterative process of change in the culture and practices of institutions**. Mainstreaming the environment in EC development co-operation implies integration of environmental tools and approaches in the cycle of operations in order to bring about a better harmonisation of environmental, economic and social concerns.

⁴ Regulation (EC) No 1638/2006

The Commission in its issues paper on the Integration of cross-cutting issues in EU development programmes and in external relations⁵ underlines the importance of a dual approach whereby certain **cross-cutting issues like environment may be treated both as a focal sector within the NIP and as a cross-cutting theme.**

For the specific exercise of the ENPI mid-term review, climate change has been identified as a horizontal issue to be mainstreamed.

There are **three main tools for environment mainstreaming in programming:**

- the Country Environmental Profile (CEP),
- the Strategic Environmental Assessment (SEA)
- the Environmental Impact Assessment (EIA).

But the impacts of CEPs and SEAs on environmental mainstreaming still have to be evaluated.

The Country Environmental Profile (CEP)⁶, which is attached as an annex to the CSP, is intended to provide the necessary environmental information to prepare a balanced EC country strategy, incorporating social, economic and environmental considerations. A Country Environmental Profile should contain:

- a description of state of the environment,
- a presentation of the environmental policies and institutions in the country,
- an identification of links between the main government policies and sectors and environmental sustainability issues in the country,
- a description of past and ongoing aid from the EC and other donors in the field of the environment, incorporating lessons learnt from major evaluations⁷
- Recommendations on how environmental issues can be most effectively addressed in EC co-operation, their relative priority and the implementation challenges.

Based on this analysis, the environment should be considered in the response strategy as a cross-cutting issue influencing the specific interventions for different focal sectors and may also be considered as a possible focal sector which merits consideration in its own right.

The Strategic Environmental Assessment (SEA) is a “systematic process for evaluating the environmental consequences of proposed policy, plan or programme (PPP) initiatives in order to ensure they are fully included and appropriately addressed at the earliest stage of decision making on a par with economic and social considerations”⁸. The SEA provides recommendations feeding back into the planning process to **optimise its environmental impacts** (minimising negative effects and enhancing positive ones). The involvement of stakeholders, including CSOs in the SEA process is important in order to adequately integrate their knowledge and concerns in assessing the impact significance and acceptability of proposed actions and mitigation measures. SEA is a key tool to determine whether a Sector-Wide or General Budget Support programme is consistent with the country’s and EC’s environmental policy objectives, and assess the likely environmental impacts of their implementation.

⁵ Draft version 26/06/2008

⁶ See draft TORs of Country Environmental Profile for more information on the structure and role of a CEP

⁷ For ENPI countries, this section should be covered in the CSP section dealing with past and ongoing aid from the EC and other donors

⁸ Sadler, B and Verheem, R (1996) *SEA: Status, Challenges and Future Directions*, Report 53, Ministry of Housing, Spatial Planning and the Environment: The Hague.

The Environmental Impact Assessment (EIA) is an *ex-ante* environmental assessment of projects. The EIA of a proposed project is a systematic assessment of the potential environmental impacts of this project and its alternatives, in order to propose appropriate measures to mitigate negative environmental impacts and optimise positive effects, and assist the decision-making process. An EIA should be proposed for projects identified which are likely to have environmental implications. The existence of strong EIA legislation in a country and the capacity to carry out and monitor are important elements for effective implementation, along with the involvement of stakeholders and public consultation.

Example: Environment Integration in Agriculture and rural development

In the case of a programme aimed at supporting agriculture and rural development, the following could be considered:

- **environmental pressures and impacts** from the sector to mitigate (eg. water pollution, soil degradation, biodiversity decline) or to enhance
- **environmental factors** affecting the programme objectives or activities, **problems to be addressed or opportunities/constraints to be taken into account**. These could be: climate change, hydrological changes, availability and quality of water resources.
- **entry points for environment integration** in the programme. These could be: SEA of the programme, the promotion of technical approaches (eg. organic and low input farming, efficient irrigation, maintenance of corridors for wild species), economic approaches (eg. reducing damaging subventions, implementing agro-environmental incentives or taxes).
- **environmental indicators**. Eg: intensity of use of water in agriculture, intensity of pesticide and fertilizer use, etc.

CHECKLIST FOR ACTION

N.B: The main output of the mid-term review process will be the development of a new National Indicative Programme 2011-2013. Therefore, the focus of this exercise should be on reviewing the priorities identified in the initial concept note for the National Indicative Programme. However, this should be done in the context of the Country Strategy Paper as it provides the background and reference for the development of the National Indicative Programme. For this reason, a few questions on the CSP have been added.

- **Coordinate with other NGOs and civil society organisations**, including from non-environmental sectors
- **Meet with EC Delegation** and ask for calendar of mid-term review and consultations with civil society, using the instruction note from DG RELEX as a support. EC delegations will normally have an identified civil society liaison point.
- **Participate in the consultation around the drafting of the new NIP 2011-2013**

Analysis of the Country Strategy Paper (2007-2013)

- **Review the Country Environmental Profile in the light of your knowledge and recent developments.** Are there major issues which have been overlooked? What would you add or change?
- **Review the CSP in the light of the Country Environmental Profile**, and your knowledge. Have the main challenges from the CEP been captured?
- **Review the CSP in the light of latest developments** at global and regional level, the socio-economic and environmental situation and the evolution of national priorities. Is the response strategy still adapted to address national sustainability challenges?

Analysis of the new National Indicative Programme (2011-2013)

- **Does the analysis made in the NIP seem consistent with reality and relevant** in light of the evolution of relations between EU and your country, the national environmental policy and situation? What other factors/changes (environmental or other) have to be taken into account in the definition of funding priorities 2011-2013?
- **Do the priorities identified in the NIP seem relevant and appropriate to address the challenges identified above?**
- **Review the new NIP in the light of the environmental objectives of the ENP Action Plan.** Is it likely to contribute to/endanger the achievement of the environmental objectives to which the EC and the government have committed in the ENP Action Plan? If a lack of progress of the government in the implementation of these objectives has been identified, how can EC funds contribute to an improvement?
- **Review the NIP in the light of prominent environmental issues** (eg. biodiversity, forest, waste, etc) and how they have been addressed/integrated in the NIP.

- **Review the NIP in the context of climate change.** In the light of actual and potential climate change, is the NIP expected to deliver on its objectives? What would be your recommendations to make EC action climate-proof? Does the NIP foresee any measures to mitigate climate change? Does the NIP foresee any measure to reduce vulnerability to climate change and support capacity for adaptation?
- **Review the NIP in the light of water issues in your country** (including scarcity, pressures, pollution, transboundary, national water plans, RAMSAR, Integrated Water Resource Management) and how they have been addressed in the NIP, for example, in terms of investment in water and sanitation, agriculture, infrastructure, hydropower.
- Are **assessments of EC past assistance** available and have the lessons drawn from these assessments been taken into account into the formulation of the new NIP?

Recommendations

- Based on this assessment, **recommendations should be made on how the Commission and the Government can better mainstream the environment into the new NIP**, namely⁹:
 - (1) **Recommendations concerning the selection of the priorities of the NIP.** This might be done by selecting environment as a focal area and/or, more frequently, through environmental safeguards in the identified priorities eg. proposals for institutional strengthening and capacity building or recommendations for initiating an appropriate Strategic Environmental Assessment (SEA).
 - (2) **Opportunities for co-ordination on environmental issues with other donors**, seeking to achieve complementarities and synergies in order to more effectively deliver development/ENP objectives.
 - (3) **Proposals for environmentally-relevant indicators** to be used in the NIP (National Indicative Programme) or to be considered during the formulation of a General Budget Support or Sector Support Programme (if relevant).
- **Advocate and recommend participatory Strategic Environmental Assessment (SEA) and Environmental Impact Assessments (EIA)** as important tools to integrate environment into country development plans and projects.

⇒ *Further guidance for environmental integration in the nine current EC development co-operation areas can be found in Annex 1 of the Environmental Integration Handbook for EC Development Cooperation as well as in the iQSG¹⁰ programming fiches*

¹⁰ Inter Service Quality Support Group

Background documents:

Draft ToR Country Environmental Profile: <http://www.environment-integration.eu/content/view/166/229/lang.en/>

ENPI Country/Regional Strategy Papers and Indicative Programmes: http://ec.europa.eu/world/enp/documents_en.htm#6

ENP Action Plans: http://ec.europa.eu/world/enp/documents_en.htm#2

Programming fiches on the interservice Quality Support Group website: http://ec.europa.eu/development/how/iqsg/tools_fiches_en.cfm

Environment Integration Handbook: <http://www.environment-integration.eu/content/section/4/146/lang.en/>

For further reading:

2001 Commission staff working paper on Integrating the Environment into EC Development and Economic Cooperation:
http://ec.europa.eu/development/icenter/repository/env_sec_2001_609_en.pdf

2005 European Consensus on Development:
http://ec.europa.eu/development/icenter/repository/eu_consensus_en.pdf

ENPI Regulation: http://ec.europa.eu/world/enp/pdf/oj_1310_en.pdf

Court of Auditors' Special Report 2006 No 6/2006 concerning the environmental aspects of the Commission's development cooperation
<http://eca.europa.eu/portal/pls/portal/docs/1/173653.PDF>

DG ENV website:
http://ec.europa.eu/environment/index_en.htm

Links:

Environment Helpdesk for EC Development Cooperation: <http://www.environment-integration.eu/>

European Neighbourhood Policy website:
http://ec.europa.eu/world/enp/index_en.htm

WWF European Policy Office:
www.panda.org/eu

ENPI programming website:
www.enpi-programing.eu

Annex 1

The Mid-Term Review of ENPI Strategy Papers and Indicative Programmes

Information Note for Civil Society Organisations

The European Neighbourhood Policy

The European Neighbourhood Policy was established to provide a framework for privileged relationship between the European Union and neighbouring partner countries. The aim of the policy is to enhance prosperity, stability and security across the enlarged EU's border. Contractual relations with the partner countries are defined in the Partnership and Cooperation Agreements in the East and Southern Caucasus, and in Association Agreements in the Southern Mediterranean. Under these agreements jointly agreed bilateral Action Plans are developed which set out the objectives and priorities with regard to political, economic and institutional reforms. So far, a total of twelve Action Plans have been adopted.

The reforms are underpinned by a financing instrument, the European Neighbourhood and Partnership Instrument (ENPI). This instrument is policy-driven and focuses in particular on supporting the implementation of the ENP Action Plans or other comparable documents. In that context, it goes further than promoting sustainable development and fighting poverty to encompass, for example, support for measures leading to closer relations with the EU, through legislative approximation, regulatory convergence and institution building. Mechanisms such as the exchange of experience, long-term twinning arrangements with Member States or participation in Community programmes and agencies are among the main tools for fostering integration with the EU.

The ENPI Mid-Term Review

For each financial period the Commission develops Country and Multi-Country (regional) Strategy Papers, establishing a strategic framework for EU cooperation with the partner countries under the ENPI, with the National and Multi-country (regional) Indicative Programmes (IPs) providing for a description of the Commission's operational response. The current Strategy Papers cover the period 2007-13, whereas the ENP IPs cover the period 2007-10.

Relations with neighbouring countries have however considerably evolved since the adoption of the ENPI. ENP Action Plans now exist for 12 countries, negotiations on new agreements were launched with Libya and Ukraine and may start with Moldova, talks for deeper partnership frameworks are also ongoing with Israel and Morocco, and new regional initiatives have been (or are about to be) launched. In addition, in many countries significant political, economic and social development may have occurred that can have a bearing on future co-operation. This needs to be taken into account when defining the co-operation priorities for the period 2011-13. For this

reason it is important to review the programming documents. This will be done through a Mid Term Review conducted in accordance with art 7.1 of the ENPI regulation. The existing Strategy Papers will be reviewed and updated where necessary, and new IPs for the period 2011-13 will be developed and adopted.

The Review Process and involvement of CSOs

Within ENP CSOs are important players and they can play a key role in monitoring the implementation of the Action Plans. Input from CSOs will be particularly valued because it promotes national ownership and further accountability, good governance and decentralization.

It is foreseen that the review process of the Strategy Papers and the drafting process of the new IPs will take more than a year to complete (see table 1 for an overview). The process will be led by the Commission headquarters (DG RELEX). During this process consultations will be held inside and outside the Commission. The latter will involve among other players partner countries administrations, local partners, other donors and CSOs.

The views of civil society will mainly be sought in Country. This will be done using a variety of means such as ongoing dialogue with Commission Delegations, ad hoc meetings during programming missions, internet consultations and, if necessary specific events. The way CSOs will be consulted in a given country will also have to take into account the local political reality. In addition to in Country consultations exchange of views may also take place in Brussels seizing the occasion offered by events already planned.

Timetable

Phase		Description	Timing
Preparation of the Mid Term Review		This phase is internal to the Commission. Guidance on how to conduct the exercise will be elaborated and a desk review of the Strategy Papers will be carried out	November – December 2008
Main Phase	Horizontal consultation at HQ	Horizontal consultation on ENP implementation with Civil Society Platforms at Head Quarters in Brussels	December 2008 (provisional)
	Revision	Revision of SP and drafting of new IPs: This will be the most important period for the review and will lead to the elaboration of the revised programming documents (including the new IP)	January 2009- September 2009
	Consultation	In-country consultation of local partners and CSOs on basis of concept notes: during this period consultations with all the stakeholders will be held using a variety of means. Most of the consultations with CSOs will take place at local level.	March / April 2009
Internal processing of documents and validation procedure		During this phase the attention will be on internal processing and procedures.	October 2009 – March 2010

For more detailed information or questions CSO representatives should feel free to contact: relex-d1@ec.europa.eu.

This guide has been designed primarily for environmental civil society organisations working in the ENP countries but it will hopefully be a useful tool for all civil society organisations. If you have any queries or recommendations regarding its content, please feel free to contact us at the European Policy Office:

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