

## The European Neighbourhood Policy (ENP) A WWF Briefing Paper

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This paper introduces the European Neighbourhood Policy and outlines the potential for incorporating the environment into the Action Plans of the policy as well as the opportunities and threats provided by the policy.

### **Introduction**

The European Neighbourhood Policy was introduced by the European Commission in March 2003 as "...a new framework for relations with our eastern and southern neighbours." The Commission proposed that "the European Union should aim to develop a zone of prosperity and a friendly neighbourhood...with whom the European Union enjoys close, peaceful and co-operative relations."

The method proposed is, together with partner countries, to define a set of priorities, whose fulfilment will bring them closer to the European Union. These priorities will be incorporated in jointly agreed Action Plans, covering a number of key areas for specific action: political dialogue and reform; trade and measures preparing partners for gradually obtaining a stake in the EU's Internal Market; justice and home affairs; energy, transport, information society, environment and research and innovation; and social policy and people-to-people contacts.

The ENP is supposed to upgrade the scope and intensity of political cooperation with partner countries and make it more effective.

The implementation of the ENP itself brings with it the perspective of moving beyond *cooperation* to a significant degree of *integration*, including through a stake for partner countries in the EU's Internal Market. It will also attempt to avoid any sense of exclusion which might otherwise have arisen from enlargement and provide an opportunity to share in its benefits. It will set out the ways and means by which partner countries participate progressively in key aspects of EU policies and programmes.

The ENP aims not only at enhancing the cooperation between EU and the ENP countries but also the multi-lateral cooperation between the ENP countries.

The development of the policy evolved very fast, which shows the political will of the EU to prioritise the ENP as part of their "simplification" of the policy instruments. There is at present approximately 100 instruments for external cooperation, but with the introduction of the ENP this should be reduced to six. The "New Neighbourhood Instrument", NNI should be one of the six.

The policy consists of two elements:

- *Regulation*
- The legal basis for the policy. A regulation creates binding legislation, which automatically enters into force in all member states on a given date. The ENP regulation is supposed to come into force by 2007. A proposal for the regulation from the Commission was published on October 11, 2004.
- *Financial instrument*
- The regulation will come with a new "New Neighbourhood Instrument", NNI. For the period 2004-2006, Neighbourhood Programmes will be based on enhanced co-ordination among existing instruments while after 2006 the NNI will be established replacing a number of the existing.

### **Neighbourhood countries**

The following countries are covered by the ENP:

- Algeria
- Armenia
- Azerbaijan
- Belarus (observer at this stage)
- Egypt
- Georgia
- Israel
- Jordan
- Lebanon
- Libya (observer at this stage)
- Moldova
- Morocco
- Palestinian Authority
- (Russia) – has a special status as a strategic partner, but are likely to be eligible for ENP funds
- Syria
- Tunisia
- Ukraine

### **Action Plans**

The Action Plans are the corner stones of the ENP and are covering a number of key areas for specific action:

- political dialogue and reform
- trade and measures preparing partners for gradually obtaining a stake in the EU's Internal Market
- justice and home affairs
- energy
- transport
- information society
- environment and research and innovation
- and social policy and people-to-people contacts

Action Plans should be comprehensive but at the same time identify clearly a limited number of key priorities and offer real incentives for reform. Action Plans should also contribute, where possible, to regional cooperation. They should have a minimum duration of three years and be subject to renewal by mutual consent.

The Commission proposes that Action Plans are agreed jointly with the neighbouring countries concerned and be based on common principles but be differentiated, taking into account the specificities of each neighbour, its national reform process and its relations with the EU.

A first review of implementation of the Action Plans will be undertaken within two years of their adoption.

### **ENP and the environment**

The ENP builds on *common values*, principles and objectives such as *democracy* and *sustainable development*. Environment is included in the ENP because:

1. Environment protection brings benefits to citizens and businesses, increases prosperity and stability, including reduction of likelihood of conflicts over scarce resources
2. Civil society plays an important role in environment policies
3. Pollution does not respect borders
4. When trade concessions are agreed within the ENP, minimum environment standards to be respected
5. Competitiveness considerations

6. Signature and ratification of international agreements to ensure that such agreements enter into force

The Commission says that inclusion of environment issues in ENP Action Plans requires careful consideration, in view of the magnitude of environmental concerns in question:

1. Building on the objective of sustainable development, and aiming for prosperity and stability
2. Duration of Action Plans
3. Need to stress capacity building and setting basic conditions for better environmental governance
4. Need for differentiation between countries
5. Building on existing co-operation and activities by the EU, Member States and partner countries
6. Need to prioritise, sequence and be realistic
7. Implementation of already existing commitments
8. Need to ensure that agreed actions can be monitored
9. Challenge of ensuring necessary resources
10. Commitment and ownership
11. Action Plans are negotiated documents
12. EU should support policy and infrastructure developments abroad which are coherent with its own domestic policies

On the basis of the above general considerations, the following three broad categories of actions are considered in the Action Plans:

1. Promotion of good environmental governance:
  - Procedures on access to environmental information
  - Information to public and public participation
  - Support to civil society actors and local authorities
2. Prevention of deterioration of environment, protection of human health, and rational use of natural resources, in line with Johannesburg Summit:
  - Preparation and implementation of sector-specific framework and implementing legislation (water, waste, air, nature, industry...)
  - Sector-specific plans and programmes
  - Administrative capacities within the sectors
  - Prioritisation of investments
3. Enhancing international and regional co-operation, including implementation of international agreements:
  - Kyoto Protocol
  - Barcelona Convention and its Protocols
  - EU Water Initiative
  - Identification of possibilities with the neighbouring countries for enhanced regional co-operation
  - Possible participation in selected EEA activities

Apart from these areas, the following environment-related actions within other ENP sector policies are evident:

- Energy:
  - promotion of renewable energy sources
  - energy efficiency
  - reduction of network losses

- Transport:
  - Promotion of sustainable transport policies
  - Increase of maritime safety
- People-to-people contacts
- Research and Development
- Statistics

As *sustainable development* is one of the shared values and objectives of ENP, following actions are promoted in Action Plans in line with the principle of differentiation:

- Establishment of administrative structures to ensure strategic planning of sustainable development structures, and co-ordination between actors
- Adoption and/or implementation of national sustainable development strategy
- Establishment of national Sustainable Development commission
- Integration of environment considerations into other policy areas such as industry, energy, transport, agriculture and regional policy
- Adoption of sectoral sustainable development strategies

### **Funding**

Until 2007 the Tacis, MEDA and Interreg programmes will remain the main financial assistance instruments for partner countries.

Starting from 2007, the New Neighbourhood Instrument will support cross border co-operation as well as regional co-operation projects involving both EU member states and partner countries. In addition, the so-called Economic Co-operation and Development instrument will address both regional and cross-border co-operation among partner countries.

The Commission has proposed that existing funds or their successors (like the NNI) be *increased significantly* under the new financial perspectives, in keeping with the priority given by the EU to the ENP.

The New Neighbourhood Instrument (NNI) will operate through two separate funding windows:

#### *Window One:*

- Will support cross-border co-operation.
- Will apply to all concerned land and maritime borders.
- Programmes will primarily be bilateral although multilateral programmes may be established in particular over those maritime crossings where distance and other factors do not allow for efficient bilateral cross-border co-operation.
- Multi-annual programmes will be established for single borders or groups of borders, and will be relevant partners in beneficiary countries on both sides of the border.
- Management will be delegated by the Commission to a management body operating through shared management or other suitable arrangements.
- Project selection and programme implementation will be carried out through joint structures involving national, regional and local authorities of EU Member States and partner countries.

#### *Window Two:*

- Will provide more flexible support for wider trans-national co-operation involving actors and beneficiaries from both EU Member States and partner countries.
- Co-operation will mostly be focused on specific themes to be defined in the regulation based on common identified challenges, such as
  - Environment
  - Telecommunication

- Transport networks
- Public health
- Prevention and fight against organised crime
- The Commission will also have the possibility to identify, select and propose projects of particular technical and political importance for funding.
- Eligibility will cover all the territory of the EU Member States and the relevant parts of the territory of partner countries.
- Programming will be centralised in the Commission.
- Implementation will be centralised, although indirect management through delegation to external bodies such as executive agencies may be considered.

### **Opportunities**

The ENP has developed very fast and has a high priority in the European Commission. It will come with a new financial instrument providing a substantial increase in funding compared to the existing programmes.

The Action Plans commit the partner countries to provide:

- Access to environmental information
- Information to public and public participation
- Support to civil society actors and local authorities

It all gives relevant actors opportunities to interact and influence the Action Plans and their implementation. Civil Society organisations must make an active lobbying effort to influence the Action Plans and the Neighbourhood Programmes on national levels.

Security is high on the agenda of the ENP: it is an opportunity to promote the importance of environment/natural resources management in relation to security.

### **Timeline**

ENP partner countries for which draft Action Plans should have been submitted by now:

**Jordan**  
**Moldova**  
**Morocco**  
**Tunisia**  
**Ukraine**  
**Israel**  
**Palestinian Authority**

Exploratory talks in the Council, the Commission and the Presidency on the draft Action Plans for the countries mentioned above are supposed to be finalised by now and formal proposals for Action Plans submitted. However, the process is delayed and a number of Action Plans are still to be finalised. They are expected to be adopted by the Commission at the *end of October 2004* and then go to the Council and the Association/Cooperation Councils for the partner countries. The respective Association/Cooperation Councils will be invited to endorse the Action Plans as soon as possible to ensure their implementation and monitoring.

The date of the final approval of the first Action Plans is at this stage still unknown.

### **Timeline for the Action Plans and the Regulation on ENP (as of October 2004):**

- Late October 2004: The Commission adopts the Action Plans for Morocco, Tunisia, Jordan, Palestine Auth. Israel, Ukraine and Moldova. New plans are negotiated with the remaining countries.

- Late autumn 2004: the programme 2004-2006 (1st phase) is discussed. It will be a transitional period where existing tools (MEDA, TACIS, Interreg) will be combined to support cross-border cooperation. (terrestrial and marine borders)
- Now and until 2006: Elaboration of a new regulation on ENP NNI that will replace MEDA, TACIS, Interreg. in the framework of financial revision.. The draft regulation has been released on October 11, 2004. It will follow the regular procedures for adoption (Council, Parliament)

***Further information***

- Proposal for a Regulation of the European Parliament and of the Council laying down general provisions establishing a European Neighbourhood and Partnership Instrument (presented by the Commission), COM(2004) 628 final.
- Communication from the European Commission, COM(2004) 373; *“European Neighbourhood Policy, STRATEGY PAPER”*.
- Communication from the European Commission, COM(2003) 393; *“Paving the way for a NEW Neighbourhood Instrument”*.
- Website of the European Neighbourhood Policy:  
[http://europa.eu.int/comm/world/enp/index\\_en.htm](http://europa.eu.int/comm/world/enp/index_en.htm)  
-all of the above documents can be downloaded from this website

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