



How green is the future of EU Cohesion Policy?

A WWF score-card analysis of
the Regional Funds programming
for 2007-2013





The background of the entire page is decorated with a pattern of grey, five-pointed stars of varying sizes, arranged in a circular, starry pattern reminiscent of the European Union flag.

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TABLE OF CONTENTS

1. Setting the scene	9
1.1. Sustainable development, partnership and environmental integration in EU Regional Funding	9
1.2. What is new in the programming for 2007-2013	12
1.3. WWF and partner's involvement in Regional Funds	13
1.4. Objectives of the score-card report	14
1.5. Overview of Regional Funds allocations	16
1.6. How this report has been produced	16
2. Summary of key results	18
2.1. Key results at a general level	18
2.2. Key results for participation	19
2.3. Key results for environmental integration	20
2.4. Key results for the allocation of funding	21
2.5. Mean scores of analysed member states	22
3. Quantitative Analysis of results	23
3.1. Participation in the programming process	23
3.1.1. Inclusion of public environmental stakeholders in NSRF programming	23
3.1.2. Inclusion of environmental NGO stakeholders into NSRF programming	25
3.1.3. Information and accessibility of programming stages of the NSRF	26
3.1.4. Inclusion of lessons-learned into the NSRF	28
3.1.5. Drafting and consultation of key Operational Programmes	29
3.2. Environmental integration in the programming process	31
3.2.1. Sustainable development as a priority in the NSRF	31
3.2.2. Environmental priorities in the NSRF	32
3.2.3. Mechanisms for environmental integration in the NSRF	34
3.2.4. SEA application as a safe-guarding mechanism	35
3.2.5. Environmental integration and the management structure of EU Regional Funds	36
3.3. Funding allocations for the environment	38
3.3.1. Global allocation shares for the environment	39
3.3.2. Environmental funding shares distributed across different OPs	40
3.3.3. Funding shares across strategic environmental priorities	41
3.3.4. Potentially harmful measures in other programming documents	42

TABLE OF CONTENTS

4. Summary and recommendations	45
4.1. Recommendations concerning planning and implementation of EU Regional Funds	46
4.1.1. The role of the European Commission in participation, environmental integration and the allocation of funding	46
4.1.2. The role of the member states in participation, environmental integration and the allocation of funding	49
4.2. Recommendations concerning the Mid-Term-Review and further evaluation of EU regional Funds	51
5. National Chapters	53
5.1. Bulgaria	53
5.2. Estonia	63
5.3. Germany	73
5.4. Greece	79
5.5. Italy	87
5.6. Latvia	101
5.7. Poland	111
5.8. Portugal	123
5.9. Romania	135
5.10. Slovakia	147
5.11. UK	161
6. ANNEX	171
Examples of environmental allocations	171

1. SETTING THE SCENE

The score-card report

The WWF score-card looks at programming for the upcoming Regional Funding period. It analyses to what extent Member States implement legally-binding principles such as the principles of partnership, environmental integration and sustainable development. This scoring exercise has been conducted in 11 Member States and describes the programming process and the content of documents up to January 2007.

1.1 Sustainable development, partnership and environmental integration in EU Regional Funding

Sustainable Development

EU Cohesion Policy and the EU Regional Funds aim to reduce disparities between the different regions in the European Community members.¹ To do this efficiently and according to political priorities, the European Commission develops a regulatory framework for regional policy governing a period that is normally between 5 to 7 years. For the upcoming period 2007-2013, a total of 308 Billion (2004 prices) is allocated. A set of regulations plus strategic guidelines have been developed over the last two years to steer this fund.² The drafting process of this body of regulations involves the European Parliament as well as the European Council of Member States, and this process ended with the adoption of EU Regional Funds regulations in July 2006 and strategic guidelines in October 2006.

Environmental NGOs have been following this process with great interest, and WWF was involved in lobbying the regulatory framework to:

- make systematic reference to the principle of sustainable development
- raise the funding options for environmental and biodiversity measures
- strengthen the partnership principle to include environmental partners
- implement strict environmental scrutiny such as the Strategic Environmental Assessment (SEA) directive

When examining the regulation as it was finally adopted, all these aspects are more or less strongly represented in the European regulation for Regional Funding. Despite strong objections from some member states, a stand-alone article on sustainable development was re-introduced into the final regulation text. This article of the general regulation makes the framework of sustainable development a binding principle for all funding objectives:

Article 17

Sustainable development

The objectives of the Funds shall be pursued in the framework of sustainable development and the Community promotion of the goal of protecting and improving the environment as set out in Article 6 of the Treaty.

¹ See article 158 of the treaty.

² See final adopted regulation under:
http://ec.europa.eu/regional_policy/sources/docoffic/official/regulation/newregl0713_en.htm

Environmental Integration

The aim to integrate environmental concerns into all European Policy fields was first sketched in the EC treaty (European Single Act) 20 years ago but has been considerably strengthened in the Amsterdam Treaty of 1997. Article 6 states that: “Environmental protection requirements must be integrated into the definition and implementation of the Community policies and activities (...) in particular with a view to promoting sustainable development.” In the regulation for 2007-2013, there are

many funding options for investments in environmental infrastructure, the protection of natural resources, and the Natura 2000 network, as well as measures supporting the implementation of the Water Framework Directive and supporting the Kyoto goal of the EU³. Both the regulation and the strategic guidelines propose that many environmental measures are possible once they happen in the context of creating development, jobs and growth in the regions. This can be understood, for example, from paragraph 1.1.2. of the strategic guidelines:

1.1.2. Strengthen the synergies between environmental protection and growth

Environmental investments can contribute to the economy in three ways: they can ensure the long-term sustainability of economic growth, they decrease external environmental costs to the economy (e.g. health costs, clean-up costs or damage recovery) and they stimulate innovation and job creation. Future cohesion programmes should seek to strengthen potential synergies between environmental protection and growth. The provision of environmental services such as clean water supplies, waste and waste-water treatment infrastructures, management of natural resources, the decontamination of land to prepare it for new economic activities, and protection against certain environmental risks (e.g. desertification, droughts, fires and floods), should all have high priority in this context.

Looking at environmental spending in the EU Regional Funds, DG Environment has tried to conduct an ex-post analysis and to collect examples from the 2000-2006 programming

period.⁴ The report concludes that some 17% of all Regional funding is allocated to environmental benefits. See their analysis below.

Figure 1 - Planned expenditure from Strucutral Funds on Environmental categories - 2000-06

CATEGORY	Million €	% of SF EU-25
Environmental infrastructures (A)	10.913,6	5,1%
AIR	213,3	0,1%
NOISE	46,2	0,02%
WASTE	1.428,6	0,7%
DRINKING WATER	2.978,5	1,4%
Water SEWERAGE 1 PURIFICATION	3.605,0	1,7%
Not distributed	2.642,0	1,2%
Other categories (B)	26.007,7	12,1%
SUSTAINABLE TRANSPORT	12.369,3	5,8%
FOREST & NATURE PROTECTION	4.760,8	2,2%
REHABILITATION INDUSTRIAL AREAS	2.249,3	1,0%
REHABILITATION OF URBAN AREAS*	2.049,3	1,0%
AGRICULT. WATER MANAGEMENT	2.012,0	0,9%
ENVIRONMENTAL TECHNOLOGY	1.243,0	0,6%
SUSTAINABLE ENERGY	804,3	0,4%
SUSTAINABLE FISHERIES	519,6	0,2%
TOTAL (B)	36.922,0	17,2%
TOTAL SF	214.817,0	100,0%

Source: Interview/EC
* Estimated share for environment (45% of the category)

3 For a detailed analysis of environmental funding options based on regulation drafts, please see the WWF Manual of 2005: http://assets.panda.org/downloads/eufundingforenvironment_web.pdf
4 The contribution of Structural and Cohesion Funds to a better environment. ENEA, January 2006, page 24.

The report also states that there has been a slow, but steady increase of environmental spending under the EU Regional Policy, although political prioritisation for sustainable development at national and regional level is still not very strongly developed. This increase is mostly due to Commission pressure, strict monitoring and evaluation and the introduction of environmental scrutiny criteria.

Partnership

While sustainable development and environmental integration are principles governing the objectives and content of the fund-

ing, the partnership principle provides indications on how the funds are implemented. The partnership principle governs the planning, implementation and evaluation of EU Regional Policy and demands the inclusion of not only social and economic, but also environmental stakeholders as partners to the managing authorities⁵. The European Commission is not laying out the details of this partnership nor is it proposing quality criteria for it; the member states or regions benefiting from EU regional funding need to define this according to their rules and practices. Nevertheless, the Commission – in an analysis of the partnership in EU Regional Policy⁶ – stated that:

This analysis suggests that partnership can contribute to the effectiveness, efficiency, legitimacy and transparency of Structural Funds operations, and to the commitments to, and ownership of, programme outputs. The analysis also shows that there have been efforts to improve the functioning of partnership. Where it is well implemented, partnership has also generated further benefits such as the improvement of institutional capacities at different levels (local, regional and national), better inter-institutional coordination and communication at the national level, or a better involvement of civil society.

⁵ See Article 11 of the general regulation.

⁶ Discussion paper of DG Regio 2005: Partnership in the 2000-2006 programming period, page 12.

1.2. What is new in the programming for 2007-2013

General

Besides many continuing features and objectives of Regional Policy, some principles are introduced or changed in each new programming period.

For the 2007-13 period, a total sum of 308 Billion Euro has been allocated for 27 Member States. For the first time, the 10 new member states receive the full portion of Regional Funding allocations, while the newest members, Romania and Bulgaria, are phasing in. Three funds are using the total sum: the European Regional Development Fund (ERDF), the European Social Fund (ESF) and the Cohesion Fund (CF). Former funds have been integrated into those three funding lines – for example, the former Interreg is now part of mainstream ERDF.

Strategic Guidelines

To use funds more strategically, the Commission has developed strategic guidelines that, although not legally binding, were also formally adopted by the Council⁷. The guidelines aim to translate the regulation into strategic policy priorities and to inform the programming at a national level. As stated on the Commission website⁸: “National authorities will use the guidelines as the basis for drafting their national strategic priorities and planning for 2007-2013, the so called National Strategic Reference Frameworks (NSRFs).” While the NSRF is therefore a more general, strategic document, the Operational Programmes (OPs) are the core management documents for the implementation process.

Lisbon Earmarking

A further step to strategically focus Regional Spending is the Lisbon earmarking, introduced jointly with the financial agreement under the UK Presidency in December 2005. This earmarking⁹ strongly encourages member states to dedicate 75% of all funding under the competitiveness objective and 60% of all funding under the convergence objective to measures supporting the Lisbon agenda of growth and jobs¹⁰.

SEA Directive

In line with the Strategic Environmental Assessment Directive¹¹, all relevant OPs have to be submitted to a full SEA procedure for this programming period. “The purpose of the SEA-Directive is to ensure that environmental consequences of certain plans and programmes are identified and assessed during their preparation and before their adoption. The public and environmental authorities can give their opinion and all results are integrated and taken into account in the course of the planning procedure. After the adoption of the plan or programme the public is informed about the decision and the way in which it was made¹².” The SEA should also support and strengthen environmental integration as mentioned above.

7 See the Official Journal of the European Union publication of the Community strategic guidelines on cohesion: http://ec.europa.eu/regional_policy/sources/docoffic/2007/osc/l_29120061021en00110032.pdf

8 http://ec.europa.eu/regional_policy/sources/docoffic/2007/osc/index_en.htm

9 First proposed at the Hampton Court Informal Council meeting in November 2005 and outlined in Commission Fiche 59, 23 January 2006

10 See http://ec.europa.eu/growthandjobs/index_en.htm

11 Formally adopted in 2001.

12 See DG website: <http://ec.europa.eu/environment/eia/sea-legalcontext.htm>

The Transparency Initiative

As part of a new European Initiative, the Commission would like to see a more transparent information policy regarding beneficiaries of EU funding. A Green Paper was published for wider consultation during the year 2006¹³. One result of this initiative is to make all beneficiaries of EU Regional Funding publicly available as of 2009. This is part of a wider objective to increase transparency about how EU Funding is used and the interest that various parties have in the implementation of funding policies. In the light of this request, we analysed how transparent money allocations are added to the operational programmes.

1.3. WWF and partner's involvement in Regional Funds

Since its foundation in 1989, the WWF European Policy Office has had a history of following EU Funding Policies. At national and regional level, several national WWF offices are involved more or less intensively in the programming, implementation and evaluation processes as members of steering or monitoring committees (e.g. Greece, Poland), have launched complaints when harmful projects are planned (i.e. Spain, Poland), or are involved in implementing EU funded projects (i.e. France, Italy and Belgium). In some European member states, WWF is funding other organisations to work on EU Regional Funding (i.e. Daphne in Slovakia and LPN in Portugal). In co-operation with national WWF and partner offices, some key publications have been launched over the last years, most recently the EU Funding Manual for the Environment in 2005 and the Conflicting EU

funds study in 2006. All WWF staff working on Regional Funding in different parts of Europe meet regularly, define common work programmes and objectives, decide on joint activities, and exchange experience.

But WWF is also part of a wider NGO network dealing with Regional Policy, namely the Coalition for EU Funds¹⁴. This coalition was intensely following the legislation development in Brussels, jointly lobbying the European Commission, the European Parliament and the Council, publishing several position papers and recommendations, answering public consultation requests and – most recently – publishing the “10 Golden Rules of Participation”¹⁵ at the end of 2006. Frequently, different environmental NGOs also join forces when it comes to training or capacity-building for their partners in the regions, organise workshops to share tasks strategically, to build national coalitions, and to exchange experiences. All those wider-ranging activities and the long-term involvement encouraged WWF to look at the programming process for 2007-2013 and to do this in the form of the score-card for this upcoming period.

13 See the 2006 Green Paper in the Transparency Initiative: http://ec.europa.eu/transparency/eti/docs/gp_en.pdf

14 See website: <http://www.coalition-on-eufunds.org/>

15 See: http://assets.panda.org/downloads/golden_rules_ngo_participation_final.pdf

1.4. Objectives of the score-card report

With the first paragraphs of this introductory chapter outlining the role that sustainable development, environmental integration and partnership play in the regulatory framework, the WWF score-card seeks to examine how far those principles have been implemented in the programming phase for the current 2007-2013 period.

With this scorecard examination, WWF has several objectives:

- Analyse the horizontal and vertical integration of environment and sustainable development in the national strategic reference framework and key operational programmes.

- Analyse the drafting process of the document vis-à-vis partnership through co-operation with environmental stakeholders, transparency and public participation.
- Look at the resource allocation across various Operational Programmes if possible – or at least evaluate the transparency of resource allocations.

As capacities are limited and the WWF presence does not cover all EU member states, this report covers 11 old and new member states. Those member states have been analysed either by WWF staff or by partner NGOs working nationally on Regional Policy:

Member State analysed	NGO to collect data
Bulgaria	WWF
Germany	WWF
Greece	WWF
Italy	WWF
Latvia	WWF – Pasaules Dabas Fonds
Poland	WWF
Romania	WWF
Estonia	ELF
Portugal	LPN
Slovakia	Daphne
UK	RSPB

When analysing the complexity of this new programming process and the reduced influence of decision-makers in Brussels upon the content and process of the programming, WWF is convinced that this informed NGO examination of the entire programming process could be helpful. Analysing the process as well as content can provide an indication of the seriousness with which the relevant authorities take the principles of partnership, environmental integration and sustainability and how this might be reflected in the quality of the environmental chapters of programming documents.

If the principles outlined before (sustainable development, environmental integration and partnership) were to be followed wholeheartedly, the so-called environmental ‘trade-offs’ when pursuing economic development would not persist. NGO representatives and other relevant partners would ensure that policy programming and implementation are conducted efficiently, smoothly and transparently. A narrow sectoral approach in planning EU spending could not continue and environmental integration would be achieved systematically. As this is seemingly not the case, at least not for the 2000-2006 period, this is why

we decided to use the score-card to look at environmental integration, sustainable development and the realisation of the partnership principle in the programming documents.

Environmental stakeholders have criticised the use of EU funding for harmful projects in several publications and at various levels. The WWF report “Conflicting EU-funds: Pitting conservation against unsustainable development” of 2006 states that “... unless consideration of biodiversity and nature is included in selection of projects and design of programmes for the other funds, there is a risk of overwhelming negative impacts of biodiversity”¹⁶. Serious harmful effects upon the environment and biodiversity can be already predicted when looking at the programming documents. If there is a lack of integration of the principle of sustainability throughout the whole body of programming documents, if environmental safeguarding mechanisms are not applied or if the programming takes a very narrow sectoral approach, we can consider these to be indicators of a future use of EU Funding that is detrimental for the environment rather than supportive.

The Commission DG Regio analysed the application of the partnership principle in 2005, and several benefits were highlighted:

- More expertise in the programming cycle
- Better planning and implementation procedures
- Higher awareness of potential project applicants
- Higher efficiency of project selection
- More transparency in the decision-making processes
- Development of institutional capacity and innovation

In the light of those officially stated benefits, WWF sought to analyse the extent to which the responsible authorities are open to allowing the participation of environmental stakeholders in the programming process, and if such participation is taking place, of what quality is the participation and what impact does it have on the content of the documents? Other NGOs have already criticised the unsatisfying degree of influence that NGO partners have in the Regional Funding implementation¹⁷. We wish to see if this has since changed.

When examining funding allocations, WWF seeks to evaluate how the rhetoric of the programming documents is reflected in spending. Naturally, significant funds being spent on potentially harmful projects would not reflect the stated objective to achieve long-lasting sustainable development for a certain region. Although we are aware of the fact that the objectives of EU Regional Development are linked to measures such as infrastructure development, much still depends upon the type of infrastructure improvement planned. While the differentiation between road infrastructure and train or public transport infrastructure is the most obvious, a crucial prioritisation for sustainable development could also be made in fields such as energy provision or housing.

However, there is a second important issue linked to the analysis of allocation: The degree of transparency in funding allocation. During the analysis of the programming, we realised that it is sometimes problematic to clearly say where the EU funds are going. Funding titles may be too broad to allow understanding of whether particular

¹⁶ See: WWF 2006: Conflicting EU-funds: Pitting conservation against unsustainable development, page 26.
http://assets.panda.org/downloads/eu_conflicting_funds_report.pdf

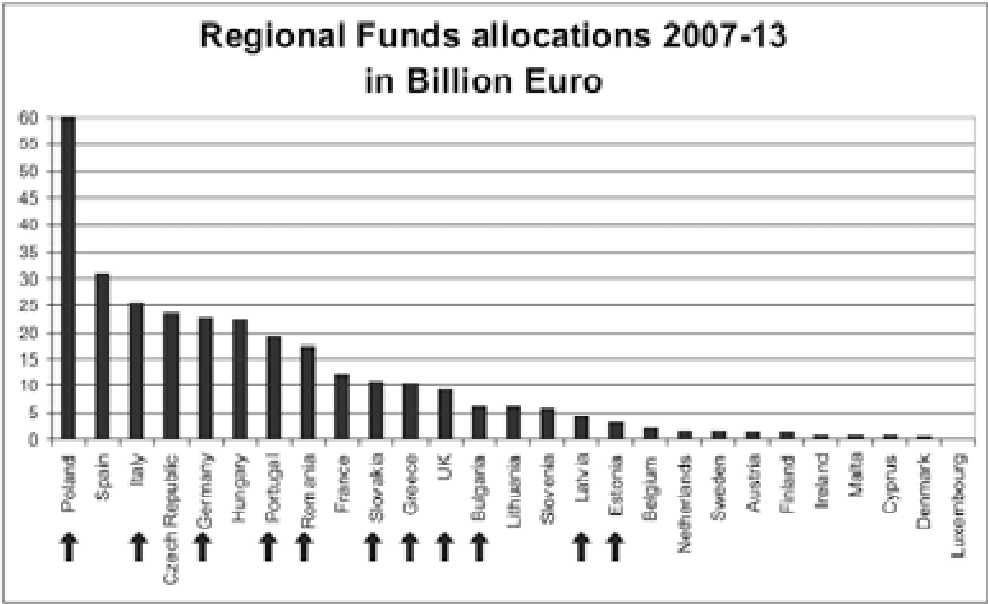
¹⁷ See “The Illusion of Inclusion”, ECAS 2004.

funds will lead to sustainable development or not. For example, when a section in an OP is called investment into inner-city transport, the sum may not be split further between private car transport and public transport or bicycle transport. Another way to hide allocations is to place them into annexes to the OPs and not to publish those annexes. We believe that this practice is not acceptable and wish to highlight those cases of non-transparent funding allocations. As the political pressure to increase transparency has risen and the Commission has been successful with parts

of its “transparency initiative”, cases of hidden funding allocations should not go uncommented upon.

1.5. Overview of Regional Funds allocations

The following chart gives an overview of the funding shares by member states. Those member states analysed in this report are marked with an arrow. This report has collected data on 6 of the 10 member states with highest allocation shares, and on 11 member states in total.



1.6. How this report has been produced

This publication has been conceptualised, co-ordinated and partly drafted in the WWF European Policy Office. The idea for this report developed in early 2005 and was refined in several meetings of the WWF Regional Funds team.

This score-card idea has been also presented and discussed on various occasions, for example with the ENEA¹⁸ network meeting in 2006 and during the OPEN DAYS 2006¹⁹.

As the programming process was delayed significantly due to unclear regulations, the score-card was delayed accordingly. The main bulk of data collection work was carried out in 2006, with final score-card national chapters ready by either the end of 2006 or the beginning of 2007.

¹⁸ A network of environmental authorities, Commission staff and other stakeholders dealing with EU Regional Funding. This network is co-ordinated, supported and funded by DG Environment. WWF has been a member since 2005.

¹⁹ The OPEN DAYS are conducted yearly, comprise a series of seminars and presentations on certain aspects and are initiated and funded by DG REGIO. WWF has made presentations regularly.

As the reader can see, the depth of national chapter data is variable. This variation in descriptive data depends on the following criteria:

- Availability of data (e.g. funding allocation)
- Complexity of programming process (e.g. strongly regional, such as in Germany, or rather central, such as in Latvia)
- Degree of finalisation of programming process (e.g. Latvia to be one of the first Member States to send documents to the Commission or Greece not having OP drafts ready by early 2007)
- Level of involvement in the programming process (e.g. long-term trusted partner with real impact or just beginning to be involved)

The majority of national chapters were sent to EPO in January 2007 and the publication therefore reflects the status of the programming process at that time. The publication does not intend to make final comments upon the programming, but provides an informed overview of a process up to the

beginning of 2007. This process is different in each of the analysed member states and has been quite “organic” in the sense that it changed, developed and sometimes even stopped over time.

While the publication was written and edited in February 2007, further changes and developments may have occurred in the member states; naturally these could no longer be taken into account.

This score-card has been created by environmental NGOs. It therefore reflects a scoring based on certain criteria and principles as outlined above. We do not undertake an investigation of the potential effectiveness of the programmed spending, but rather aim at examining a particular dimension of this policy. This decision is not arbitrary, but emerges from the revised approach that the new period brings to EU Regional Funding. We stated that our interest is environmental protection, environmental integration and partnership and it is through this perspective that we make our qualitative assessment.

2. SUMMARY OF KEY RESULTS

This chapter aims to give an overview of the results. While scores are presented in later chapters, this chapter provides the overall framework for reading the quantitative results. This chapter summarises and interprets the detailed national chapters in an overview-like manner. It lists the key results of the analysis.

2.1. Key results at a general level

There seems to be no systematic integration of lessons-learned from previous programming periods. Although considerable energy is spent upon monitoring and ex-ante evaluation reports, this WWF analysis has rarely found a systematic process for integrating the lessons of those reporting exercises into the upcoming programming cycle. Yet if we are not learning from the past, what will tell us that we are moving forward and learning from past mistakes? How are we sure that the environmental impact will be minimised and that the environmental contribution will be strengthened? If the planning sets out without a prior assessment of where we are and what to do, how can we expect anything other than more of the same?

The differences among the programming processes across member states are striking. Factors such as timing, organisation, the extent to which authorities are co-operating and the involvement of civil society vary among the analysed member states. This variability in the planning process demonstrates a wide application of the sub-

sidarity principle, with all the disadvantages its application encompasses. A clear benefit is that member states can plan and design the new programming period according to their own customs, hierarchical realities and pace. However, the disadvantages cannot be ignored: there are no minimum criteria for the key principles of partnership and environmental integration, sustainable development and transparency. In addition to this, some member states are running noticeably late in their programming process.

A further important observation concerns the level of influence of the Commission regulation and strategic guidelines not only on legal aspects, but also on the prioritisation in national programming. The legal and strategic documents seem particularly influential with respect to the new member states, which seem to be more open to the guidance of the Commission than the old ones who – as in the case of Germany – would prefer to have no Commission guidance and therefore ignore it as much as possible. The influence of the proposed regulation drafts and guidelines is illustrated by the fact that NGO observers could observe national planning documents change according to the changes in the strategic guidance document of the Commission.

It is also remarkable how NGO involvement differs across the analysed member states. While in old member states, it is often only one or two NGOs who are actively involved or seeking to be involved, there seems to be larger numbers of involved environmental organisations in the new member states.

2.2. Key results for participation

In a majority of analysed member states, it appears to be standard procedure to involve environmental authorities in the programming for Regional Funding. The procedures to involve this particular line ministry may be different, but environmental authorities are not neglected in the programming. It was sometimes difficult to assess to what extent the contributions of environmental authorities are ultimately influential, but they seem to play a well-established role in most of the analysed member states.

Environmental NGOs across the analysed member states face various degrees of participation: at one end is Portugal, where NGOs were not involved, while at the other end of the spectrum is Latvia, where environmental NGO representatives are even present in the bilateral Commission / Member State negotiation of programming documents. All other stages between these extremes are represented by the analysed member states here. In general, some form of pressure from the Commission side appears to be very helpful in securing the inclusion of environmental NGOs.

Contributions from environmental NGOs are most often channelled and organised through the Ministry of the Environment. The most effective interaction between environmental NGOs and the public sector is accordingly via the Ministry of the Environment. It also seems to be the case that the environmental NGO comments are taken seriously only regarding the environmental OPs. So, if environmental NGOs still work mostly on the Environment OP, that means that participation and consultation occurs within the context of vertical integration, not horizontal. It also means that con-

sultation is taking place only when the same “communities” talk to each other, environmental stakeholders to environmental stakeholders, and not throughout the whole programming process.

When environmental NGOs actually are actively involved in the development of the NSRF, the results are quite difficult to assess. In the majority of analysed member states, they have the opportunity to comment on various drafting stages of the strategic document. The authorities commonly used two different approaches to invite partners: first, via written comments in a web-based consultation process; and second, via direct communication in drafting working groups or consultation conferences. With some exceptions, NGOs had a chance to participate and engaged in commenting upon the document drafts. The problem then emerged that there were either very tight deadlines or no deadlines at all as the documents were only presented at the consultation conference itself. Yet participation and consultation can only have an effect and result in a better plan if the process is well organised and information is well managed.

While environmental NGOs are still relatively happy with their opportunities to make comments, there is quite a strong concern about the proceedings of those comments. Transparent mechanisms to process comments are rare and, even then, comments are not necessarily taken into consideration. This is reflected in the missing scores later – environmental NGOs have put considerable effort into commenting upon and contributing to the development of national documents, but they have little idea concerning what has happened to their contributions. Worse, even if the authorities were appreciative of the NGO comments,

because there is no feedback the stakeholders suspect that they do not take them into account. Hence, a well co-ordinated consultation can generate and build trust among stakeholders and offer the basis for better co-operation in the future.

2.3. Key results for environmental Integration

We have analysed environmental integration into the NSRF document and into key Operational Programmes. The key results for both document types are listed below. The degree to which environmental measures and sustainable development are elaborated in the NSRF – as is supposed to happen according to EU regulation – sets the framework of the application of the Regional Funds in a sustainable and environmental fashion. However, we are not sure whether this rhetorical pledge will be implemented due to the general level at which it is set. At least rhetorically, member states seem to have followed the need to horizontally integrate environmental factors and to make sustainable development an overarching principle. While environmental priorities are not always very clearly defined in the NSRF, they are at least discussed. Rhetorically, however, this commitment has been made in the previous programming period, with no systematic impact.

It needs to be said that the term ‘sustainable development’ in the NSRF is also used when discussing economic growth or job creation. There is clearly a danger for environmental integration if the term is randomly used in the document, without clarification of its environmental dimension. This also shows that we encounter the use of sustainability as a “buzz-word” that might

have no meaning attached to it and that does not lead to substantial changes in programmatic priorities.

Although the rhetoric is aimed at integration, this analysis has found no systematic provision of environmental integration mechanisms in the national documents. In most member states, no procedures to ensure a constant and efficient integration of the environment into all priorities are mentioned. This again creates doubt concerning member states’ commitment and investment into environmental integration, as integration in this programming period will not happen due to rhetoric statement only. It further strengthens the concerns that general rhetorical reference to environmental protection and sustainable development are only included to please some audiences, but that the reality of policy implementation, and the reality of programming priorities and major funding shares, will not move towards more environmental sustainability.

The application of the SEA (Strategic Environmental Assessment) process for relevant Operational Programmes has had various outcomes. Although required by the Commission, an SEA has not been systematically integrated into the drafting of relevant Operational Programmes. Most member states have decided against an SEA for the NSRF, but have integrated the SEA into their ex-ante evaluation of key OPs.

However, other member states have carried out an SEA only after the OPs were submitted for approval to national governments. The degree of public consultation during the SEA also varied considerably.

This programming process for OPs in Regional Funding is the first real test for the application of the SEA across Europe. The

results are mixed, and we caution the Commission, EU member states and all environmental stakeholders that if the application is not monitored closely, a significant opportunity to use a powerful and new tool may be lost.

Environmental needs are reflected to various degrees in the relevant OPs – sometimes, as in Estonia, funding is allocated across a wide range of environmental priorities. In other cases, member states focus narrowly on environmental infrastructure investments. Although investments into Natura 2000 are mentioned in a majority of NSRF documents, the allocations for funding in the OPs does not put a high priority on Natura 2000 measures. Investments concerning the Water Framework Directive are almost non-existent and energy efficiency and renewable energy priorities are also well below the expected share of funding. Given that as early as 2005, WWF identified and widely communicated a broad range of funding options for the environment²⁰, the meagre results here are very disappointing.

Another alarm sounds when looking at the extent of how OPs in general contain potentially harmful projects for the environment. Some member states clearly state that there will be environmental trade-offs and how to mitigate those (Estonia), other member states do not even acknowledge those potential threats (Poland), and therefore also do not seem to have sufficient awareness to invest in their limitation and mitigation. This proves again that environmental integration remains a theoretical construct in most member states, sectoral perspectives remain dominant and the environment is not taken into consideration systematically across all investment programmes.

2.4. Key results for the allocation of funding

First, it needs to be stated that it is not easy to gain access to the final funding allocations. There are several mechanisms applied to make funding allocations inaccessible to NGOs and other stakeholders. While some member states have clear funding allocation tables built in as an integral part of the Operational programmes (such as Poland and Slovakia), other member states have not yet provided allocation tables (Greece), have put the detailed allocation plans in the annexes not discussed in public (such as Latvia) or generally follow a rather broad allocation of funding lines. In other countries, the real priorities can only be deciphered from the allocation plans (such as in Portugal) while OPs remain more vague.

As already mentioned in the environmental integration chapter, most funding under the environmental heading is still allocated to environmental infrastructure measures. Technical end-of-the-pipe solutions such as technical flood prevention, waste-water treatments or waste incinerators are prominent examples of this trend. Relatively more strategic investments into recycling, natural flood prevention, water saving mechanisms etc. do not appear to be visible in the funding allocations for the environment.

In general, low shares of funding go to environmental priorities. Even in the most obvious fields for win-win situations such as energy investments, only minor shares are spent on efficiency and renewable energy. While those topics are even mentioned in the “earmarking” of Regional Funds, member states seem not to take this up accordingly. Only Estonia has put roughly 22% of all funding to environmental priorities and is thus the absolute front-runner in this respect.

²⁰ See: <http://assets.panda.org/downloads/eufundingforenvironmentweb.pdf>

Even with the incomplete overview of funding shares existing at the date of this analysis and with the exception of Estonia, the failure of the states to avail themselves of the substantial opportunities to fund environmental priorities from the EU Regional Funds is dramatic. The environment is prominent among eligible measures in the

regulation, has entire chapters in the strategic guidelines and is even among the key investments for the Lisbon earmarking – but this analysis shows that it is not taken up accordingly by member states. This result is highly unsatisfactory for WWF and partner NGOs.

Nota bene:
This report analyses a certain time period in a still ongoing and dynamic process, which continues to evolve, change and be finalised. Our analysis was undertaken in early 2007 based on data older than February 2007. Hence, the section on funding allocations does not analyse final allocation, but seeks to highlight trends that were identified in early 2007. Spending for the environment could meanwhile be increased or decreased. A deliberate decision was taken to present this section while the process unfolds so that appropriate adjustments can still be made, before the planning phase is concluded.

2.5. Mean scores of analysed member states

Member State	Participation	Environmental Integration	Funding Allocation ²¹	Overall
Estonia	3.6 😞	5.3 😄	4.6 😄	😊
Germany	3.6 😞	2.6 😞		😞
Romania	3.0 😞	3.2 😞	2.0 😞	😞
Italy	3.3 😞	2.8 😞	3.0 😞	😞
Latvia	3.3 😞	3.5 😞	2.8 😞	😞
Bulgaria	3.6 😞	3.2 😞	3.4 😞	😞
Greece	3.0 😞	3.5 😞	-	😞
Portugal	2.8 😞	3.6 😞	2.8 😞	😞
Slovakia	3.3 😞	3.8 😞	2.8 😞	😞
UK	4.4 😄	3.5 😞	-	😞
Poland	2.0 😞	1.5 😞	1.6 😞	😞

😞 Is given if scores are between 0 and 2.0; 😞 is given if scores are between > 2.0 and 4.0;
😊 Is given if scores are between > 4.0 and 6

21 Here, we have included the scores for potentially harmful projects in other OPs in an inverted format (6=1, 5=2 and so on) to make this overall score consistent.

3. QUANTITATIVE ANALYSIS OF RESULTS

This chapter analyses the situation of participation, environmental integration and funding allocation according to the scores given by national partners. It reflects a more quantitative type of analysis and has to be seen as a summary of the more detailed, qualitative data given in the national chapters.

Scores range from 1 to 6, with 6 being the highest, most positive score. As already stated in the “setting the scene” chapter, the scores reflect certain criteria and principles and do not include a full investigation of the effectiveness of the programming. The scores are a result of our interest in environmental protection, environmental integration and the partnership with environmental stakeholders.

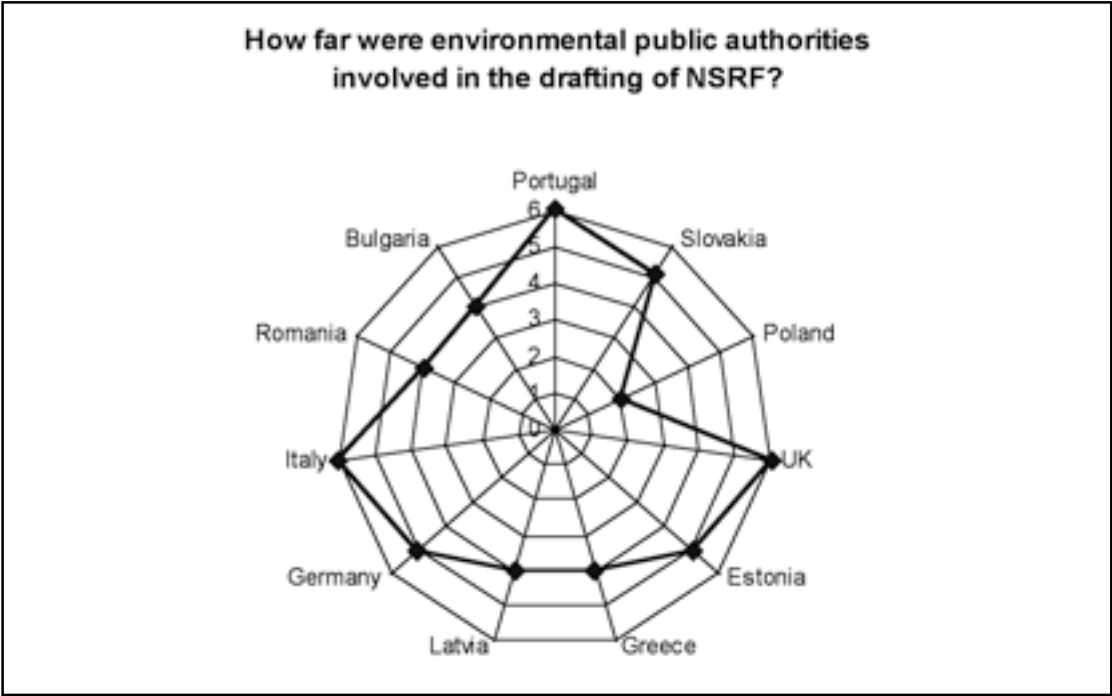
3.1. Participation in the programming process

This section compares the scores given for the implementation of the partnership principle during the planning of the new programming period in the 11 member states examined. The questions were designed to capture different stages of the application of the partnership principle and different types of stakeholder involvement. The scores have been given by the national partners who drafted the national reports. An explanation for why a specific score has been given can be found in the national chapters or has been added to the quantitative scores below.

The partnership principle governs the planning, implementation and evaluation of EU Regional Policy and demands the inclusion of not only social and economic, but also environmental stakeholders as partners to the managing authorities. As partnership enhances the quality of policy implementation, and WWF has a vital interest in a high degree of participation in the funding implementation, this has been one key topic to be analysed by a set of questions.

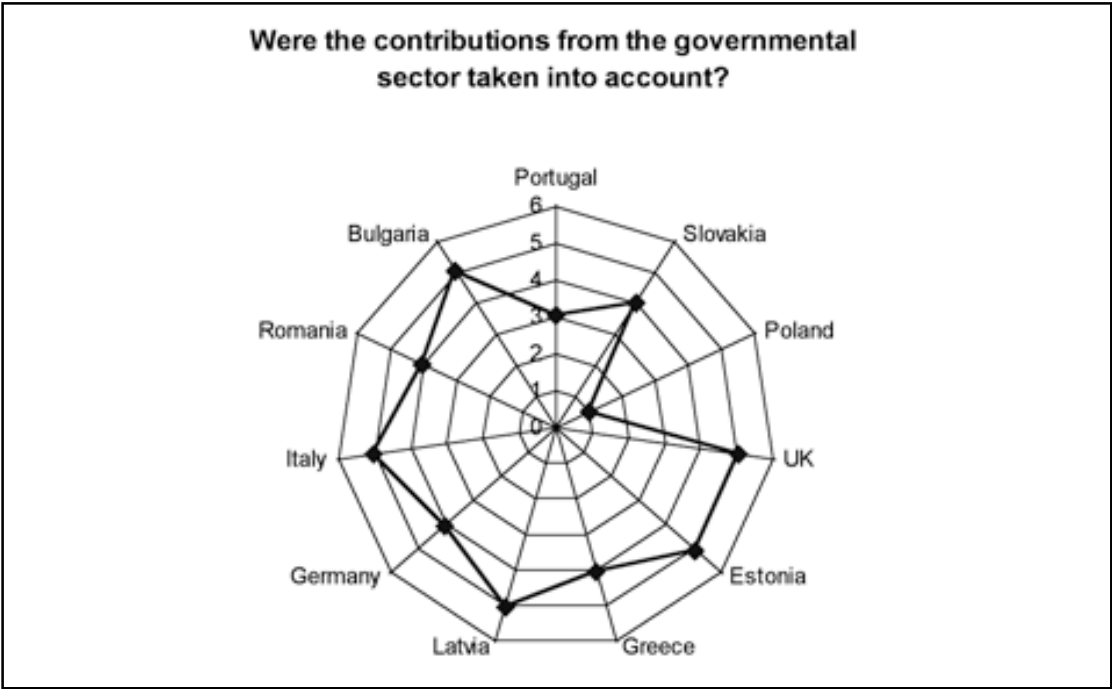
3.1.1. Inclusion of public environmental stakeholders in NSRF programming

Involvement of environmental authorities seems to have been quite successfully implemented for the NSRF. By environmental authorities, we mean mainly ministries of environment, environmental state agencies or other public bodies implementing environmental protection. We can see from the scores that a majority of public stakeholders were involved systematically. A low score was given for those member states in which later drafts have not been consulted any more (Poland).



The contributions of the public environmental authorities have been accordingly taken into account quite well. Poland scores lower as the whole process of inclusion has been unsystematic and unclear. In the

majority of the Member States examined, however, it seems that the ministries of environment or other relevant environmental public bodies were able to influence the drafting of the NSRF.



3.1.2. Inclusion of environmental NGO stakeholders into NSRF programming

In general, environmental NGOs are involved to a certain extent – weaker than environmental authorities – but still involved. This may be due to a tradition of having access as in UK or an involvement achieved through massive protest as in Slovakia. As stated in the overview of results, pressure from the Commission side has played an important role in helping NGOs to be more involved in the programming process; for example, during the NGO boycott in Slovakia.

The inclusion of environmental NGO stakeholders only partly follows the same pattern as that of public stakeholders. In Poland, a similar tendency to not include environmental stakeholders in the NSRF development is noted. In the case of Portugal, however, the pattern is quite different. While the

authorities were able to be involved in the drafting process, NGOs were kept out of the process (see also the Portugal national chapter). Italy follows a similar pattern of very low NGO integration.

While NGOs are involved in the process via online discussions, seminars or in working groups, it is less clear what happens to the contributions NGOs make during the process. Here, we even have missing scores as comments have not been processed (such as in Portugal), or lower scores as comments have been processed but not taken into account. It seems that the participation process is not mature across Europe. Many states do not know how to implement it. Even when WWF notes at least partially that member states have initiated a participation and consultation process, the responsible authorities neither know how to manage this process (see also next question) nor how to communicate the results.

How far were environmental NGOs involved in the NSRF drafting process?



Were the NGO contributions taken into account?



3.1.3. Information and accessibility of programming stages of the NSRF

In general, access to information seems to be not adequate, since only a few high scores are noted (3). NGOs did get the necessary information concerning programming of the NSRF. Only in Poland and in Greece were the channels of information not satis-

factory. This is also reflected in the transparency scores. Public consultation was organised either through on-line consultations, working groups, seminars or meetings. The results are still mediocre as information was not planned and managed adequately to ensure high-quality input of relevant stakeholders. While access to information and the trans-

How accessible was the information regarding NSRF programming



How transparent was public consultation of the NSRF?



27

parency of consultation are a first step for effective inclusion of partners, the second step is to efficiently ask for their contributions. Unfortunately, this second step appears to have been much more problematic. With the exception of the UK, where the NSRF draft was put to consultation months before finalisation, other member states had more problems to hand out con-

sultation documents in a timely manner. Several draft stages were consulted and documents were sent only a few days or hours before the meeting or even handed out at the start of the meeting. This made it almost impossible for partners to give constructive input to the programming documents. For an open, participatory and transparent process to work, the adminis-

Were consultation documents given in a timely manner?



trative system should also be in place, otherwise, neither the partners nor the authorities seeking comments will be able to benefit from the process. If the partnership is aiming at enhancing the quality of the policy planning, partners need to have sufficient time to prepare their contributions and to ensure the high quality of their comments.

3.1.4. Inclusion of lessons-learned into the NSRF

One critical result of the score-card analysis is the lack of systematic inclusion of previous lessons-learned into the current programming period. WWF and partner NGOs perceive a clear lack of procedures to include those lessons learned into the

upcoming period. This result suggests also that the ex-post and mid-term evaluations have not been used to provide input into the ex-ante evaluation of Regional Funds programming. As some of the national WWF partners or partner NGOs have been involved in the ex-post reviews, have given comments and suggestions, they have a good overview of the lessons to be learned. As these lessons seem to be ignored, this shows again that the quality of policy implementation is not a key concern in the programming. The evaluation still seems to be perceived as a “tick-the box” exercise and an administrative burden rather than a laboratory to learn and ensure quality. This slows down the efficient programming and implementation of Regional Funds and leads to draw-backs.



3.1.5. Drafting and consultation of key Operational Programmes

While the drafting of the NSRF seems to have been relatively transparent, Operational Programmes development seems to have been less accessible and transparent. Environmental NGOs were obviously most interested in the Environmental OP or environmental parts of Regional OPs, but potentially harmful OPs such as the one for transport have also been of interest to environmental stakeholders. The scores given here do not make the distinction between different key OPs, but qualitative results in the national chapters show that environmental NGOs were relatively well involved in the environmental OP through their co-operation with environmental authorities. However, the same NGOs had much greater difficulty in obtaining involvement in, and providing input into, the transport OPs.

We have to state that some of the analysed member states did not have finalised stages of Operational Programmes at the time of the analysis, but if we consider that the Environment and the Transport OPs are the two most important programmes for the partnership with environmental NGO stakeholders, an average score of only 3 points is dramatic. While the NSRF merely lays down strategic priorities, OPs translate those into management programmes. In fact, it is even more crucial for environmental stakeholders to be included in the drafting process of the OPs, yet the results show an even less transparent and accessible drafting process. The only remarkable exception here is Estonia, where environmental NGOs were consulted for almost all OPs.

The different levels of access to the Environment and the Transport OPs also show that environmental integration on the horizontal level remains a theoretical construction. In Poland, none of the 53 comments made by environmental NGOs concerning the Transport OP have been taken into consideration. In Portugal, only municipal authorities, social and economic partners have been invited as partners for the OPs. This shows that strong sectoral thinking is still prevalent in most member states.

How transparent was the drafting of key OPs?



To what extent were environmental stakeholders included in the drafting of key OPs?



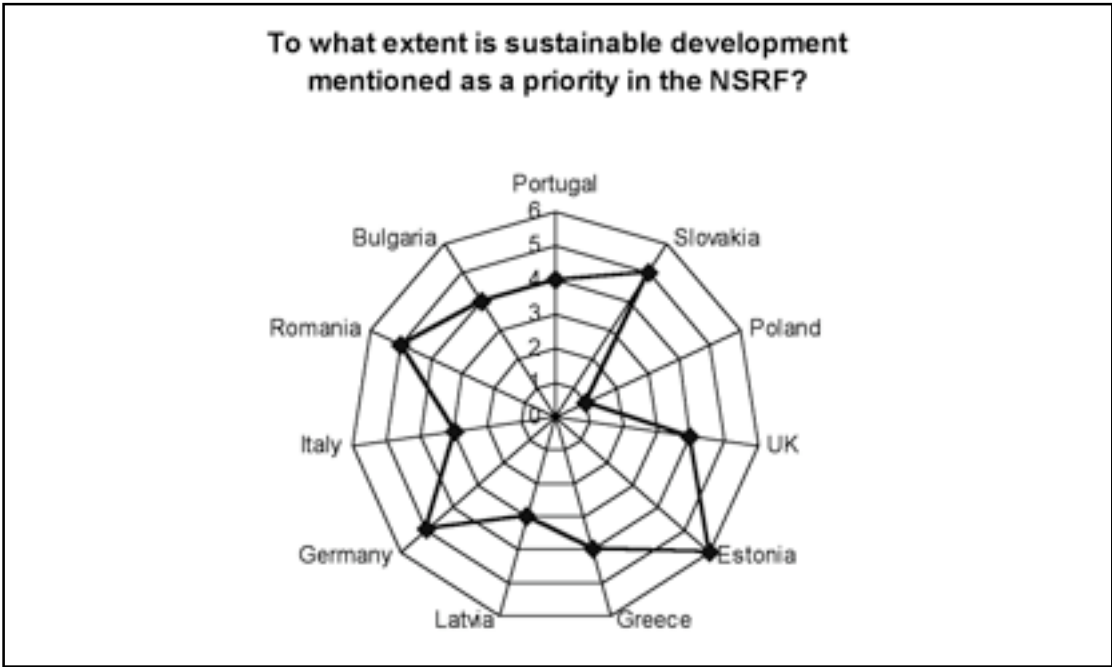
3.2. Environmental integration in the programming process

This second section compares the scores given for the integration of environmental issues during the planning of the new programming period in the 11 member states examined. The questions posed seek to capture different stages of environmental integration, both the rhetoric involved and the practice. An explanation of why a specific score has been given can be found in the national chapters, although, in some cases, it has been added to the quantitative scores below.

Environmental integration, the fact that environmental protection requirements must be integrated into the definition and implementation of the Community policies and activities, has been strengthened in Article 6 of the Amsterdam Treaty of 1997. Accordingly, in the regulations for 2007-2013, there are many funding options for investments in environmental infrastructure, the protection of natural resources, and the Natura 2000 network, as well as measures supporting the implementation of the Water Framework Directive and also supporting the EU's Kyoto goals. Both the regulations and the strategic guidelines propose that many environmental measures are possible once they happen in the context of creating development, jobs and growth in the regions. This chapter analyses to what extent those demands as well as opportunities for environmental integration have been taken up in the programming documents.

3.2.1. Sustainable development as a priority in the NSRF

One key objective of horizontal environmental integration is to make sustainable development a cross-cutting principle and key priority in the programming process. However, sustainable development as a guiding principle for the national strategic document exists only in Estonia. Other member states are more cautious and general in their integration of sustainable development into their programme and therefore are given only a medium score. In the member states that score low, sustainable development might be mentioned, but not in the full sense of the principle, as is the case for the UK. This is not dissimilar to the case in Latvia, where “sustainable growth” is used as a synonym for sustainable development, thus misrepresenting the objectives of sustainable development. Poland also scores low because Polish texts do not refer to the key national sustainability documents.



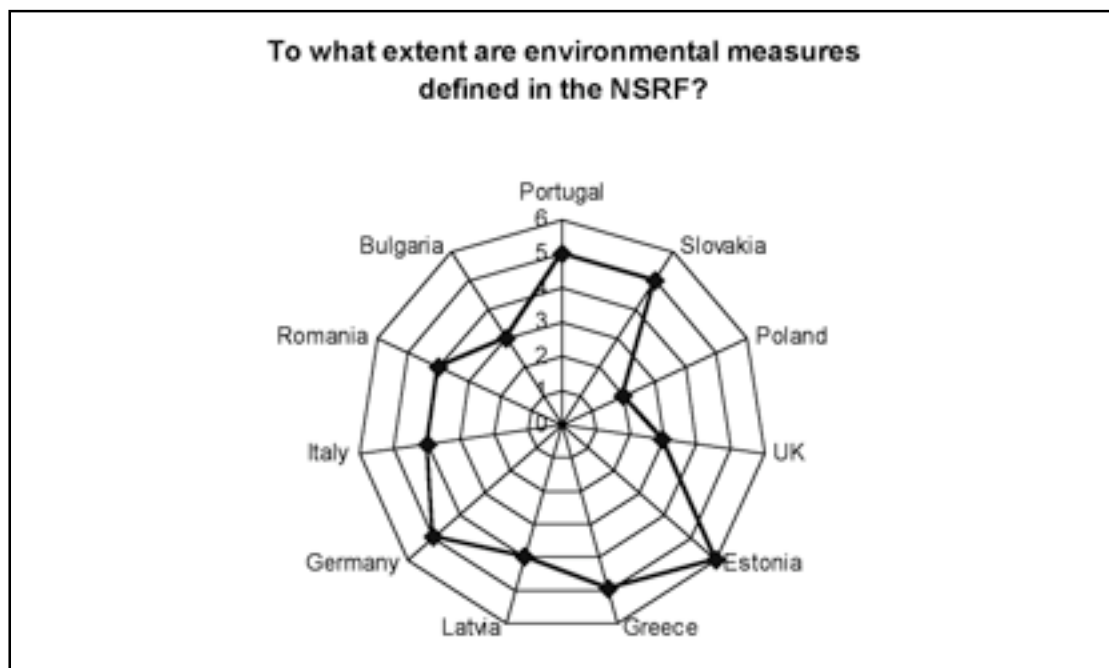
Given the long-standing commitment to the Sustainable Development Strategy of the European Union, which was confirmed as recently as 2006, a mean score of 4 points is rather disappointing. All the more so since the regulation and strategic guidelines have shown how to integrate sustainable development and economic growth into EU regional funding policy. It is also disheartening as sustainable development is mentioned as a key objective of the application of the EU funds during the new programming period in article 17 of the general regulation. To our disappointment, the results of the scores and also of the national chapters indicate that the commitment to sustainable development remains at a rhetorical and superficial level.

3.2.2. Environmental priorities in the NSRF

While sustainable development is one key for horizontal environmental integration, vertical integration is achieved by defining environmental measures at the level of national priorities. Here, Estonia has again the highest score: The Estonian NSRF analyses in detail the various environmental

pressures and sets a wide range of environmental priorities from sustainable transport, the implementation of the Water Framework Directive and the Natura 2000 network, and compliance with the Kyoto protocol to “softer” measures such as awareness raising and environmental education. The lowest score is again that of Poland, tackling environment in a separate chapter, but at a very general level. Natura 2000, sustainable transport, the implementation of the Water Framework Directive or CO2 reduction measures are mentioned briefly, but not described in a thorough manner. This shows a lack of strategic priority-setting for the environment in Poland and implies a weak or non-existent environmental integration.

The UK also receives a relatively low score as its NSRF focuses significantly on environmental technology and infrastructure (e.g. water infrastructure), rather than measures to promote environmental protection. Indeed, other investments into the environment are not defined or even sketched out in the NSRF, while investing funds into Natura 2000 is even specifically excluded from Regional Funds spending in the UK.



When comparing the first and the second questions and the scores assigned to each, we note that the scores do not always correlate. Normally, member states with higher scores for the integration of sustainable development also have more satisfactory scores in the definition of environmental priorities, as is the case with Estonia, Slovakia, and Germany. Similarly, medium scores in the first question also result in medium scores in the second, as is the case with Bulgaria and Latvia. But there are also interesting exceptions to this rule: the UK, with good rhetoric for the horizontal integration of sustainable development, scores low in the question of integration, implying an unsatisfactory and limited matching of rhetoric to commitment to environmental priorities.

Greece and Portugal both only reach mediocre results with respect to the integration of sustainable development, but score high in their definition of environmental priorities. Portugal mentions sustainable development mostly in the context of economic development and therefore scores low in the first question, but has a relatively

wide range of environmental priorities, including energy and climate change investments and environmental quality as one factor for sustainability. Greece also has an NSRF that includes three environmental objectives: renewable energy and energy efficiency; sustainable management of the environment and implementation of environmental policy. This is why Greece scores well with vertical environmental integration.

Selecting and focusing on one potential field of environmental investment – nature protection and the implementation of the Natura 2000 network – we again have a different picture. The mean of the scores is 3.5 – scoring lower compared to the previous questions. Again, Estonia scores highest, accompanied by Slovakia this time. Both member states have clearly spelled out measures for nature protection and Natura 2000 and also allocated substantial funding in the relevant OPs accordingly.

Poland, UK and Portugal score lowest here as they mentioned, but did not clearly define Natura 2000 measures (Portugal) or even strongly minimised the eligibility of

nature protection measures in the NSRF (UK). Poland mentions Natura 2000 measures, but allocated meagre investments to

this while the large funding needs in nature protection remain unaddressed.



3.2.3. Mechanisms for environmental integration in the NSRF

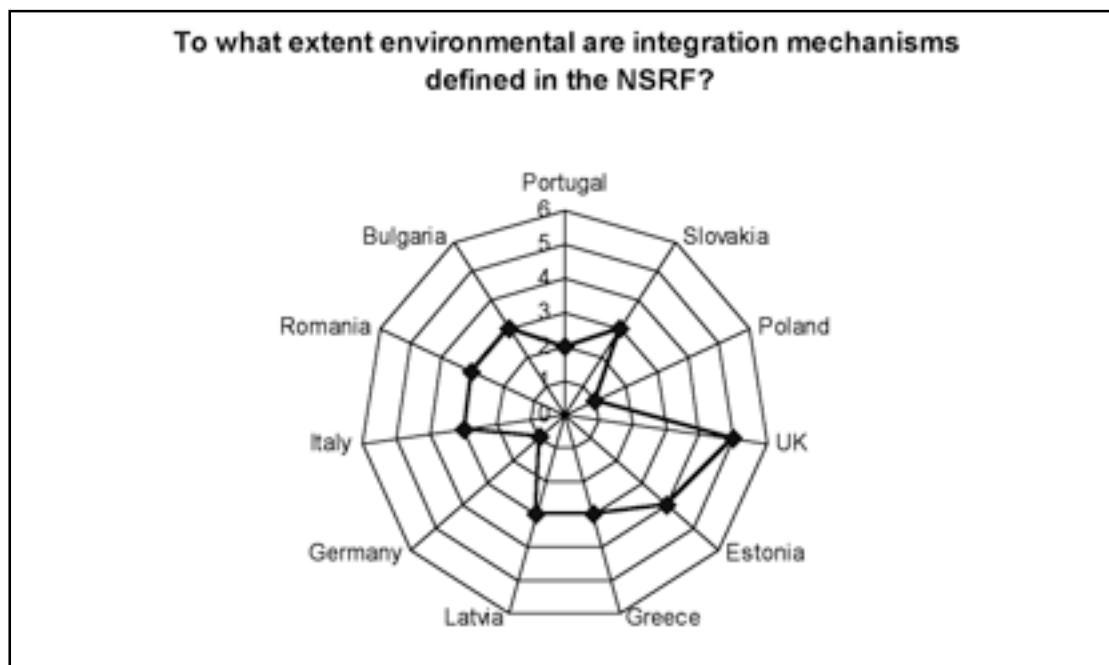
As environmental integration, and especially horizontal integration, is not happening “naturally” so far, it makes a good sense to install mechanisms or procedures of some form to ensure this integration. This has successfully happened during the last programming period in the UK, with the function of a “sustainability commission”²² in all regions closely linking environmental, economic and social stakeholders and checking development plans for their cross-compliance with regional sustainability strategies. A second tool for integration was formed by the “sustainability theme managers” (see national chapter). In this respect, the UK has been a front-runner during the last programming period.

As we can see in the analysis of the starting programming period, only the UK and Estonia achieve satisfactory scores for inte-

gration mechanisms. No other member states have elaborated mechanisms for integration or even mention the necessity for such. In other member states, the strong federal structure makes environmental integration supposedly more difficult (Germany).

The UK scores the highest with a clear commitment to continue horizontal integration in the NSRF and with the decision to build on existing good practices and to develop this further. Estonia has established a high-level working group to look at all OPs and to develop indicators to check how they comply with the national sustainability strategy. Estonia even invited environmental NGOs to participate in this working group. It is remarkable and disappointing that out of 11 countries only 2 seem to have an idea of what an environmental integration mechanism means or are prepared to have one.

²² <http://www.sustainable-development.gov.uk/publications/documents/securing-the-regions-futures.pdf>



3.2.4. SEA application as a safe-guarding mechanism

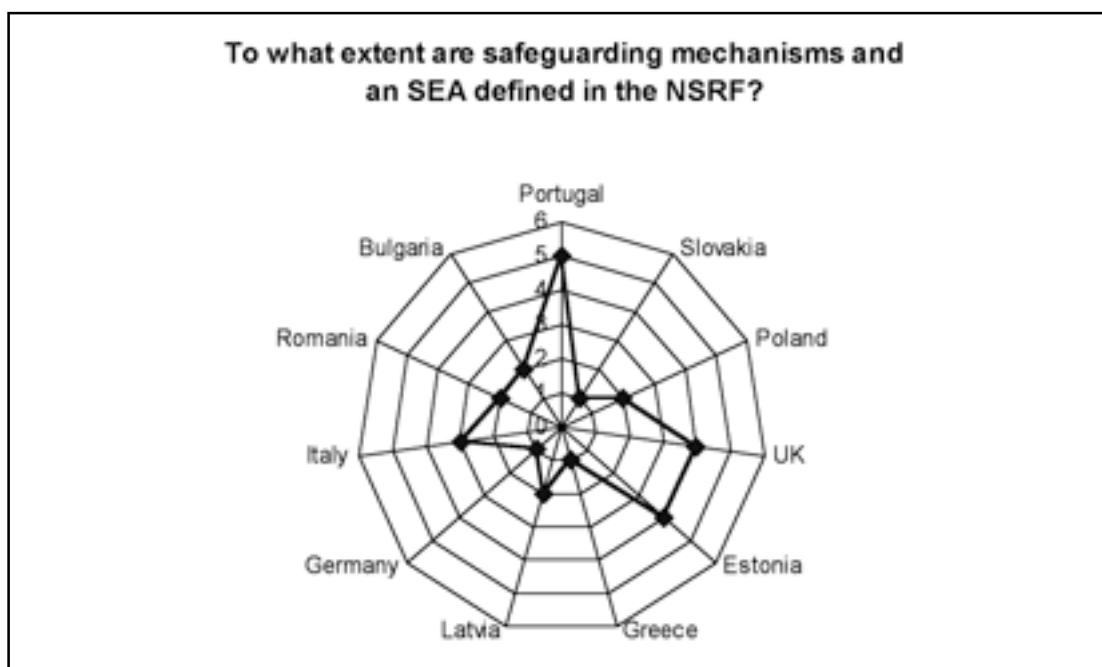
While environmental integration has to be pushed constructively via effective integration mechanisms, minimisation of negative environmental impacts due to the lack of integration is now possible via the Strategic Environmental Assessment (SEA). It is therefore vital to analyse to what extent the SEA directive has been applied during the programming process.

Here, we see a devastating picture. A mean score of 2.4 demonstrates that this new tool has not been appropriately applied, and hence has not assured the minimisation of impacts expected. The lack or wrongful application of the SEA has the potential to allow negative impacts to proceed without being appropriately scrutinised, which is unacceptable for environmental stakeholders. Only Estonia, Portugal and the UK seem to have applied the SEA directive and integrated its results in the Operational Programme drafting process. However, even these member states have done so at a rather late (Estonia) stage of

the programming process or in an unsystematic manner (only parts of the devolved OP management bodies for the UK). In Portugal, the SEA process was conducted in a timely manner, but alternatives were not considered sufficiently.

Other member states do not openly discuss SEA results with the general public and NGOs, as was the case in Bulgaria. In some other member states, the SEA was undertaken too late as the experience in Slovakia, Latvia, Germany and Poland reveals. In yet other cases, as in Italy, the application of the directive by independent authorities remains problematic, while in Greece the procedures and mechanisms in place to conduct the SEA for the Operational Programmes remain unclear.

In Romania, the SEA process report recommended a stronger involvement of environmental NGOs, more funding to Natura 2000 and better impact indicators based on EU legislation. But at the time of the analysis, it was yet not clear to what extent those recommendations were integrated into the finalisation of the programming documents.



Most member states have decided against an SEA for the NSRF, but have integrated the SEA into their ex-ante evaluation of key OPs. However, other member states have done an SEA only after the OPs were submitted for approval to national Parliaments. The degree of public consultation during the SEA also varied considerably. This programming process for OPs in Regional Funding is the first real test for the application of the SEA across Europe. The results are mixed, and we caution the Commission and member states that if the application is not monitored closely, a significant opportunity to use a powerful and new tool to minimise environmental damage may be lost.

3.2.5. Environmental integration and the management structure of EU Regional Funds

The following chart shows that the management structure proposed in member states only partially supports a successful integration of the environment. Sectoral approaches still prevail, and the ministry of the environment is responsible only for the environmental OP. Procedures and structures for shared management or systematic co-operation between the different management bodies are not elaborated sufficiently yet. Although the management structures are still not in place, it is important to emphasise that it is only through an efficient and transparent mechanism that the use of the EU funds will result in the objectives set out in the programming documents. WWF and partner environmental NGOs call for the inclusion of environmental NGO stakeholders in the development and implementation of those management structures.



Nota bene:

This report analyses a certain time period in a still ongoing and dynamic process, which continues to evolve, change and be finalised. Our analysis was undertaken in early 2007 based on data older than February 2007. Hence, the results are based on the developments in the programming process up to this particular time and not necessarily reflect the status at the time of publication. A deliberate decision has been taken to publish the report while the process is still ongoing as there is still scope and opportunity to remedy certain identified weaknesses.

3.3. Funding allocations for the environment

This section compares the scores given for allocation of funding whenever this is possible. The analysis of funding allocations is relatively incomplete and problematic since in some member states the planning of the new programming period had not been finalised. Scores have been given – if possible – by national partners, and an explanation on why a specific score has been given can be found in the national chapters, although, in some cases, it has been added to the quantitative scores below.

Moreover, access to funding distribution was particularly difficult, as allocations of funds were not publicly available, or were not subjected to a consultation process while those available were difficult to analyse and compare across member states.

As already stated, it is not easy to access the final funding allocations. There are several methods applied to ensure that funding allocations remain inaccessible to NGOs and other stakeholders. While some member states have clear funding allocation tables (Poland and Slovakia), as an integral part of the Operational Programmes other member states have not yet come up with allocation tables (Greece), have placed the detailed allocation plans in annexes not discussed in public (Latvia) or generally follow a rather broad allocation of funding lines. In other countries, priorities at a rather general level can be deciphered from the allocation plans (in Portugal where Regional OPs are much clearer than thematic OPs) while OPs stay more vague. In general, it remains very difficult to understand how much funding will be spent on the environment and on which priorities, more specifically.

Meanwhile, as part of a new European Initiative, the Commission would like to see a more transparent information policy regarding beneficiaries of EU funding. A Green Paper was published for wider consultation during 2006²³. One result of this initiative is to make all beneficiaries of EU Regional Funding publicly available as of 2009. This is part of a wider objective to increase transparency on how EU Funding is used and who has what interests in the implementation of funding policies. In the light of this initiative and in our aim to discover where EU funds are finally spent, we analysed how transparently money allocations are put into the operational programmes. For environmental stakeholders, it is important to analyse how environmental pressures and the destruction of biodiversity in Europe can both be minimised and or maximised by EU funds.

From the 11 member states examined in this report, only 7 national partners were able to provide scores: Italy, Romania, Bulgaria, Slovakia, Portugal, Poland and Estonia. The UK has provided some scores, but not all. Nonetheless, we decided to retain this chapter, since the lack of clear funding transparency is already a remarkable result in itself, is not acceptable for us and should not be accepted by the Commission nor any other actor in the programming process.

The final allocation of funding for the environment is ultimately the key test for environmental integration. Without undermining the value and need for priority setting and careful scrutiny of the language used in the programming documents (see previous sections), it is without doubt that only a close examination of funding allocations is able to

²³ See the 2006 Green Paper in the Transparency Initiative: http://ec.europa.eu/transparency/eti/docs/gp_en.pdf

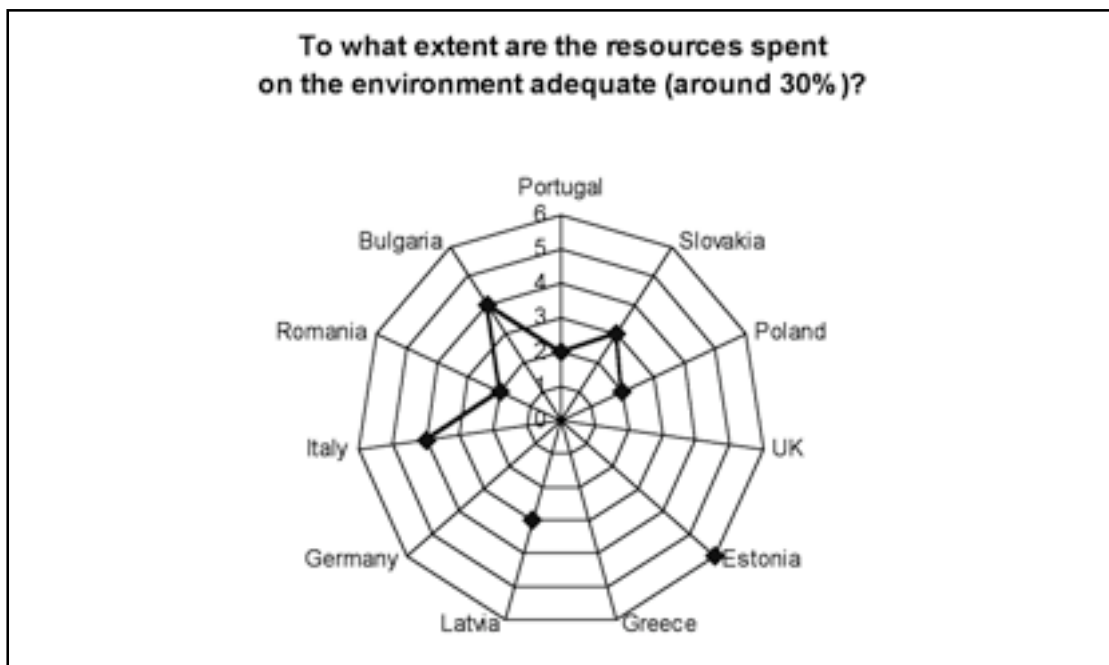
reveal the intentions towards and commitment to environmental protection, environmental integration and the overall objective of sustainable development. Indeed, it is not rare that programming commitments and funding allocations speak a completely different language. Not only are minor shares of funding allocated for environmental priorities, leaving aspirations for meaningful environmental protection without the required financial backing, but – even more importantly – huge shares of funding continue to be allocated to potentially environment-threatening priorities. This fact has been discussed and criticised in detail in last year's WWF publication on “Conflicting EU Funds”²⁴.

3.3.1. Global allocation shares for the environment

If the principle of sustainable development is strictly applied to funding shares, too, we could ideally expect a maximum of around 30% of all resources to be allocated to

environmental priorities. Of all the member states analysed, only Estonia come close to this, with a total percentage of environmental allocation of 22%. This Estonian example sets a very high standard and proves that environmental integration is possible to achieve in EU Regional Funding.

The other analysed member states lag behind considerably with low shares of environmental funding compared to the total resource allocation. This result – although not complete – is very disappointing. Even more so because the regulatory framework provides many funding options to achieve sustainable development: and these have been actually realised by Estonia. Environmental stakeholders are disappointed by the unwillingness and the lack of capacity and are shocked that imbalanced funding allocations have been continued, always to the disadvantage of sustainable development and the environment.



²⁴ http://assets.panda.org/downloads/golden_rules_ngo_participation_final.pdf

3.3.2. Environmental funding shares distributed across different OPs

WWF and other environmental NGOs have often argued that environmental integration and sustainable development would be achieved better if sectoral thinking is abandoned in favour of a system in which the environment is present in all priorities on a horizontal level.

The chart again reveals a relatively meagre result from the scores. At least Estonia,

Portugal, Slovakia and Bulgaria seem to have managed to spread environmental allocations across at least a substantial share of Operational Programmes. The member states with the worst narrow sectoral funding allocation seem to be Poland, Italy and Romania. It also shows that the rhetorical commitments to environmental integration made in the NSRFs are not implemented by clearly integrated funding allocations.

To what extent are environmental allocations reflected in different OPs?



Nota bene:
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has placed its emphasis on measures to limit climate change. Slovakia prioritises environmental infrastructure in the water, waste and waste water sectors, but also has some funds allocated to the energy field. Romania again prioritises water, waste water and waste infrastructure and has only small fractions of the various allocations set aside for nature protection. Portugal also concentrates on these infrastructure types, and on natural risk prevention. In Poland, risk prevention with new infrastructure is also an important theme. Six times as much funding is allocated to risk prevention than to nature protection. It is even estimated that some of those risk prevention investments, such as dams or water retention constructions, directly conflict with nature protection goals.

3.3.4. Potentially harmful measures in other programming documents

One reason why WWF and other environmental NGOs are engaging with the EU Regional Funding policy is not only to raise the share of funding going to environmentally beneficial measures, but also to minimise the environmental damage of other measures. This environmental damage is considerable and cannot be excused by “trade-offs” of economic development objectives. The main reason that we lobby for changes in Regional Policy is because the funds have been causing so much damage. Better investments will recognise the benefits of a healthy environment. We also engage in this policy field because EU member states and the Commission adopted an approach where the costs of environmental acquis should be met through existing funding instruments (the integration approach).

To what extent do the total environmental allocations reflect the strategic needs of the environment?



As we have already seen in the previous chapter, environmental integration is rarely very substantial and the environmental safeguarding mechanism seems not to be working effectively in this current programming period. In addition, the following analysis shows that there are potentially important environmental threats hidden in other sectoral programming priorities.

The following chart has to be read differently from the previous ones – here, high scores cannot be understood as positive, but as negative! Therefore, we have also changed the form of the scoring dots. All analysed member states have high or medium scores here, meaning that in all countries, programmes for EU Regional Funding carry great risks for the environment and for nature in general. Most of the risks are in the transport field. Road transport, along with high speed rail and water

transport, are the most risky investments when considering the environmental impact. These forms of transport risk more CO₂ emissions contributing further to climate change, conflict with nature protection sites, migration corridors, the Water Framework Directive or with fluvial nature protection sites.

What is astonishing is the varying degree to which member states acknowledge those risks and propose mitigation or safeguarding measures alongside. In Estonia, those risks are clearly spelled out and solutions are proposed – in Poland, the risks are not even acknowledged as “the potential conflicts between infrastructure development and environment will not affect overall nature protection system functionality and will not influence biodiversity on the national scale²⁵.”



²⁵ Translated quotation of the Polish Transport OP. See also national chapter.

This ongoing threat of Regional Fund investments combined with the failure of the SEA directive application for the programming process, outlines a grim picture for the 2007-13 programming period. There is insufficient evidence to suggest that it will be less harmful to the environment and nature than the previous periods. In addition, given the fact that the Regional Funds budget has never been so high, we can expect projects which are yet more destructive to be instituted in the next seven years. Given the many years of discussion on how to integrate the environment and how to minimise threats, the regulation providing the options for better investment for sustainability, and the fact that the SEA directive has been in place for this period – this result is disappointing.

4. RECOMMENDATIONS

This chapter gives key recommendations resulting from the analysis of the programming process presented in the previous chapters. Recommendations follow the programming cycle and have sections concerning the planning process, and also the implementation phase, the Mid-Term-Review and the evaluation process. All recommendations are clearly stated with the intention of making the delivery of the EU Regional Funds policy more environmentally friendly, more sustainable, more participative and more transparent.

Although the recommendations result from all the foregoing analysis chapters, key results of these chapters are recapitulated to allow the reader to better understand the recommendations within the context of the findings of this report.

The sections are arranged according to the programming cycle as we strongly believe that the lessons learned from the programming are not only adaptable for the planning now, but also for the entire implementation and even for the Mid-Term-Review of the current funding period. We further divide the recommendations between those intended for the EU Commission and those for the member states. Each of these different actors shall be addressed in order to achieve a better delivery of EU Regional Funding and to benefit from the analysis made here on the programming process for 2007-2013.

Recapitulation of results

When looking at the planning process for the upcoming funding period, the analysis shows that participation has not been undertaken to a satisfactory degree. Member states have sometimes begun ambitiously and made considerable effort with regard to information, but when it comes to processing contributions and comments, the results are very disappointing. Partnership is important not only during the planning, but also throughout the implementation cycle of the policy. If the partnership principle is not applied systematically, then the same problems as in the programming phase will emerge during implementation. The report has listed various problems with the application of the partnership during programming: The partnership principle is not systematically applied throughout all member states and throughout all programming processes; no minimum quality standard exists and partners may lack in information and resources to make efficient and constructive contributions.

Environmental integration has partly occurred in the programming at a rhetorical level, but efficient mechanisms or procedures for environmental integration to be implemented throughout various Operational Programmes are lacking. Lessons learned from previous programming periods seem not to be integrated systematically. Both the horizontal and vertical integration of the environment are not satisfactory – environmental priorities often concentrate on technical end-of-the-pipe solutions. The principle of sustainable

development does not seem to thoroughly guide the programming of Regional Funding. Furthermore, the SEA procedure has not been applied effectively to be able to reduce negative environmental impacts. Environmental integration is an ongoing struggle beginning with the planning and programming, but then realised and continuously monitored during the implementation phase. From the analysis of the planning process provided in this report, the achievement of horizontal and vertical integration in this funding period does not look promising. These programming failures could partly be remedied through an effective way of implementing Regional Policy and environmental integration.

The proposed financial allocations analysed here suggest that there is a “business as usual” attitude. It is very disappointing that the bulk of funds continue to go to potentially environment-threatening priorities. Another result is the lack of a wider and more strategic distribution of environmental funding, and a similar lack of strategic priorities pointing to sustainable development and a more sustainable use of natural resources.

4.1. Recommendations concerning planning and implementation of EU Regional Funds

4.1.1 The role of the European Commission in participation, environmental integration and the allocation of funding

The Commission in general has to play a role in ensuring that the key principles and priorities laid down in the regulation and guidelines are followed throughout pro-

gramming and implementation. It can furthermore guide and support member states in using the EU Regional Funds for innovative priorities leading to sustainable development.

DG REGIO has always stated and emphasised the benefits of the partnership principle and has a role to play in encouraging and guiding the application of this principle. Clear breaching of the partnership principle shall not be accepted by the Commission when they adopt the programmes and when they participate in the implementation process. Again, DG REGIO has a role in pushing member states to comply with the regulation requirements and with cross-compliance. As environmental integration has been agreed jointly between member states and the Commission, the Commission, and in particular DG Environment, needs to push for this integration to be implemented and to ask member states for mechanisms or processes to ensure such implementation. Environment-threatening projects or priorities shall not be accepted when adopting the programmes.

Our recommendations:

► For all issues concerning participation during the entire programming, implementation and evaluation cycle, WWF and other environmental NGOs have published their proposal for minimum criteria in late 2006. We demand that the European Commission and the member states endorse and apply these and control the application of the following “10 Golden Rules”. Those 10 rules should be established and applied systematically throughout implementation and evaluation:

- Give all partners in the steering or monitoring committee equal status and voting rights.
- Give all partners in the committee the same information and the same docu-

ments at the same time.

- Give all information and all documents relevant for the meeting at least 2 weeks before the committee meetings.
- Establish transparent feed-back mechanisms for comments and input given in the committees.
- Involve NGOs in the development of project selection criteria.
- Make minutes of all committee meetings publicly available, latest 2 weeks after the meeting.
- Offer all committee members training and capacity building to ensure high-quality participation.
- Cover all direct costs, such as travel, overnight stay and copy costs for NGO committee members.
- Establish a transparent selection process to appoint NGO committee members.
- Offer at least one place for an environmental NGO in all ERDF and Cohesion Fund committees (not only for the OP Environment).

► WWF recommends the European Commission to carefully check and discuss how partnership has been applied in this programming period and to challenge member states in cases where this has not been satisfactory. Before programming documents are adopted by the Commission, member states should be obliged to describe the application of the partnership principle for implementation.

► We also demand that the Commission establish minimum quality standards for the partnership principle and check those standards continuously. This should also happen for the current funding period implementation phase. Ideally, those criteria should be legally obligatory in future programming periods, and for this current period at least have a strong recommendational

character. Those minimum criteria shall be used systematically in all negotiations and communications with member states.

► We recommend that the Commission elaborates on the benefits of high quality partnerships for the EU Regional Policy delivery. The Communication of 2005 could be the beginning of a series of analyses and discussions to shift member states' perception of the partnership principle from one of it being an administrative burden, time-consuming and unnecessary to one of it being a beneficial and quality-ensuring procedure.

► WWF demands that the European Commission places more emphasis upon the correct application of the SEA Directive both in timing and in public consultation requirements. No Operational Programme should be adopted without a full SEA report indicating how its results were communicated and integrated into the programmes. Emphasis should also be placed upon the monitoring of the implementation of the Operational Programmes within the context of the SEA recommendations.

► We recommend that environmental integration be lifted to a higher political level. If it is possible to " earmark " substantial amounts for the Lisbon agenda, why is it not possible to do the same for sustainable development? The Commission should be very explicit and demanding with environmental integration and use the same " earmarking " tool to push member states as it does with the Lisbon Agenda. Alternatively, the Lisbon Strategy could be considered on a par with the Gothenburg Strategy. Hence, the earmarking should include also a sustainable development requirement without the need for a different, separate earmarking tool.

► We ask the Commission to be very strict in controlling the allocation of funding to potentially threatening priorities. The destruction of nature and the environment is breaching not only Article 17 of the General Regulation for Regional Funds, but also contradicts Article 6 of the Maastricht Treaty. Those priorities with potential risks should be analysed and discussed carefully, and member states should be able to prove that those priorities are not harmful to nature and the environment.

► The Commission, especially DG Environment, should ask member states to place more emphasis on environmental integration and demand strategies, procedures or management functions at member state level to deliver this integration. Environmental integration should be described in substantial detail in the national and sectoral /regional programming documents. The Commission could also take an active role in promoting an exchange of good practices, while watching over the implementation process in member states closely. Indeed, it is important that the Commission tightly oversees the implementation process with respect to environmental integration and prior to accepting any revisions of the programmes.

► Whenever the Commission has more control of policy implementation, as is the case with large projects, extreme environmental scrutiny and the rigid application of the EIA directive are necessary to ensure that no negative impacts on the environment are accepted. This model should be applied by Member States and responsible Management Authorities at the national and regional levels for smaller projects as well. Strict environmental scrutiny will lead to better projects and avoid the misuse of funds while simultaneously promoting the integration of the projects.

► WWF asks the European Commission, both DG REGIO and DG Environment, to ensure that investment priorities not only do not breach, but also promote the Birds and Habitats Directives and the Water Framework Directive. In the event of potential threats and conflicts, alternative projects must be sought and proposed. The argument of “overriding public interest” should not be accepted in the event of conflicts with those key European directives.

► Additionally, the Commission should demand that more funding be dedicated to environmental priorities. Even with an “ear-marking” of substantial amounts of funding to the Lisbon-related investment priorities, a share of up to 30% could ideally be dedicated to the priorities of environmental sustainable development. As energy-related measures are included in the Lisbon priorities proposed by the Commission, this environmental funding share of 30% could deliver large win-win investments between environmental sustainability and economic growth.

► We also demand that the Commission encourages member states to spread environmental allocations more widely across different sectors, to use the full scope of funding options proposed by the Commission regulation, and also to invest in “soft” measures, such as training, strategy development and awareness-raising.

► We ask that the Commission immediately withdraws funding whenever there is a danger of environmentally damaging investments being funded by EU Regional Funds. The application of the “overriding public interest” should be abolished here as it too often serves as an excuse to build destructive infrastructural projects.

4.1.2 The role of the member states in participation, environmental integration and the allocation of funding

Member states in general have to implement the key principles and priorities laid down in the regulation and guidelines throughout programming and implementation. They have to make sure that the necessary management procedure and mechanisms are in place to ensure partners are included and heard efficiently, let them have all necessary information in due time, enable and train them to contribute constructively and ensure that their comments are treated transparently.

Compliance with the Cohesion policy regulation requirements, with the body of environmental law and with the SEA directive must be ensured by member states. This requires an effective horizontal and vertical integration of the environment into all development priorities set out in the programming documents. The regulation is broad and open enough to avoid environmentally threatening projects or priorities and to still comply with the Lisbon criteria or even the Lisbon earmarking. Member states shall use the European Funding to achieve innovative sustainable development, not use it just as additional money to carry on business-as-usual. In fact, there are many opportunities in the regulations to promote environmental investments and the member states should make every effort to take advantage of these opportunities.

Our recommendations:

► For all issues concerning participation during the entire programming, implementation and evaluation cycle, WWF and other environmental NGOs have published their proposal for minimum criteria in late 2006. We demand that the member states apply those “10 Golden Rules”. A “consultation”

secretariat should ensure co-ordination of meetings and other consultation processes. For example, monitoring committees and other meetings should not overlap, or should be organised in such a way as to avoid multiple travel needs. Those 10 rules should be established and applied systematically throughout implementation and evaluation:

- Give all partners in the steering or monitoring committee equal status and voting rights.
- Give all partners in the committee the same information and the same documents at the same time.
- Give all information and all documents relevant for the meeting at least 2 weeks before the committee meetings.
- Establish transparent feed-back mechanisms for comments and input given in the committees.
- Involve NGOs in the development of project selection criteria.
- Make minutes of all committee meetings publicly available, latest 2 weeks after the meeting.
- Offer all committee members training and capacity building to ensure high-quality participation.
- Cover all direct costs, such as travel, overnight stay and copy costs for NGO committee members.
- Establish a transparent selection process to appoint NGO committee members.
- Offer at least one place for an environmental NGO in all ERDF and Cohesion Fund committees (not only for the OP environment).

► WWF recommends to member states that a clear planning road map with fixed dates, feed-back mechanisms and consultation processes shall be established and communicated at the beginning of the programming process and for each of the

NSRF and OP drafting process separately. This allows all stakeholders involved to arrange better time planning, to co-ordinate amongst themselves, and to allow for high-quality contributions. Attention should be paid to the co-ordination of the consultation process, so that processes organised by different ministries or responsible national authorities do not overlap.

► Efforts should be made to promote the use of electronic tools. Member states' programming authorities should be required to establish feedback mechanisms and to regularly inform stakeholders electronically about the ongoing process. But for the actual meetings, seminars or conferences to discuss programming document drafts, all direct costs for NGO stakeholders shall be covered.

► We recommend that the member states use the period during which the Commission is examining the proposed programmes to establish procedures and mechanisms that will ensure environmental integration in the implementation process. Successful mechanisms such as round tables or the sustainability manager provide examples of mechanisms that deliver highly efficient horizontal and vertical environmental integration.

► We recommend greater exchange of experience in terms of effective processes and mechanisms for environmental integration. We ask member states to establish management structures and effective tools for horizontal and vertical environmental integration. The UK has developed the position of "sustainability manager" and other member states can learn from this example and adapt it to their specific situation. These management structures should be used throughout the programming process.

► WWF demands that the member states place more emphasis upon the correct application of the SEA Directive both in timing and in public consultation requirements. Operational Programmes should integrate the full SEA report and its recommendations and only then be finalised and sent to the Commission for adoption. All SEA reports have to be publicly available and finalised with sufficient stakeholder involvement as stated in the SEA Directive. Emphasis should also be placed upon the monitoring of the implementation of the OPs within the context of the SEA recommendations.

► We ask member states to cease allocating funding to potentially environment-threatening projects. No more EU money should be allowed to fund destructive investments. Those investments with a potential risk for nature and the environment should be eliminated immediately and alternatives should be proposed in the respective Operational Programmes.

► We demand that member states take great care not to breach the EU Birds and Habitats Directives as well as the Water Framework Directive. All investment priorities have to be implemented with projects strictly complying with those directives and the argument of "overriding public interest" should not be applied to seek for exemptions. This means that those OPs containing potentially harmful priorities should be re-drafted and alternative solutions proposed.

► WWF encourages member states to spread environmental investments more widely and strategically across the whole range of funding options laid down in Community regulation and strategic guidelines. This would include investments into

the renewable energy sector and energy efficiency, and also into projects implementing the Water Framework Directive and the Natura 2000 network. It could also include “soft” measures, such as training, natural resource use strategy development and awareness-raising. Member states should especially exploit the win-win investments between sustainable development and economic growth. With the full application of all those investments, the share of environmentally beneficial funds should grow substantially, ideally up to 30% of total funding.

► We also encourage member states to develop effective project selection criteria – in partnership with environmental stakeholders and NGOs – to capture the environmental dimension sufficiently and to guide projects towards sustainable development.

4.2. Recommendations concerning the Mid-Term-Review and further evaluation of EU Regional Funds

The Mid-Term-Review can be used as an excellent opportunity to review ongoing programmes and to consider how to make the second half of the programming cycle more effective and more efficient. Constant improvement of EU Regional Funding Policy can be achieved if the partnership principle is applied throughout the programming cycle. Evaluation and review play a crucial role as the application of lessons-learned from past experience have the potential to make immediate improvements even in the ongoing funding cycle. This report shows that this has not been done between the last and the current funding period, which is very disappointing. The Mid-Term-Review can be used as an opportunity to remedy this and to also change the imbalanced

allocation of resources shown in the analysis. Evaluation in general can reveal the detrimental effects of those imbalances on sustainable development goals. We have the following recommendations concerning funding allocations in the review and in evaluations:

► We recommend that the **Commission** systematically involves NGO networks in preparation of the Mid-Term-Review and evaluation processes. NGOs can provide an important alternative view of the policy implementation and give constructive input into review and evaluation criteria. Several NGOs are active in Regional policy processes and have a long history in this involvement. Their lessons-learned and contributions shall be taken aboard at EU level and the partnership principle should be also fully applied at this EU level as a matter of good practice.

► Evaluation reports should be able to extract lessons-learned and give indications and suggestions on how to include those lessons into future policy programming and implementation. Business as usual and a copy-and-paste attitude towards evaluations should be accepted neither by the Commission nor by any other interested stakeholders in Regional Funding policies. Lessons-learned have to be clearly described and operationalised for future application. It is not acceptable that lessons-learned are not systematically integrated into future policy implementation as this analysis has shown.

► We recommend **member states** to actively involve environmental stakeholders, including environmental NGOs, in all evaluation processes and in the preparation of the Mid-Term-Review. Evaluation criteria and draft reports for the Mid-Term-Review should

be elaborated in partnership, with clear dates and mechanisms for contributions, comments and remarks to be included.

- Member states should use the time of the Mid-Term-Review as a constructive, transparent and participative opportunity to re-think programmes, to potentially shift funding priorities and to develop a joint vision as to where to invest the remaining resources strategically. All evaluation processes shall include a criterion to evaluate the application of the partnership principle. These criteria must be qualitative as well as quantitative and can be developed again in a participatory process.

► More horizontal and vertical environmental integration has to be achieved for this funding period. The Mid-Term-Review has to translate this integration into criteria and evaluation themes. We demand that the Commission and member states ensure that environmental integration is part of the evaluation criteria and part of the discussion during the Mid-Term-Review. Evaluation criteria proposed by the Commission shall be applied, accompanied and completed with national and regional criteria developed in a participatory approach.

► We also demand that the Commission and member states ensure a shift of funding allocations away from potentially threatening funding priorities into those bringing benefits to sustainable development and environmental protection. By no means can funding allocations not yet spent on the environment be shifted to other non-environmental priorities.

NATIONAL CHAPTERS BULGARIA



This chapter has been compiled by Yulia Grigorova, WWF DCPO, reflecting the status of September 2006.

Overview of the programming architecture

The planning process of EU funds for Bulgaria started in 2004. The co-ordination of the process is carrying out by the Agency for Economic Analyses and Forecasting (AEAF) within the Ministry of Finance (MF). AEAF is responsible for development of the National Development Plan (NDP) for Bulgaria for the period 2007-2013 and for the National Strategic Reference Framework (NSRF) 2007-2013. The National Strategic Reference Framework sets a concrete meaning for the NDP for purposes of EU Cohesion policy. The NSRF identifies the main development gaps and disparities between the EU and Bulgaria. The main purpose of the document is to present the government's strategy to overcome the lagging behind of Bulgaria compared with member states and to foster the development of sectors in which Bulgaria has or can potentially have competitive advantage.

In order to implement the interventions for the above 8 thematic areas of the NSRF for the programming period, Bulgaria has developed six Operational Programmes:

1. OP "Development of Competitiveness of the Bulgarian economy"
2. OP "Environment"
3. OP "Regional development"
4. OP "Transport";

5. OP "Development of Human Resources"
6. OP "Administrative Capacity"; The six operational programmes will be co-financed by ERDF, ESF and CF.

The preparation of strategic documents is co-ordinated by the Coordination Council for the NDP and NSRF. It consists of deputy ministers of all relevant Ministries and is chaired by the Minister of Finance. The Head of the NPD/NSRF Working Group and the central co-ordination body for management of EU Structural Funds of the MF make proposals and the Council considers and approves: (a) the NDP and NSRF; (b) projects of Operational Programmes; (c) guidelines and methodologies linked with the programming of EU funds for Bulgaria, (d) decisions to avoid the overlapping of measures in different OPs etc.

The Operational Programme "Environment 2007-2013" is elaborated from a working group specially established with this purpose. The principle composition of this working group (WG) was determined by a decision of the Coordination Council of the NDP in August 2004. The WG is composed of representatives from the line Ministries, regional and local authorities, social and economic partners, scientific organisations and syndicates, and also two representatives of environmental NGOs from the country. In accordance with the implementation of the partnership principle, all participants of the WG actively participated through co-operation and consultations in the elaboration of the operational programme, including the representatives of environmental NGOs.

The election of environmental NGO representatives is undertaken by the NGOs themselves, and the NGOs have elected two representatives to be present at the implementation of the OP environment 2000-2006, and two further representatives are partners in the elaboration of the OP Environment for the 2007-13 period. The participation of appointed environmental NGO representatives in the elaboration of the operational programme will continue in

the future during the transformation of the working group to a Monitoring Committee of the OP “Environment 2007-2013”. In the second half of 2006, it is envisaged that the official establishment of the Monitoring Committee of the OP “Environment 2007-2013” will take place, in which it is also envisaged that representatives of environmental NGOs will be included, with the purpose of the implementation of the partnership principle.

OP “Environment”

Operational Program	Co-ordinator	General strategic objective	Specific strategic objective
OP “Environment”	Directorate “Cohesion Policy for Environment”, MOEW	To improve, preserve and recover natural environment and to develop environmental infrastructure	• Protection and improvement of the condition of water resources • Improvement and development of waste treatment infrastructure • Preservation and restoration of biodiversity

The OP “Environment 2007-2013” financial plan is based on the financial plan of the Bulgarian National Strategic Reference Framework for the period 2007-2013.

The OP “Environment 2007-2013” implementation will be co-financed by two EU funds: the Cohesion Fund (contribution of EUR 1,005 million) and the European Regional Development Fund (contribution of approximately EUR 323 million). According to the EC Regulations for the new programming period, the co-financing ceilings from these two funds shall not exceed the following allocations per project:

- 85% of the public expenditure for projects financed by the Cohesion Fund under the “Convergence” objective
- 85% of the public expenditure for projects financed by the European Regional Development Fund under the “Convergence” objective

The implementation of OP “Environment 2007-2013” will also be financed by national resources amounting to EUR 232 million and which represent 15% of the total financial resources of the Operational Programme.

The total financial package for the implementation of the Operational Programme “Environment 2007-2013” amounts to EUR 1 559 981 700. The appropriation allocated under each priority within this financial package is as follows:

- To Priority 1 – Improvement and development of waste water infrastructure in settlements over 2000 PE – are allocated 67.75% of the total financial resources of the Operational Programme or 89.50% of the Cohesion Fund contribution to the programme.
- To Priority 2 – Improvement and development of waste treatment infrastructure – are allocated 24.06% of the total financial

resources of the Operational Programme or 99.00% of the European Regional Development Fund contribution to the programme.

- To Priority 3 – Preservation and restoration of biodiversity – are allocated 6.81% of the total financial resources of the Operational Programme or 9.00% of the Cohesion Fund contribution to the programme.
- To Priority 4 – Technical Assistance – is allocated 1.38% of the total financial resources of the Operational Programme (1.5% from Cohesion fund and 1.0% from the European regional Development Fund).

Drafting procedure

- 1) To what extent has the lead ministry for the development of the National Strategic Reference Framework applied inter-ministerial consultation? Was the environmental ministry an equal partner in this process?

Bulgarian strategic draft documents are prepared with the active and extensive participation of social and economic partners, regional and local authorities, as well as non-governmental organisations. Social and economic partners are represented in the working groups for the development of the National Development Plan and Operational Programmes at national level, and in the Regional Development Councils at regional level. The working group for the National Strategic Reference Framework is composed of experts from relevant ministries (including Ministry of Environment), other governmental bodies and NGOs.

- 2) To what extent has the lead ministry for the development of the National Strategic Reference Framework applied the part-

nership principle and included social economic and environmental partners in the drafting process? Were environmental partners treated equally to the other partners? How are the consultation processes organised? What were the techniques of consultation?

The AEAFF tried to include a wide representation of social and economic partners from the time of its establishment. Bulgarian environmental NGOs were not included in this initial working group. The NGO coalition of the environmental NGOs submitted a request to be included as a partner in the process. As a result of this, environmental NGOs have one official representative in this working group. Additionally, another 3 representatives are being invited to roundtables organised to present the NSRF and the OPs to a public forum.

The participants invited to these public forums were much more than the official members of the working groups. The main topics of the two forums organised were the socio-economical analyses, visions, strategic objectives and the priorities of the National Development Plan and OPs. The organisation of the forums was funded by a project of the Swiss Agency for Cooperation and Development. There were external facilitators for each event. One of the major weaknesses of the forums was that documents were usually sent three days before the event, and there was little time for studying them. Furthermore, some of these were only power-point presentations that were also presented at the forum itself. Environmental partners were equally treated once they became official participants in the process. In fact, they were some of the most active actors during the public forums organised.

- 3) To what extent have other ministries or regional authorities consulted with economic, social and environmental non-governmental partners in order to formulate the positions that they submit to the lead ministry?

Development of OPs was carried out based on the principle of partnership between key ministries, NGOs, social and economic partners, scientific institutions and regional and local authorities. The coordination of OP development and their harmonisation with European and national policy is performed by special directorates within the responsible ministries in collaboration with the Agency for Economic Analyses and Forecast which acts as a Secretariat for the National Development Plan. The main part of each document is developed by the respective Directorate and is then examined and discussed within the respective working group.

Not all the OP working groups have environmental NGOs as members. This is due to two factors: on the one hand, not all OPs invited environmental NGOs, and on the other hand, the environmental NGOs coalition assessed that it did not possess the capacity to participate in all working groups. Thus, environmental NGOs have representatives only in the working groups for the National Development Plan, the OPs Environment and Transport, Rural Development Programme and Fishery Programme.

Participation of nature conservation NGO coalition representatives in OP Bulgarian competitive power development was refused in informal conversation with government. In general, NGOs had no right to participate in meetings at higher level, such as the Coordinating Council. They were also unsystematically informed about decisions and discussions. In addition, state

institution representatives had and have access to much more information for processes and problems than NGO representatives.

- 4) To what extent is a follow-up process in place: how are the given comments integrated in the follow up documents? Do such documents exist? To what extent can stakeholders comment on the new/revised documents?

Stakeholders' representatives in the working groups can submit positions and comments during the development process of NSRF. After this point, all comments, positions and proposals are reflected in table format which includes the name of the organisation, comment and proposal for change, additions, and whether it is reflected or not in the document. When all comments are managed, the new versions are usually sent for proof reading. Again, one of the main shortcomings in the otherwise good procedure is the short time between the different steps. Documents are sometimes sent even the evening before the meeting, and thus few organisations are able to bring considered comments. Additionally, the time available after the meetings for submitting comments is rarely longer than a week.

- 5) Is there a feed-back mechanism to draw from lessons learned from previous programming periods or mid-term reviews into the development of the strategic framework? Can adaptation of the document be applied over the implementation process?

It has to be noted that not all of the OPs in Bulgaria had previous programming periods. The best example in this case is the Rural Development Programme which is following the SAPARD programme. One can conclude that it follows the same procedures as in the SAPARD programme – for

example, that stakeholders are officially consulted, but the time given to study the documents is usually only up to two days before the meetings, and three to five working days after them. This, coupled with the fact that the meetings themselves are scheduled usually just a couple of weeks before the date hampers the overall process significantly.

- 6) To what extent has the partnership principle and the inclusion of social, economic and environmental partners been applied in the drafting process for the Environmental OP and/or other OPs which are of crucial importance for the environment (such as the Transport OP)? Were environmental partners treated equal to other partners?

The Operational Programme “Environment” 2007-2013 is elaborated by a working group specially established with this purpose. The principle composition of this working group (WG) was determined by a decision of the Coordination Council of the NDP in August 2004. The WG is composed of representatives from the line Ministries, regional and local authorities, social and economic partners, scientific organisations and syndicates, and also two representatives of environmental NGOs from the country. In accordance with the implementation of the partnership principle, all participants of the WG actively participated through co-operation and consultations in the elaboration of the operational programme, including the representatives of environmental NGOs. During the process of OP Transport development, the principle of partnership was also applied, and it therefore also includes environmental NGOs’ representatives. Some of the basic documents, used in the development of the OP process are: National Strategy for Environment 2000 – 2006 and National Biodiversity Plan 1999 – 2004.

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]:

How far were environmental public authorities involved in the drafting process of the NSRF? – 4

Were their (governmental sector) contributions taken into account? – 5

How far were environmental NGOs involved in the drafting process of the NSRF? – 3

Were their (non-governmental sector) contributions taken into account? – 3

How accessible was all information regarding the programming process of the NSRF? – 4

How transparent or open was the public consultation conducted during the drafting process of the NSRF? – 4

Were consultation documents given in a timely manner? – 2

To what extent are lessons learned from previous or ongoing programming periods incorporated? – 3

How transparent was the drafting of key OPs? – 4

To what extent were environmental stakeholders included effectively in the drafting of key (environmental) OPs? – 4

Environmental integration and sustainable development

- 1) To what extent is there a reference to key environmental goals, to sustainable development, to the Göteborg strategy, to the 6th Environmental Action Programme or other key Community texts in environmental protection and sustainable development?

Besides the OP Environment, some other OPs have general references to sustainable development and environmental protection. Additionally, the Rural Development Programme mentions the implementation of Natura 2000 and Nitrate Directive.

In spite of this, there are no clear and tangible priorities (especially, related to the environment) how they will be achieved and integrated at all programming levels.

Within the OPs Environment and Transport, as in Agriculture Development, there are objectives resulting from key documents related to sustainable development and nature conservation. These objectives are appointed are the same ones as certain activities to be completed within the OPs and Plans.

- 2) To what extent are Natura 2000 measures, sustainable transport, the implementation of the Water Framework Directive and the CO₂ reduction measures mentioned as priorities in the overall national programming documents?

Natura 2000, sustainable transport, Water Directive requirements and reduction of CO₂ emissions are set as objectives to be achieved within the OPs. However, the budgets dedicated to these priorities are comparatively smaller than the rest. There are no clearly detached activities, which will contribute to Natura 2000 sites conservation, nor clarity concerning how they will be integrated in the rest of activities.

- 3) To what extent is the need for the horizontal integration of environment mentioned in the programming documents? Are mechanisms described to ensure the integration? Are key roles for the environmental authorities envisaged to ensure this? Are resources allocated to ensure this? (training, technical assistance etc.)

In some Ops, these needs are described and justified by detailed explanation. In others, there is no clearly defined relationship between the environment and its need.

Since the SEAs are not ready for most of Ops, there are no clear and individually described mechanisms for horizontal integration.

- 4) To what extent are safeguarding mechanisms like the SEA and or the ex-ante evaluation for plans and programmes applied timely, correctly and by independent bodies?

OPs are submitted to strategic environmental assessment, according to Directive 2001/42/EU, which is not only a tool for assessing environmental impact, but also includes a considerable part of the sides concerned in the decision-making process. It is necessary to carry out an independent SEA, different from the preliminary assessment, and made with environmental NGOs representatives.

The partnership principle is not observed for all Ops, and NGOs can be admitted as participants only to Committees for observation when funded from EU projects.

According to the present formulation within OPs, NGOs will not be admitted to take part in Committees for selecting projects nor application for EU funding. This raises the risk of lack of transparency and illegal use of resources.

- 5) To what extent are environmental considerations mentioned/taken into account

in the discussion of other policy priorities (e.g. in transport, employment, etc) rather than in a single section on environment and SD priorities?

Within the key OPs, environmental priorities are mentioned and also in detached sections for environment and sustainable development – transport, rural development and environment. In the National Strategic Work frame and the National Development Plan, they are detached in sections for environment. In OP – human resources development it is explicitly noted that the programme implementation does not have direct impact on the environment. At the current stage, the obligatory SEAs are prepared.

- 6) What is the overall national/regional management structure of EU Regional Funds in your country and is there a mechanism established to cover environmental issues properly?

For all programs is adopted the following management structure – Observation Committee – composed according to the rules and procedures in conformity with EC regulations and Bulgarian legislation, Certification body and Auditing body, Ex ante control body, internal control. At regional level coordination is accomplished from six regional councils. In all OPs implementation, there is a representative of the ministry of environment, but this role and its power will be determined at later stage, within the program implementation.

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]:

To what extent is sustainable development mentioned as a priority in the National Strategic Reference Framework (NSRF)? – 4

To what extent are environmental measures (air, energy, waste, water, etc) defined in the NSRF? – 3

To what extent are nature protection (Natura 2000 network etc) measures defined in the NSRF? – 3

To what extent are integration mechanisms for the environment and sustainable development mentioned and defined in the NSRF? – 3

To what extent are environmental safeguarding mechanisms like the SEA and their application mentioned in the NSRF? – 2

Does the overall national/ regional management structure of EU regional assistance implementation support the covering of environmental issues? – 4

Resource allocation across different Operational Programmes

- 1) What total sum or per cent of the total Community monies under Regional Policy go to environment and nature conservation directly (waste, water, air, CO2 reduction, WFD, Natura 2000 or others)?

In OP Environment for priority 2 – Improving and development of infrastructure for waste treatment – 24.06 % of the total financial resources is allocated = €319 417 560. In OP Competitiveness, priority axis 2 – Raising effectiveness of enterprises and encouraging environmental business development €521 900 000 is allocated from EFRD for the programme. It is not clear what fraction of these resources will be directly targeted towards achievement of the programme's environmental objectives. In OP Regional Development for environmental infrastructure, €299 870 000 is allocated from the programme total budget. Part of this is targeted towards preventative measures for protection from floods, water resource management, small projects for protection from erosion, building, purifying and gathering installations and others. At this moment, more exact data cannot be given regarding the fraction of EFRD resources that will be allocated for achievement of environmental priorities.

- 2) To what extent are resources allocated by sectors or by problems? How are resources for the environment distributed across the OPs? Are they all combined into one environmental OP or as environmental measures across different OPs?

Resources are allocated by sectors, but without exact and thorough analysis. Resources are allocated across the OPs in OP Environment, the NRDP, and OP Development of Competitiveness of the

Bulgarian Economy. For OP Transport, allocations are not clearly separated.

- 3) Are there realistic concerns that measures listed under other OPs (like under the transport OP) will be harmful to the environment or to nature conservation? In the current OP drafts, there are no written realistic concerns that measures listed under them might be harmful to nature conservation.

- 4) To what extent are environmental authorities nominated as managing authorities? How many OPs are under the sole or partial responsibility of the environmental authorities?

The Ministry of Environment and Waters (MEW) is responsible for OP Environment, its drafting and implementation. Ministerial representatives are included in workgroups of the rest of OP and NSRF. Within its structure are detached regional inspections on environment. They are responsible for co-ordinating and adopting an attitude for projects which need preliminary assessment regarding their influence on the environment. All obligatory project application documents at the moment look the same, no matter what the focus of the OP is. It should be noted that it is not clear how implementation will be controlled or what the role of the regional environmental inspections will be.

- 5) Are the measures defined as “environmental measures” balanced across all potential environmental activities or are they simply prioritising mostly environmental infrastructure issues, such as flood reduction?

Objectives for environmental conservation are integrated in RDP and OP Environment. Environmental infrastructure projects are supplemented with integrated activities for

restoration of habitats, activities targeted to protect and conserve Natura 2000 sites, as well as measures for unproductive investments, such as designated boards, building of fences or artificial lakes and so forth. Resources for Natura 2000 site management plans and population knowledge and capacity building are allocated.

- 6) To what extent does the environmental OP reflect the key environmental needs of a specific MS or region? Are the environmental OP or the environment sections of other OPs of a high strategic and of high programming quality?

Environmental priorities laid down in part of OP are not based on a clear and exact analysis of the current status. It is not clear on what principle and by which method resources are allocated for achievement of objectives or for indicative budgets. Currently, the budgets of the measures written in some of OP are still unclear or are not publicly known.

Scoring questions:

To what extent is the share of resources spent on the environment adequate (to be around 30%) in comparison to shares of monies spent on other priorities? – 4

To what extent are allocations for the environment reflected in the different OPs? – 4

To what extent are resources allocated for environmental integration in every OP? – 3

To what extent do other OPs contain potential harmful priorities for the environment? – 4

To what extent is the environmental ministry responsible for the environmental OP or for the environmental parts of other OPs? – 5

Are the foreseen mechanisms to implement the environmental OP adequate for this role? – 4

To what extent are the environmental priorities proposed balanced across all potential environmental priorities? – 4

To what extent does the environmental OP or environmental sections in other OPs reflect strategic needs for the environment? – 4



NATIONAL CHAPTERS ESTONIA



This chapter has been compiled by Kärge Kama, Estonian Fund for Nature (ELF), reflecting the status of September 2006. The chapter was slightly revised in November 2006 after the Operational Programmes were reduced to 3.

Overview of the programming architecture

For programming the use of EU structural funds in 2007–2013, Estonia will prepare its national NSRF document and 3 Operational Programmes. At the same time, the current NSRF constitutes a part of the national state budget strategy for 2007–2010. The state budget strategy is renewed annually for the next 4 years. The NSRF will be included in every state budget strategy. The programming is co-ordinated by the Ministry of Finance.

The headline objective of the NSRF is “fast, socially and regionally balanced sustainable economic development”.

NSRF priorities are: Priority 1 “Educated and active people”; Priority 2 “Increase in research and development capacity and innovative spirit, and in the productivity of enterprises”; Priority 3 “Better connection opportunities”; Priority 4 “Reduction of environmental load”; Priority 5 “Integral and balanced development of regions; Priority 6 “Higher administrative capacity”.

Horizontal priorities (values) include: regional development, environmental protection, promotion of information society, equal opportunities, and development of civil society.

Operational Programmes are:

- a. Human Resource Development (ESF) – co-ordinated by the Ministry of Education and Research
- b. Development of the Living Environment (ERDF, CF) – co-ordinated by the Ministry of the Environment
- c. Development of the Economic Environment (ERDF, CF) – co-ordinated by the Ministry of Economic Affairs and Communications

Until October 2006, there were 4 OPs, but the following draft OPs were then incorporated into other OPs, mainly the newly developed OP for the “Development of the Economic Environment”:

(Development of Education, Research and Development, Health care and Welfare Infrastructure (ERDF) – co-ordinated by the Ministry of Education and Research)
(Development of Entrepreneurship, Information Society, Transport and Energy Infrastructure (ERDF, CF) – co-ordinated by the Ministry of Economic Affairs and Communications)

The civil society organisations in co-operation with associations of rural municipalities and cities have established an informal network to guarantee active participation in the programming. It was initiated in January 2005, at the same time as the inter-ministerial working group. The NGO network has its own mailing list eurofondid@lists.eenet.ee for some 50 members (23 organisations) and its own web page www.eurofondid.org.ee for co-operation, sharing information and developing training for NGO people.

Environmental organisations have been

among the most active partners in programming and the main initiators of the NGO co-operation network. Their umbrella organisation – the Estonian Council of Environmental NGOs (EKO) – is registered as a partner by the Ministry of the Environment. Although being traditionally active in monitoring the transport sector developments, EKO was not registered as a partner by the Ministry of Economic Affairs and Communications despite EKO's request.

Drafting procedure

- 1) To what extent has the lead ministry for the development of the National Strategic Reference Framework applied inter-ministerial consultation? Was the environmental ministry an equal partner in this process?

The lead ministry, the Ministry of Finance, formed an inter-ministerial working group for the programming in January 2005. The Ministry of Environment (MoE) was involved equally in the working group with the other relevant beneficiary ministries and since then has actively participated in the programming. Currently, the MoE is the leading ministry for one of the six NSRF priority axes "Reduction of environmental load" and for one of the three OPs "Operational Programme for the Development of Living Environment".

- 2) To what extent has the lead ministry for the development of the National Strategic Reference Framework applied the partnership principle and included social, economic and environmental partners in the drafting process? Were environmental partners treated equally to the other partners? How are the consultation processes organised? What were the techniques of consultation?

As a positive example, the national principles of the partnership were developed, discussed with NGOs and approved by the Government. According to these principles, the Ministry of Finance delegated most of the tasks to partners of the line ministries. It was anticipated that partners would be given at least two weeks to comment on documents (but preferably four to eight weeks), and also a maximum of four weeks was foreseen for line ministries to give feedback on partners' comments. The role of the Ministry of Finance should be a general co-ordination of the parties involved and communication between them: management of the central web page, the mailing list, and feedback for comments. So far, the Ministry of Finance has not performed its tasks very actively: information for the mailing list has been sent quite infrequently, and feedback about the first comments made by partners for the NSRF analytical part was given four months later (see below under 4).

The lists of the partner organisations were put together by the line ministries. No public invitation to register as a partner was launched as was done for the previous programming period, for SPD 2004-2006. Still, most of the larger civil organisations and their associations are currently involved. The economic partners are mostly working with the Ministry of Economic Affairs and Communications; the social partners are working with the Ministry of Social Affairs. Environmental organisations have been among the most active partners in programming and the main initiators of the NGO co-operation network. Their umbrella organisation – the Estonian Council of Environmental NGOs (EKO) – is registered as a partner by the Ministry of the Environment. Although being traditionally active in monitoring the transport sector developments, EKO was not registered as a

partner by the Ministry of Economic Affairs and Communications despite EKO's request. However, after the OPs were reduced in October 2006, the Estonian Green Movement, a member of EKO, was invited to participate in the working group developing the OP "Development of the Economic Environment".

At the beginning of 2006, EKO and the Network of Estonian Non-profit Organisations (in addition to the Chamber of Commerce and the Associations of Rural Municipalities and Cities) were invited to participate in the central inter-ministerial working group of the NSRF. A considerable amount of useful information has thereby been exchanged through the inter-ministerial working group mailing list and some informal comments were also provided for the following documents: draft guidelines for the compilation of OPs and working out indicators, and future plans for administration of OPs' implementation etc.

- 3) To what extent have other ministries or regional authorities consulted with economic, social and environmental non-governmental partners in order to formulate the positions that they submit to the lead ministry?

The involvement of partners is mainly the responsibility of the relevant line ministries. The ministries have mostly organised informal consultations for their positions and draft chapters of the NSRF and OPs. No central rules for this kind of involvement are developed. The extent to which partners have been involved has therefore depended on willingness and capacity of the given ministry.

- 4) To what extent is a follow-up process in place: how are the given comments integrated in the follow up documents? Do such documents exist? To what extent

can stakeholders comment on the new/revised documents?

In addition to the informal consultations organised by the beneficiary ministries, three overall rounds of commenting for the NSRF have taken place, two so-called unofficial (informal) and one formal. The two informal rounds of commenting were launched firstly for the NSRF draft analytical part (from 28th November to 8th December 2006) and secondly for the NSRF draft priorities (from 17th to 30th January 2006). A formal round of comments was organised from 10th March to 13th April 2006 for the whole NSRF document – including the previously commented on analytical part and priorities, as well as the third component of the document, allocation of funds between priorities, which was not launched for comment before.

Until September 2006, the official feedback had been given only for the comments of the first two informal rounds. The decisions to accept the comments were taken by the ministries drafting the chapters of the NSRF. In the case of non-acceptance of comments, justification was required. The Ministry of Finance collected the response of the ministries and reported them on the web page. The feedback was given together for all the informal comments, but remarkably late, on 7th April 2006, four months after submitting the first comments. At the same time, the principles of the partnership state that the feedback should be given not later than 4 weeks after their submission. After revision of the informal comments, the NSRF document was launched for formal comment to a wider range of organisations. The time allocated for comment was one month, which was considered reasonable as compared to the informal rounds. Between the informal rounds of comment and the formal one, the structure of the NSRF document (mainly the priority

axis) was changed considerably and some of the text was replaced within the document. Because of the structural changes, some partners' proposals from the informal rounds were rejected without discussion of their real content. As the feedback was given so late, and the draft NSRF had been through major changes meanwhile, it is somewhat complicated to follow if and which comments by partners have actually been included in the new NSRF document. Therefore, partners repeated some of their comments during the formal commenting round. Comprehensive feedback in matrix with all NSRF comments and responses was given 2 months after the deadline for formal commenting, in mid-June. The official feedback document was published on the web page of the Ministry of Finance only on 6th September 2006.

5) Is there a feed-back mechanism to draw from lessons learned from previous programming periods or mid-term reviews into the development of the strategic framework? Can adaptation of the document be applied over the implementation process?

No official feedback mechanism has been developed. Involving the monitoring and steering committees of the current 2004-2006 period in the programming was first considered, but such involvement has not taken any clear form (apart from involvement of some members of the steering committees on an individual basis). The evaluation and reviews of structural funds carried out so far are mostly used for the implementation of the current period (i.e. redistribution of the funds between SPD measures); however, some parts of the evaluation are aimed at making recommendations for improvement of the programming for the new period, too. In the case of line ministries, the lessons from the previ-

ous programming period are learned mainly through the experience of the people working there as the previous Estonian SPD document for 2004-2006 was finalised just 2 years ago. At the same time, it must be noted that a considerable number of the people in charge of the 2004-2006 programming in the Ministry of Finance have left, and there are now new officials co-ordinating programming for 2007-2013.

6) To what extent has the partnership principle and the inclusion of social economic and environmental partners been applied in the drafting process for the environmental OP and or other OPs which are of crucial importance for the environment (like Transport OP)? Were environmental partners treated equal to other partners?

The principles for involving the partners are same as those given above for the NSRF. The partner NGO organisations are currently widely involved in working groups and steering committees for the programming of OPs (non-NGO partners not included). During the development of the initial 4 OPs, NGO participation was the following

- OP "Development of Living Environment": 6 NGOs in the working group (total: some 15 members); 3 NGOs in the steering group (total: some 15 members)
- OP "Development of Entrepreneurship, Information Society, Transport and Energy Infrastructure": 1 NGO in the working group (total: some 20 members)
- OP "Development of Education, Research and Development, Health care and Welfare Infrastructure": 4 NGOs in the working group (total: 23 members)
- OP "Human Resource Development": 3 NGOs in the working group (total: 28 members)

The partners first commented upon the OPs informally through participation in the OPs' working groups. The timetable and organi-

sation of this kind of commenting depended on the leading ministry, and no rounds of commenting were launched centrally. Later, the draft versions of all 4 OPs were made publicly available for a formal round of comment for six weeks (from 7th July to 21st August).

The Estonian Council of Environmental NGOs (EKO) is represented both in the steering committee and working group of the OP “Development of Living Environment”; therefore the environmental organisations have had full access to the draft documents of this OP. Information is shared between environmental organisations through the EKO’s own mailing list. In addition to public authorities and EKO, the Association of Rural Municipalities, the Association of Estonian Cities, the Association of Water Enterprises, the Association of Waste Management Enterprises, the Estonian Nature Conservation Society, and the Estonian Water Society are involved in the environmental OP’s working group. Environmental NGOs have not been invited to participate in the steering or working groups of other OPs, but they were provided with first draft of the OP “Development of Entrepreneurship, Information Society, Transport and Energy Infrastructure” by the Ministry of Economic Affairs and Communications. The draft texts of the two other OPs have not been made available to environmental partners. After the restructuring of OPs in October 2006, Estonian Green Movement was invited to the working group of the Development of the Economic Environment (see above). In April 2007, EKO also received an invitation to participate in the steering group of this OP. The co-operation network of the NGOs and the “eurofondid” mailing list has enabled partners of different line ministries to exchange information between them even if

the given ministry has not informed a wider range of organisations about the NSRF and OP programming process. During the formal round of comment upon the OPs, 46 partner organisations gave their remarks and proposals, several of them on more than one OP. As the formal round was launched in the middle of summer and therefore a considerable amount of potential input from partners was lost, some organisations requested a second round of formal commenting. The Ministry of Finance has promised to provide some feedback on the OP comments at the end of September 2006, by when the first opinions from the European Commission, ex-ante evaluators and SEA consultants should also have been received. After that, it will be decided whether the second round of comment on the OPs will be launched or whether partners will be consulted through other methods.

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]:

- How far were environmental public authorities involved in the drafting process of the NSRF? – 5
- Were their (governmental sector) contributions taken into account? – 5
- How far were environmental NGOs involved in the drafting process of the NSRF? – 4
- Were their (non-governmental sector) contributions taken into account? – 2
- How accessible was all information regarding the programming process of the NSRF? – 3
- How transparent or open was the public consultation conducted during the drafting process of the NSRF? – 3
- Were consultation documents given in a timely manner? – 3

To what extent are lessons learned of previous or ongoing programming periods incorporated? – 2

How transparent was the drafting of the key OPs ? – 4

To what extent were environmental stakeholders included effectively in the drafting of key (environmental) OPs? – 5

Environmental integration and sustainable development

1) To what extent is there a reference to key environmental goals, to sustainable development, to the Göteborg strategy, to the 6th Environmental Action Programme or other key Community texts in environmental protection and sustainable development?

The NSRF mentions sustainable development and environmental protection among the main objectives for the use of structural funds. Reduction of environmental load is one of six key priorities of the NSRF. The EU sustainable development strategy and the 6th Environmental Action Programme are referred to under the priority “Reduction of environmental load”. The Göteborg strategy is not specifically mentioned, but the principles of it are reflected in the text. The need to reform the Lisbon process towards a more sustainable-orientated direction is also mentioned. In addition to relevant EU legislation and guidelines, the main basis for the NSRF is the national sustainable development strategy “Sustainable Estonia 21”, which defines the long-term development goals of the state until 2030. The aim of the NSRF is to use the structural funds for moving towards implementation of the national sustainable development strategy in a mid-term perspective. Nonetheless, the headline objective of the NSRF is “fast, socially and regionally balanced sustainable economic development”, which, despite

mentioning sustainability, puts the focus on the economy. Environmental sustainability and an ecological way of thinking are also mentioned as general trends in society, as well as among the main economic competitive advantages (situation analysis) and general national opportunities (SWOT).

2) To what extent are Natura 2000 measures, sustainable transport, the implementation of the Water Framework Directive and the CO 2 reduction measures mentioned as priorities in the overall national programming documents?

The environmental protection needs are analysed in detail under the NSRF development situation analysis and under the NSRF priority “Reduction of environmental load”. The analysis includes concerns for nature conservation, improvement of the water bodies and external air quality. Obligations to establish Natura 2000 sites and to implement EU water directives and the Kyoto protocol are mentioned. In addition, many other environmental problems (waste, use of natural resources, preservation of natural landscapes, environmental education and awareness-raising, solving environmental emergency situations and the energy sector) are analysed. Sustainable transport is in principle reflected under the NSRF priority “Better connection opportunities”. The development of public transport and light traffic infrastructure (esp. bicycle roads) is declared to be the main key objective besides developing the transport networks (TEN-T). Investments in railway transport are identified as the most environmentally friendly. As the number of people using public transport is rapidly decreasing in Estonia, the general goal is stated as maintaining the number of public transport users at least at the current level.

The need to implement the WFD and the Natura 2000 network is covered with the

OP “Development of the Living Environment”. The CO₂ reduction measures in the energy sector (promotion of renewable energy) were in the draft versions of the OP “Development of Entrepreneurship, Information Society, Transport and Energy Infrastructure”, but later transferred to the environmental OP.

- 3) To what extent is the need for the horizontal integration of environment mentioned in the programming documents? Are mechanisms described to ensure the integration? Are key roles for the environmental authorities envisaged to ensure this? Are resources allocated to ensure this?

Environmental protection is one of the five horizontal priorities (i.e. values).

Connections to the horizontal values have to be clarified within every OP. Therefore, the Ministry of Finance has set up a special working group with the task of finding the linkages between the horizontal values and OPs’ objectives and elaborating the relevant indicators to measure the promotion of horizontal values under every OP.

Environmental NGOs were offered a seat in this working group but unfortunately it was rejected by EKO due to lack of resources. As the working group only gathered for the first time in June 2006 and mostly started its work in August, the OPs at this stage reflect only some of the first ideas about promoting horizontal values. They will be complemented later according to the results of the work of the group. The set of indicators developed by a high level expert group to monitor the implementation of the national strategy “Sustainable Estonia 21” has been made available to the current working group defining indicators to be used in the NSRF and the OPs. No mechanisms to further implementation of the horizontal values have been developed at this stage.

- 4) To what extent are safeguarding mechanisms like the SEA and or the ex-ante evaluation for plans and programmes applied timely, correctly and by independent bodies?

The SEA will be carried out only for Operational Programmes, not for the NSRF. The SEA process was launched remarkably late, on 7th July 2006, when key strategic choices had already been made, and the NSRF and OP documents were mostly already compiled and under preparation for introduction to the European Commission. First, it was planned to integrate the strategic environmental assessment into ex-ante evaluation. The partner organisations had a chance to comment upon the draft terms of reference for ex-ante evaluation in December 2005, but the procurement was then delayed by the Ministry of Finance. In July 2006, it was officially decided not to carry out a SEA for the NSRF, only for OPs, and the name of the SEA consultant was finally published. The involvement process was initiated with a public scoping meeting on 24th July. At the same time, the programme for the SEA was made available for comment. The intermediate SEA report is due to be published for comment on 22nd September 2006. The biggest problem with the SEA process was its late start, thus it was not really possible for work groups drafting OPs to consider the recommendations of the SEA experts prior to completing the first drafts of the OPs. Consequently, the OPs are still missing the chapters concerning outcomes of the SEA. The NSRF document does not reflect the SEA process at all, as assessment is carried out only for the OPs, regardless of the repeated protests of the environmental NGOs.

- 5) To what extent are environmental considerations mentioned/taken into account in the discussion of other policy priorities (e.g. in transport, employment, etc) rather

than in a single section on environment and SD priorities?

In the NSRF, environmental considerations are also reflected under other priorities, especially under the priorities “Integral and Balanced Development of Regions” and “Better Connection Opportunities”. As the basis for the NSRF is the national sustainable development strategy “Sustainable Estonia 21”, references to sustainable development are made frequently. Still, the term “sustainable” is used in a very wide sense throughout the text, referring to environmental concerns interchangeably with purely economic or social perspectives. Among OPs, the “Operational Programme for Development of the Living Environment” focuses on direct environmental measures as well as regional development needs. Environmental concerns are to some extent also reflected in the draft OP “Development of Entrepreneurship, Information Society, Transport and Energy Infrastructure”. However, mostly due to time constraints, proper consideration of environmental aspects at the drafting of the “other” OPs was not really undertaken. This also applies to the OPs “Development of Education, Research and Development, Health Care and Welfare Infrastructure” and “Human Resource Development”. However, by restructuring the OPs the allocation of measures and funds was changed later. Currently, funds for environmental education are provided under the OP “Human Resource Development” and support for the enterprises to develop environmental technology is provided under the OP “Development of the Economic Environment”.

- 6) What is the overall national/regional management structure of EU Regional Funds in your country and is there a mechanism established to cover environmental issues properly?

There are two main EU funds programming processes currently underway in Estonia, for structural funds (NSRF and OPs) and for agricultural-fisheries funds (measures of Rural Development Strategy and Fisheries Development Strategy). These two processes are separated, but still co-ordinated in parallel. In regard of structural funds (CF, ERDF, ESF) each of the three OPs has a leading ministry both for programming and implementation of the funds. The Ministry of the Environment is the official lead ministry for the OP “Development of the Living Environment”, working together with the Ministry of the Interior responsible for regional development. This should guarantee that the environmental concerns are taken into account at least under this OP. In the new period, the line ministries leading OPs will take over several Managing Authority tasks from the Ministry of Finance, including monitoring of the implementation of the relevant OP.

In addition, environmental concerns are also handled under the Rural Development Strategy (measures for water protection, Natura 2000 etc), which is co-ordinated by the Ministry of Agriculture. The Ministry of the Environment and environmental NGOs are involved in the working groups of this strategy, too.

So far, it is unclear how the implementation of the horizontal priorities, including environmental protection, will be co-ordinated and monitored through the OPs. Hopefully, the line ministries will involve officials from other OP lead ministries in the monitoring committees. More detailed implementation schemes will be developed later.

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]:

To what extent is sustainable development

mentioned as a priority in the National Strategic Reference Framework (NSRF)? 6

To what extent are environmental measures (air, energy, waste, water etc) defined in the NSRF? 6

To what extent are nature protection (Natura 2000 network etc) measures defined in the NSRF? 6

To what extent are integration mechanisms for environment and sustainable development mentioned and defined in the NSRF? 4

To what extent are environmental safeguarding mechanisms like the SEA and their application mentioned in key OPs? 6
Does the overall national/ regional management structure of EU regional assistance implementation support the covering of environmental issues? 4

Resource allocation across different Operational Programmes

1) What total sum or per cent of the total Community monies under Regional Policy go to environment and nature conservation directly (waste, water, air, CO2 reduction, WFD, Natura 2000 or others).

Regarding the OP “Development of the Living Environment” 68% of its resources (ca 81.5 million EUR without technical assistance) has been planned for the environmental investments; the remainder is allocated to the regional development investments. In addition, 2.3 % (25 million EUR, without technical assistance) of the OP “Development of Entrepreneurship, Information Society, Transport and Energy Infrastructure” was allocated for energy measures. In general, environmental protection measures have at the draft stage of the OPs received an allocation of over 20% of the total funding, even more than transport investments. The allocation of funds between OPs was revised and some priori-

ties between OPs have changed. Energy investments were transferred to the environmental OP. As a consequence, environment-related investments are planned at a level of 22% of the funds, inclusive of funds for the environmental education under OP “Human Resource Development” and for the environmental technologies under OP “Development of the Economic Environment”, but exclusive of the funds for the energy sector under OP “Development of the Living Environment”.

2) To what extent are resources allocated by sectors or by problems? How are resources for the environment distributed across the OPs? Are they all combined into one environmental OP or as environmental measures across different OPs?

The OPs include financial tables as annexes. The tables allocate resources by sector (waste, water etc) Resources for the environmental investments are mostly concentrated in the OP “Development of the Living Environment”. Two out of three measures in this OP reflect environmental priorities, and one is dedicated to regional development (as with the current allocation of funds – see 1 above). The regional development measure is at the same time well integrated with local environmental and cultural heritage concerns. In addition, some resources are anticipated for promotion of the use of renewable energy, bio-fuels and improve energy efficiency in housing, as well as improving and external air quality The funds for environmental education are provided under the OP “Human Resource Development (measures of life-long learning) and investments into environmentally friendly technologies under the OP “Development of the Economic Environment” (measures to support enterprises).

3) Are there realistic concerns that measures listed under other OPs (such as under the Transport OP) will be harmful to

the environment or to nature conservation?

The potential negative impact for the environment will be clarified during the SEA process and the work of the horizontal priorities group. At this stage, it is stated in the OP “Development of Entrepreneurship, Information Society, Transport and Energy Infrastructure” that transport measures will mostly have a negative environmental impact, for which mitigation and compensation measures are needed.

- 4) To what extent are environmental authorities nominated as managing authorities? How many OPs are under the sole or partial responsibility of the environmental authorities?

The Ministry of the Environment is the leading ministry for the OP “Development of the Living Environment”, which includes regional policy measures. The implementation of this OP will be carried out in co-operation with the Ministry of Internal Affairs. The Ministry of Finance will delegate a number of managing authority responsibilities to the lead ministries of the OPs (see above). This leaves the main responsibility for implementation of the planned environmental measures with the Ministry of the Environment.

- 5) Are the measures defined as “environmental measures” balanced across all potential environmental activities or are they simply prioritising mostly environmental infrastructure issues, such as flood reduction?

Environmental measures are very well defined under the OP “Development of Living Environment” and cover a wide range of investment needs. In addition to basic infrastructure for water, waste, air and nature conservation, the measures include “soft” activities, such as the development of an environmental monitoring system, compilation of management plans for conservation sites and raising environmental awareness,

plus prevention and combating of marine pollution.

- 6) To what extent does the environmental OP reflect the key environmental needs of a specific MS or region? Are the environmental OP or the environment sections of other OPs of a high strategic and of high programming quality?

Yes, the environmental OP reflects the needs of the national environmental investment. Most of the investments are linked to the obligations to fulfil the requirements of EU directives in due time, but other national priorities, such as liquidating residual waste, raising capacity for solving environmental emergency situations (e.g. oil pollution in the Baltic Sea) and providing society with environmental education and access to environmental information, are clearly outlined, too.

Scoring questions:

To what extent is the share of resources spent on the environment adequate (to be around 30%) in comparison to shares of monies spent on other priorities? – 6

To what extent are allocations for the environment reflected in the different OPs? – 3

To what extent are resources allocated for environmental integration in every OP?

To what extent do other OPs contain potential harmful priorities for the environment? – 5

To what extent is the environmental ministry responsible for the environmental OP or for the environmental parts of other OPs? – 5

Are the foreseen mechanisms to oversee and implement the environmental OP adequate for this role? – 6

To what extent are the environmental priorities proposed balanced across all potential environmental priorities? – 6

To what extent do the environmental OP or environmental sections in other OPs reflect strategic needs for the environment? – 6

NATIONAL CHAPTERS GERMANY



This chapter has been compiled by Thomas Brückmann and Peter Torkler, WWF Germany, reflecting the status of January 2007.

Overview of the programming architecture

Structural funds have played a particularly important role in the new Bundesländer of former East Germany for 17 years now. Germany will be the fourth biggest beneficiary of EU Structural Funds in the new funding period, although 12 new countries have joined the EU. From a total budget of around 25 billion Euro, around 15 billion will be spent via the regional development fund (ERDF).

Due to the federal system in Germany, all responsibilities for the programming and implementation of funding are with the Bundesländer. The national level is responsible for developing the National Strategic Reference Framework, but it is doubtful how much influence the strategic document can have on federal sovereignty in planning. Germany is divided into two objective areas. All the new Bundesländer are covered by the convergence objective and all the old ones by competitiveness and employment. So, in total Germany will have:

- Seven regional development funds
Operational Programmes for convergence regions, including the Lüneburg region which joined the convergence regions as the only old Bundesland and a federal programme for transport
- Seven European social funds Operational Programs, including Lüneburg and the

convergence part of the federal employment OP

- 22 regional programs for regional development and social funds and the competitiveness and employment component of the federal employment OP

Germany will implement 36 Operational Programmes in total, which will be administered mostly at the regional level.

Concerning the scoring of the drafting and programme development, it is only possible to have representative data for the drafting of the NSRF, and it is not possible to have a representative picture for Germany in total for the drafting of the OPs. The evaluation for Germany is therefore based on an analysis that WWF Germany has organised in six federal states (Bundesländer) in order to evaluate the environmental dimension of programming: Brandenburg, Thüringen, Sachsen, Sachsen-Anhalt, Berlin, Mecklenburg-Vorpommern.

Drafting procedure

- 1) To what extent has the lead ministry for the development of the National Strategic Reference Framework applied inter-ministerial consultation? Was the environmental ministry an equal partner in this process?

The authority responsible for the drafting of the NSRF is Department EA4 – Co-ordination of EU Cohesion and Structural Policies, European Regional Funding and Trans-European Networks of the Ministry of Economy and Technology. The lead ministry involved all relevant ministries on the feder-

al level and included the Ministry of Environment. During the drafting, the Environmental Ministry jointly with the Umweltbundesamt very actively sought to ensure that the Environmental dimension was included in the NSRF.

The key problem in Germany was and is that all suggestions in the NSRF need to be agreed with a working group of the Länder (federal states) with the national level. Here, mostly the environmental position was very weak and the suggestions from the Ministry of Environment were not supported adequately.

One key example is that the MoE fought for the inclusion of the Environment as a priority for the operational programmes, however, no federal state, with the exception of Berlin, supported this.

2) To what extent has the lead ministry for the development of the National Strategic Reference Framework applied the partnership principle and included social, economic and environmental partners in the drafting process? Were environmental partners treated equally to the other partners? How are the consultation processes organised? What were the techniques of consultation?

The lead ministry made efforts to apply transparent consultation with all partners. Consultations started with a first draft of the NSRF in April 2005. The ministry allocated approximately two weeks for commenting on the draft. Most stakeholder organisations prepared first draft comments, including WWF for the environment.

After the lead ministry received the comments, the Commission also heavily criticised the first draft. Due to this, the NSRF was changed in such a way that none of the involved partners could follow how their comments were dealt with. Additionally, it was not clear to what extent the comments

from partners can be taken into account given the fact that key decisions must be agreed with the Länder.

A new draft was presented in July. This time, the lead ministry allocated more time for comments and organised a meeting with partners on the 6th of September 2006. Beforehand, WWF, with other NGOs, prepared an opinion on the draft.

The ministry now presented the structure of agreeing the NSRF with the Länder in a more open manner and promised to include the comments from partners and document steps to keep the process transparent. On the 13th of September 2006, the lead ministry presented a new draft to the Länder, which was, in general, adopted. A final draft of the German NSRF was sent to the Commission on the 23rd of January 2007.

The document was improved several times; the lead ministry committed to including and verifying all comments of partners. Due to the strong input and engagement from the Ministry of Environment, a considerable number of comments were taken into account. The highly co-operative and co-ordinated approach between the Ministry of Environment and environmental NGOs in their contributions also helped this inclusion.

Other partners, such as the labour organisations, complained that there was insufficient time and transparency to consult with their partner organisations at the regional level. This fact was also true for environmental organisations as timing and dates for comments were too short to apply a wide consultation process within partner organisations and networks.

To summarise:

- The lead ministry applied the partnership principle, but due to the complicated structure that requires the federal states

to be involved in every step, it was often unclear how seriously comments from economic, social and environmental partners were taken into account.

- Environmental partners were treated very seriously and in the same manner as others.
- The ministry tried to organise regular meeting, presenting drafts beforehand with time to comment on them. Unfortunately, sometimes the meetings were scheduled when new drafts already exist but only the old ones are discussed.

3) To what extent have other ministries or regional authorities consulted with economic, social and environmental non-governmental partners in order to formulate the positions that they submit to the lead ministry?

No consultations for the NSRF took place at the regional level in the selected six Länder analysed by WWF. Sometimes, some preliminary information was given, and in general, the regional level was against an NSRF document.

4) To what extent is a follow-up process in place: how are the given comments integrated in the follow up documents? Do such documents exist? To what extent can stakeholders comment on the new/revised documents?

Compared to the existing financial period, there will be no need for a federal monitoring committee, nevertheless the lead Ministry wishes to continue a regular exchange. The ministry is suggesting linking the committee with the committee for the national reform programme work. The partners prepared some suggestions and asked the lead ministry to develop a clearer draft about the goals for continuing the committee work.

5) Is there a feed-back mechanism to draw

from lessons learned from previous programming periods or mid-term reviews into the development of the strategic framework? Can adaptation of the document be applied over the implementation process?

In the current draft, there are some parts including recommendations from previous mid-term reviews. In the future, the NSRF suggests creating a working group to monitor the performance of environmental integration which will be composed of representatives from regional administrations.

6) To what extent has the partnership principle and the inclusion of social, economic and environmental partners been applied in the drafting process for the environmental OP and / or other OPs which are of crucial importance for the environment (such as the Transport OP)? Were environmental partners treated equal to other partners?

The partnership principle is taken seriously in almost all regions. This is a result of the instant demand from the Commission to prove that the principle is applied.

The application of the principle looks very different in the regions in reality. To sum up, one can say that compared with the past funding period, the partnership is taken more seriously than before. Weaknesses are still visible in most regions. What is key is the lack of transparency and timely delivery of documents. As the documents are subject to complicated administrative consulting processes, the partners often do not receive the latest drafts, and when they do get drafts for comment, most decisions have been fixed already. Comments given by partners are also not systematically treated and included. Sometimes, it is the partners who fail in providing written comments, but even if they make the effort and send comments, there is no guarantee that

answers will be given. The role of partners in the committees is not defined yet, but it is not always clear that partners will have voting rights.

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]

How far were environmental public authorities involved in the drafting process of the NSRF? – 5

Were their (governmental sector) contributions taken into account? – 4

How far were environmental NGOs involved in the drafting process of the NSRF? – 4

Were their (non-governmental sector) contributions taken into account? – 4 (but not clear yet)

How accessible was all information regarding the programming process of the NSRF? – 5

How transparent or open was the public consultation conducted during the drafting process of the NSRF? – 3

Were consultation documents given in a timely manner? – 3

To what extent are lessons learned from previous or ongoing programming periods incorporated? – 2/3 (see constraints with federal structure in Germany!)

How transparent was the drafting of key OPs? – 2-4 according to various Länder

To what extent were environmental stakeholders included effectively in the drafting of key (environmental) OPs? – 2-4

Environmental integration and sustainable development

1) To what extent is there a reference to key environmental goals, to sustainable

development, to the Göteborg strategy, to the 6th Environmental Action Programme or other key Community texts in environmental protection and sustainable development?

The background analysis of the NSRF mentions all relevant references and their importance:

- strong link to Gothenburg in the Strategy mentioned together with Lisbon
- There is a link to sustainable development in the context of the German SD strategy
- There is no link to the 6th EAP but mainly links to concrete environmental regulations

A concrete commitment to integration environmental aspects in the cohesion policy and several environmental goals are given on page 47.

2) To what extent are Natura 2000 measures, sustainable transport, the implementation of the Water Framework Directive and the CO2 reduction measures mentioned as priorities in the overall national programming documents?

Beside a clear commitment in the environmental section of the NSRF, the NSRF mentions environmental measures as examples for actions in the different priority themes described for convergence and competitiveness regions. Most concrete environmental actions are included in the priority “for sustainable development and attractive regions”, suggesting funding for sustainable transport, Natura 2000, Water ecology, and many other issues.

3) To what extent is the need for horizontal integration of the environment mentioned in the programming documents? Are mechanisms described to ensure the integration? Are key roles for the environmental authorities envisaged to ensure

this? Are resources allocated to ensure this? (training, technical assistance, etc.) The need is clearly articulated in the NSRF, but there are no concrete links on how to implement it. The NSRF also does not have the power to force the Länder to implement this integration in their OPs.

- 4) To what extent are safeguarding mechanisms like the SEA and or the ex-ante evaluation for plans and programmes applied timely, correctly and by independent bodies?

The NSRF will not be subject to an ex-ante or SEA evaluation. An SEA is foreseen for the operational programmes. In the past month, the reality was that an SEA was carried out based on OP drafts, and sometimes the work was done in parallel.

- 5) To what extent are environmental considerations mentioned/taken into account in the discussion of other policy priorities (e.g. in transport, employment, etc) rather than in a single section on environment and SD priorities?

Due to the last compromise and comments from NGOs, all priority areas will have examples of measures to integrate environmental actions into other fields like transport. However, there is no mechanism to ensure that this line will be followed in the regional operational programmes.

- 6) What is the overall national/regional management structure of EU Regional Funds in your country, and is there a mechanism established to cover environmental issues properly?

Every Region has its own OP. All Länder but Berlin disagreed with each having a priority for the Environment; this means that all financial responsibilities for the programmes lie in the hands of the economic ministries. It is hard to foresee how environmental

funding in this structure will be secured. All environmental ministries in the Länder currently seek clear allocations for environmental action but will not manage the funds themselves.

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]

To what extent is sustainable development mentioned as a priority in the national strategic reference framework (NSRF)? – 5

To what extent are environmental measures (air, energy, waste, water etc) defined in the NSRF? – 5

To what extent are nature protection (Natura 2000 network etc) measures defined in the NSRF? – 3

To what extent are integration mechanisms for the environment and sustainable development mentioned and defined in the NSRF? – 1

To what extent are environmental safeguarding mechanisms like the SEA and their application mentioned in the NSRF? – 1

Does the overall national/ regional management structure of EU regional assistance implementation support the covering of environmental issues? – 1

Resource allocation across different Operational Programmes

- 1) What total sum or per cent of the total Community monies under Regional Policy go to environment and nature conservation directly (waste, water, air, CO2 reduction, WFD, Natura 2000 or others). (Give approximate numbers)

Berlin, as the only Bundesland with an envi-

ronmental priority, will have 86 million Euro for the environment from regional development fund with co-funding of 50%.

35 million Euro will be spent on water related measures

29 million Euro for energy saving measures

8 million Euro for nature conservation

7 million Euro for the voluntary ecological

year (Berlin decided to manage this ESF

action under ERDF)

First estimations for Mecklenburg-

Vorpommern show that environmental funding might be reduced by 50% compared to the last funding period.

2) To what extent are resources allocated by sectors or by problems? How are resources for the environment distributed across the OPs? Are they all combined into one environmental OP or as environmental measures across different OPs?

n/a

3) Are there realistic concerns that measures listed under other OPs (such as under the Transport OP) will be harmful to the environment or to nature conservation?

Critical aspects are the development of harbours in Mecklenburg-Vorpommern and the dominating investments in technical flood prevention or protection, not taking natural flood prevention into account.

4) To what extent are environmental authorities nominated as managing authorities? How many OPs are under the sole or partial responsibility of the environmental authorities?

So far there is only one OP environmental priority, for Berlin. In all other regions, the Environmental Ministries secured funding allocations for environmental issues but will not be responsible for the management.

5) Are the measures defined as “environmental measures” balanced across all potential environmental activities or are they simply prioritising mostly environmental infrastructure issues, such as flood reduction?

Clear dominance of infrastructure measures, such as waste water treatment, flood protection technology.

6) To what extent does the environmental OP reflect the key environmental needs of a specific MS or region? Are the environmental OP or the environment sections of other OPs of a high strategic and of high programming quality?

Comparing the drafting of the OP with the strategic shape of the NSRF, we have doubts that the OPs can contribute to the strategic environmental priorities as drafted in the NSRF. Although some regions have taken the environmental dimension seriously, the lack of management responsibility, the supposed lack of projects and the low level of support for project applications from the environmental sector leads to doubt that there are significant number of high-quality environmental projects for the new period.

NATIONAL CHAPTERS GREECE



This chapter has been compiled by Ioli Christopoulou and Constantinos Liarikos, WWF Greece, reflecting the status of January 2007.

Overview of the programming architecture

EU funds for the period 2007-2013 for Greece: €20 billion (€18.167 billion structural funds; 1.88 billion for rural development funds)

Structure of the new programming period:

- **8 Sectoral OPs (budgets are only provisional)**
 - o Environment and Sustainable Development (with a budget of €1800million: €220m from ERDF and €1.580 from CF).
 - o Accessibility (with a total budget of €3700m: €1.583m from ERDF and €2.117m from CF)
 - o Entrepreneurship and Competitiveness (€1.291m ERDF)
 - o Digital Convergence (€860m from ERDF)
 - o Improvement of the Managing Capacity of the Public Sector (€505m from ESF)
 - o Development of Human Resources (€2.260 from ESF)
 - o Education and Life-long Learning (€1.440 from ESF)
 - o Technical Assistance (€192 from ERDF)

The OPs Environment and Sustainable Development, Accessibility, Entrepreneurship and Competitiveness, Digital Coherence and Technical Assistance are to be directed only at Objective 1 regions.

- **5 Regional OPs** (merging of existing 13 OPs): note that for the first time some regions in Greece are either phasing in (2 of the 13) or phasing out (3 of the 13) regions. 8 regions remain under Objective 1.
 - o Macedonia and Thrace (€2.675m) (Objective 1 and Phasing out regions)
 - o Peloponnese, Western Greece and Ionian Islands (€914m)
 - o Thessaly, Epirus and Central Greece (€1.105m) (Objective 1 and Phasing in regions)
 - o Crete and Aegean Islands (€871m) (Objective 1 and Phasing in regions)
 - o Attica (€2.438m) (Phasing out region)

The regional OPs will be funded mainly by the ERDF (€7billion). The phasing in and phasing out regions will also be allocated funds from the ESF.

- **Territorial Co-operation** (Objective 3) (€209m from ERDF)

Drafting procedure

- 1) To what extent has the lead ministry for the development of the National Strategic Reference Framework (NSRF) applied inter-ministerial consultation? Was the environmental ministry an equal partner in this process?

The lead ministry for the development of the NSRF is the Ministry of Economy and Finance (MoF). The MoF has adopted a rather centrist approach, seeking to control the whole programming phase and leaving little initiative to other ministries. Thus, sev-

eral inter-ministerial conflicts arose, including with the Ministry of Environment, Planning and Public Works (MEPPPW), at least during the early stage of the programming. Gradually, the situation improved and the MoF undertook wide inter-ministerial consultation processes, in which the MEPPPW has been involved. In addition, an inter-ministerial working group has been established to overview the drafting process of both the NSRF and the OPs. WWF has not been present at these meetings. However, we have witnessed the participation of ministries during all (4 in total) National Development Conferences (NDCs) and the thematic sessions that the MoF organised as part of the programming process, each submitting its own proposals.

Nonetheless, with respect to the content of the proposals, a few points do need to be made:

- The first proposal submitted by the MEPPPW was during the 1st NDC, in response to a questionnaire that was distributed by the MoF. It is believed that this text was used by the MoF as it was preparing the first draft of the NSRF.
- At an early stage of the drafting process, the MEPPPW did not wish to participate in the inter-ministerial discussions. It preferred to present its own independent proposal, rather than commenting on the texts prepared by the MoF. In particular, the MEPPPW objected to the fact that the MoF hired a consultant to prepare a study on the environmental and sustainable development priorities for the NSRF, without considering contacting the MEPPPW first. Hence, the MEPPPW, demonstrating similar centrist attitudes as the MoF, hired its own consultant to prepare a separate proposal, which it presented a week before the 2nd NDC. The proposal of the MEPPPW took the form of lists of priorities on the basis of differ-

ent environmental themes (nature, water, air, etc) that could be included in an operational programme rather than a strategic document, such as the NSRF. The MEPPPW did not undertake a consultation procedure with social, economic or environmental patterns prior to publishing its position. However, it invited WWF to submit any comments it may have, which we indeed did in February 2006. Since then, a long period of silence ensued until we heard of any development.

- Very importantly, there is no apparent internal co-ordination in the MEPPPW, which represents a variety of interests and development priorities (environment, transport, infrastructure projects etc). As the MEPPPW prepared its position for the next programming period, no apparent effort was made to develop a common position integrating the environment with its other priority areas. Actually, the responsible Secretary Generals (of environment and public works) spoke separately without making references to the other's proposal as if they were speaking on behalf of different ministries.

2) To what extent has the lead ministry for the development of the National Strategic Reference Framework applied the partnership principle and included social economic and environmental partners in the drafting process? Were environmental partners treated equally to the other partners? How are the consultation processes organised? What were the techniques of consultation?

The MoF has generally applied the partnership principle in the drafting process; however, some aspects needed more care. Although the MoF has been leading an open process, there have been long periods during which partners are left in the dark. However, it should be noted that the

breadth of the consultation with respect to environmental partners has been limited to no more than two environmental NGOs. To the extent that we are able to make a general conclusion, we consider that the comments submitted have been taken into account. Nonetheless, it should be noted that although the programming phase began sometime in the autumn of 2004, social, economic and environmental partners were not invited to join in the drafting process until the summer of 2005.

The MoF organised 4 NDCs (July 05, December 05, June 06, and October 06) in which all partners were invited, with the additional option of submitting written comments as well as oral statements. In addition, the MoF organised one special session with the social, economic and environmental partners in November 2005, that took the form of an open discussion. Also, the MoF organised several smaller sessions, including five thematic sessions, one of which was on “environment and sustainable development” (December 05) and one on the set up of the new management system (September 06). In particular, it should be noted that the latter session followed a public consultation on the same issue, and only partners (including WWF) that had submitted written comments were invited to the meeting.

The Ministry has also set up a website for the 4th programming period where several documents, presentations, position papers and minutes from the national development conferences have been posted. However, neither the draft NSRF nor the comments submitted by different stakeholders have been promptly published.

3) To what extent have other ministries or regional authorities consulted with economic, social and environmental non-

governmental partners in order to formulate the positions that they submit to the lead ministry?

With respect to the other ministries, great delays and shortcomings have been noted. To illustrate this point, during the meeting of the monitoring committee of the Environment OP (for the 2000-2006 period) in November 2005, reference was made to a meeting that would be organised by the MEPPPW on the new programming period sometime in early 2006. This meeting never took place. Nonetheless, WWF submitted comments on a proposal that was submitted by the Ministry, but it needs to be noted that there was no deadline for the submission of comments and we never received notice that our comments were actually received and used. At the end of October, the MEPPPW produced and submitted to a public consultation a document entitled the “National Development Strategic Plan – Environment and Sustainable Development Fields”. This document was conceived as a general strategic document based on which all future environmental activities (irrespective of implementation body and source of funding) will be based. The link between this document and the Environment and Sustainable Development OP that will be drafted remains unclear.

The Ministry on Tourism organised a day conference during which a strategic document received only 5 days before the meeting was presented and commented upon. The only ministry to have produced a document which constitutes the strategic part of the OP Competitiveness is the Ministry of Development. WWF submitted comments in September 2006. A new draft was produced in December 2006 but no clear consultation process on the more complete draft of the OP has been set up as yet. At the regional level, consultations were undertaken in June and July 2005. These

consultations took the form of 13 regional conferences, one in each of the 13 Greek regions. In these conferences, in addition to national, regional and local authorities, national and local social, economic and environmental partners could participate. However, it was very difficult for any partner to participate in all conferences as several coincided.

The level of the discussions in each of the conferences varied, with some regions being more prepared than others. For example, some had a draft text that could be commented on, while others had no text at all and considered the regional conferences a first opportunity for an exchange of views on the future development objectives of the region. In terms of structure, some conferences set up smaller working groups, usually on different themes, while others were limited to plenary sessions. On one occasion, WWF was invited to make a 20min presentation. Prior to the regional conference, very few regions organised, preparatory meetings in which social and economic and environmental partners could participate. The outcome of each of the regional conference was presented during the 1st NDC, organised by the MoF in Thessaloniki in July. However, the extent to which the proposals, some of which were quite elementary in their content, were taken into account when the MoF presented its first draft of the NSRF in December 2005 is not clear. No follow-up process was established. Nonetheless, representatives from the regions participate in the consecutive meetings and processes organised by the lead Ministry.

4) To what extent is a follow-up process in place: how are the given comments integrated in the follow up documents? Do such documents exist? To what extent can stakeholders comment on the

new/revised documents?

This is still unclear, but definitely no follow-up process exists at the regional level. At the national level, after each of the national conferences, there was a great period of silence. The first national development conference took place in July 2005. We are not aware of the impact of the position paper that we submitted to the conference. The next time we heard anything concerning the NSRF was in the beginning of November 2005 (4 months later), when we were informed of the session with the social, economic and environmental partners and the five thematic sessions that were all organised in view of the second national conference. Even then, however, we did not receive any document in preparation of the meetings or as follow up to the previous meetings. The only information we had regarding the ongoing process was actually given during these meetings. For example, during the session with the social, economic and environmental partners, the MoF presented participants for the first time with a document which included the summaries of the studies that had been assigned to different consultants as preparatory documents for the NSRF. The partners were asked to comment on this on the same day, something that most partners declined to do, instead they asked for additional time to review the text.

The same occurred at the 2nd NDC. The Ministry sent the 80 page first draft of the NSRF by e-mail the evening before the conference. Hence, many of the participants had not received it nor had time to review it. Partners were able to submit comments after the conference. However, it should be noted that the ministry had processed earlier comments (submitted during the special sessions) and was able to present them, demonstrating that they were taken into account.

There was a prolonged period of silence, and no revised NSRF draft in spite of two National Development Conferences, and a public timetable stating that a revised NSRF would be submitted to public consultation in the summer of 2006. Instead, in November 2006, during a press conference, the Minister of Economy and Finance presented the revised and almost final NSRF.

5) Is there a feed-back mechanism to draw from lessons learned from previous programming periods or mid-term reviews into the development of the strategic framework? Can adaptation of the document be applied over the implementation process?

No such process is in place.

6) To what extent has the partnership principle and the inclusion of social economic and environmental partners been applied in the drafting process for the environmental OP and/or other OPs which are of crucial importance for the environment (such as the Transport OP)? Were environmental partners treated equal to other partners?

So far we are aware of only one consultation process, on OP Competitiveness. For the other OPs, and, in particular, for the OP Environment, we are not aware of any consultation process or application of the partnership principle.

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]:

How far were environmental public authorities involved in the drafting process of the NSRF? – 4

Were their (governmental sector) contributions taken into account? – 4

Unclear, since we have not really seen the majority of other submissions to the process. However, we believe that they have been taken into account.

How far were environmental NGOs involved in the drafting process of the NSRF? – 5

Were their (non-governmental sector) contributions taken into account? – 5

How accessible was all information regarding the programming process of the NSRF? – 2

How transparent was the public consultation conducted during the drafting process of the NSRF? – 3

Were consultation documents given in a timely manner? – 2

To what extent are lessons learned from previous or ongoing programming periods incorporated? – 1

How transparent was the drafting of key OPs? – 2

To what extent were environmental stakeholders included effectively in the drafting of key (environmental) OPs? – 2

Environmental integration and sustainable development

1) To what extent is there a reference to key environmental goals, to sustainable development, to the Göteborg strategy, to the 6th Environmental Action Programme or other key Community texts in environmental protection and sustainable development?

The NSRF includes reference to several key environmental and sustainable development goals set at the EU level. In particular, there is reference to both the Göteborg strategy and the 6th Environmental Action Programme, although no particular analysis is provided. This limited reference to these documents is made in order to demonstrate

that the NSRF has taken into account the objectives and goals included therein. Nonetheless, when reading the NSRF as a whole, one gets the impression that an effort to integrate these objectives is actually undertaken. Even so, it does not seem to be the case that sustainable development constitutes an overarching principle and objective for the new programming period, rather it is presented as an add on to environmental protection. Indicatively, the new OP that will focus on the environment will be entitled “Operational Programme on the Environment and Sustainable Development”. It should be noted, that the content of this OP remains unclear at this stage.

2) To what extent are Natura 2000 measures, sustainable transport, the implementation of the Water Framework Directive and the CO₂ reduction measures mentioned as priorities in the overall national programming documents?

The “environmental convergence” of Greece with its European partners and the adaptation of the country to the European environmental Acquis and its international environmental commitments comprise a central aim for the new programming period, as stated in the NSRF.

The NSRF is structured around 5 thematic priorities and 5 territorial ones. Within the thematic priority of improving the attractiveness of Greece and its regions for investment, employment and living, there are 3 general environmental objectives, which contain specialised objectives (some of which are listed below):

- Strengthening of the contribution of the energy sector to the competitiveness, extroversion and sustainable development of the country
- Reduction of the country’s dependence on oil through the development of renew-

able energy and natural gas as well as the promotion of energy efficiency and energy saving measures.

- Sustainable management of the environment
- Rational management of soil resources
- Water management (implementation of WFD)
- Conservation of air and noise environment
- Response to climate change (CO₂ reduction, energy efficiency, etc)
- Risk management
- Sustainable management of the natural environment (development of a cohesive and functional network of protected areas, biodiversity conservation)
- Effective implementation of environmental policy.

With respect to OPs, it is very difficult to comment on the level of environmental integration at this stage. WWF Greece has received only preliminary drafts of very few OPs.

3) To what extent is the need for horizontal integration of environment mentioned in the programming documents? Are mechanisms described to ensure the integration? Are key roles for the environmental authorities envisaged to ensure this? Are resources allocated to ensure this? (training, technical assistance, etc.)

The MoF has issued a set of guidelines which, among others requires, all OPs irrespective of policy priority to take into account 4 fixed environmental obligations that the country needs to focus on in order to achieve the overall objective of “environmental convergence”:

- solid waste management
- urban wastewater management
- the implementation of the Water Framework Directive
- nature protection and in particular the implementation of the Natura 2000 network.

Hence, it is expected that environmental considerations will be mentioned; however, the extent to which they will be taken actually into account and then implemented is not clear as yet.

At this stage, the only provision, stated in the NSRF, relates to a new administrative mechanism that will co-ordinate the different environmental measures of the new programming period. (See question 6 below)

- 4) To what extent are safeguarding mechanisms like the SEA and or the ex-ante evaluation for plans and programmes applied timely, correctly and by independent bodies?

This is still unclear.

Supposedly each OP will undergo an SEA; however, so far no information has been made public nor has WWF been invited to participate in the relevant SEA consultation process.

- 5) To what extent are environmental considerations mentioned/taken into account in the discussion of other policy priorities (e.g. in transport, employment, etc) rather than in a single section on environment and SD priorities?

This is still unclear, as we have not seen all OP drafts. However, we would at this point refer to the fixed environmental obligations mentioned above.

Indicatively, we mention that within the NSRF general objective “development of sustainable entrepreneurship”, a specific objective aims at the promotion of the business and dimensions of environmental protection and conservation, an objective that is expected to be achieved through activities funded through the OP Entrepreneurship and Competitiveness”.

- 6) What is the overall national/regional management structure of EU Regional Funds in your country and is there a mechanism established to cover environmental issues properly?

A new administrative mechanism (most like-

ly in the form of a special body/service) will be set up in order to co-ordinate the environmental measures and oversee the potential for synergistic and complementary actions. At this stage, no specific details have been provided, except for the fact that the new service will be responsible for the environmental measures of all OPs implemented during the 2007-2013, including those funded under the EAFRD and EFF.

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]:

To what extent is sustainable development mentioned as a priority in the national strategic reference framework (NSRF)? - 4

To what extent are environmental measures (air, energy, waste, water etc) defined in the NSRF? - 5

To what extent are nature protection (Natura 2000 network etc) measures defined in the NSRF? - 5

To what extent are integration mechanisms for the environment and sustainable development mentioned and defined in the NSRF? - 3

To what extent are environmental safeguarding mechanisms like the SEA and their application mentioned in the NSRF? - 1
Does the overall national/ regional management structure of EU regional assistance implementation support the covering of environmental issues? - 3

Resource allocation across different Operational Programmes

No sufficient data available at this stage.

NATIONAL CHAPTERS ITALY



This chapter has been compiled by Antonello Pollutri and Desiree Martinoia, WWF Italy, reflecting the status of February 2007.

Overview of the programming architecture

There are four Regions (Calabria, Campania, Puglia and Sicilia) eligible for support under the target CONVERGENCE (“CONVERGENZA”). The Region Basilicata is phasing out from the Convergence target and all the territory which does not fall within the mentioned CONVERGENCE target (namely 13 Regions and two autonomous Provinces) is eligible for the Regional COMPETITIVENESS (“COMPETITIVITA’”) and EMPLOYMENT (“OCCUPAZIONE”) targets. The Region Sardegna is phasing in to the targets of Competitiveness and Employment.

The indexed overall financing provided by EC regional policy is equal to 28.8 million Euro, of which 21.6 million Euro shall be dedicated to the Convergence target and 6.3 million Euro to the Competitiveness target. In order that the community resources for Italy are recognised as ‘additional’, Italy contributes 29 million Euro to Structural Funds, and 63 million Euro to the fund for unused areas (FAS). For the 2007-2013 period, the regional policy has programmed resources offering 122.7 million Euro, of which 100 million will be given to six Regions (Abruzzo, Molise, Campania, Puglia, Calabria, and Sicilia).

The official proposal of the NSRF has been adopted by the Interdepartmental Committee for Economic Planning (the “CIPE”) (upon prior opinion of the Unified Conference, composed of the State-Regions Conference plus the State-Cities Conference along with the local autonomies) and has been sent, by the Department for Development and Cohesion Policies, to the European Commission to verify its eligibility. The above-described process was concluded in January. Since January 24th, the NSRF is the pre-official national orientation document for Structural Funds programming. In March, after the post-negotiation with the Commission, the final version of the NSF 2007-2013 was sent to the EU to be officially approved.

The NSRF is composed of six chapters. Chapter one provides a description of the strengths and weaknesses, prospects and trends of the national economy analysed from a territorial perspective. A paragraph is dedicated to the southern regions which fall within the Convergence target, and it highlights their socio-economic specificities and differences with respect to the central-northern regions. Another paragraph of Chapter one is focused on the development of environmental laws, water and soil planning, environmental structure services, pollution and climate changing emissions. Chapter two describes the experiences from the previous programming period, and a paragraph is dedicated to the efficiency of the environmental services and another to the increased value of the natural and cultural resources and tourism development. The third chapter, the most important, is

dedicated to the Regional policy strategy. Ten sectoral priorities are identified (among which is the valorisation of biodiversity), which, from time to time, are provided on a territorial basis, and the ESF strategy is addressed and specified as well. The fourth chapter is committed to the national, inter-regional and regional Operational Programmes. Chapter five then focuses on the financial framework and Chapter six provides implementation's guidelines.

The document refers to the sustainable development objective related to the environmental resources and services. In particular, the objective is based on the necessity of creating the conditions for a full integration of the environmental dimension into the

processes of definition, realisation, monitoring and evaluation of the programmes and also on the necessity to ensure the strategy and the actions are planned in conformity with environmental politics and legislation.

Implementation will be carried out through Regional Operational Programmes (POR) for the Convergence Regions and for the Southern Regions, through 5 National Operational Programmes (PON) financed by the ERDF, 3 National Operational Programmes financed by the ESF and 2 Interregional Operational Programmes (financed by the ERDF). The PONs are currently being negotiated between the state and Commission and this could contest the compatibility with the relevant regulations.

REGIONAL PROGRAMMES
Regional competitiveness and employment / CENTRE-NORTH

Regione	POR ERDF	POR ESF
Por Emilia Romagna	X	X
Por Friuli Venezia Giulia	X	X
Por Lazio	X	X
Por Liguria	X	X
Por Lombardia	X	X
Por Marche	X	X
Por P.A. Bolzano	X	X
Por P.A. Trento	X	X
Por Piemonte	X	X
Por Toscana	X	X
Por Umbria	X	X
Por Valle d'Aosta	X	X
Por Veneto	X	X

REGIONAL PROGRAMMES
Regional competitiveness and employment / SOUTH

POR	POR ERDF	POR ESF
Por Abruzzo	X	X
Por Molise	X	X
Por Sardegna ST	X	X

REGIONAL PROGRAMMES
Convergence / SOUTH

POR	POR ERDF	POR ESF
Por Basilicata ST	X	X
Por Calabria	X	X
Por Campania	X	X
Por Puglia	X	X
Por Sicilia	X	X

A part of operational programming in the Convergence Regions will be implemented through National Operational Programs

under the responsibility of the central administration.

NATIONAL PROGRAMMES

Convergence PON	PON ERDF	PON ESF	NATIONAL PROGRAMME S	Techn.Ass.
Pon Safety	X			
Pon education	X	X	Education	X
Pon Research and competitiveness	X		Research and competitiveness	X
Pon Nets and mobility	X		Nets and mobility	X
Pon Governance e AT	X	X	Governance e AT	X
PON Regional competitiveness		PON ESF		
Pon “Azioni di sistema”		X		

INTERREGIONAL PROGRAMS

PO Interregional Convergence	POIN ERDF		National Programmes INTERREGIONAL South	Techn. Ass.
Poin Renewable energy	X		Renewable energy	X
Poin Attrattori culturali, naturali e turismo	X		Culture and tourism	X

TERRITORIAL COOPERATION PROGRAMMES

PO European territorial cooperation	PO ERDF
TRANSBOUNDARY	
Po Italia-Francia Alpi (ALCOTRA)	X
Po Italia-Francia frontiera marittima	X
Po Italia-Svizzera	X
Po Italia-Austria	X
Po Italia-Grecia	X
Po Italia-Malta	X
Po Italia-Slovenia	X
ENPI-CBC	
Po ENPI-CBC Italia-Tunisia	X
Po ENPI-CBC Mediterranean	X
IPA-CBC	
Po IPA-CBC-Adriatico	X
TRANSNATIONAL	
Po Alps	X
Po Central Europe	X
Po South-east Europe	X
Po Mediterranean	X

Drafting procedure

- 1) To what extent has the lead ministry for the development of the National Strategic Reference Framework applied inter-ministerial consultation? Was the environmental ministry an equal partner in this process?

The Ministry in charge of the process aimed at defining the NSRF was first the Ministry of Economy and Finance, and then later, due to the change of Government in April 2006, the Ministry of Economic Development. The Department for Development and Cohesion Policies belonging to the Central Administration, is in charge of the programming process. Input has been provided by:

- The Ministry of Environment and of Territory Protection
- The Ministry of Productive Assets
- The Ministry of Cultural Heritage
- The Ministry of Public Transport and Utilities
- The Ministry of Internal Affairs
- The Ministry of Education, University and Research
- The Ministry of Labour and Welfare
- The Ministry of Agriculture and Forestry
- The Ministry of Health
- The Council of Ministers' Presidency

The Ministry of Environment intervened through its offices in charge of different intervention areas (biodiversity, renewable energy, soil protection, etc). The lack of a common opinion and of internal co-ordination has created communication and co-ordination problems towards the Ministry of Economic Development. This has led to disappointing results regarding the quality and impact of the input provided by the Ministry of Environment. However, the Ministry has strengthened the internal co-ordination, entrusting it to an assistant to a head of the

ministerial staff, and has held bilateral meetings with the national programming authority to increase the trenchancy of the environmental policies inside the regional programmes discussed in the NSF.

- 2) To what extent has the lead ministry for the development of the National Strategic Reference Framework applied the partnership principle and included social, economic and environmental partners in the drafting process? Were environmental partners treated equally to the other partners? How are the consultation processes organised? What were the techniques of consultation?

With reference to partners' selection modalities for the NSRF, the Ministry of Economy and Finance, and later the Ministry of Economic Development, chose the same partners that are also represented in the National Council of Economics and Labour ("NCEL"). A Permanent Forum of the Third Sector is represented within the NCEL. Institutions and associations also related to environmental protection are members of this Permanent Forum. Environmental partners were not directly included by the Ministry in the setting-up process of the NSRF, just indirectly via their membership in the forum. This is how "Legambiente" participated in the NSRF process due to its membership of the Forum. In this special case, Legambiente has taken part in the process without co-ordination with other environmental organisations. Despite this, WWF and LIPU-Birdlife International asked several times to be made partners as environmental institutions and without having the burden of joining the Forum, yet they never received an answer. Therefore, the two mentioned associations henceforth provided input, comments and some monitoring on the NSRF without being part of the process, without technical assistance

and without receiving an adequate flow of information.

- 3) To what extent have other ministries or regional authorities consulted with economic, social and environmental non-governmental partners in order to formulate the positions that they submit to the lead ministry?

Each Ministry has provided, on an autonomous basis, assistance to the NSRF without consulting the other parties. Subsequently, the Ministry of Economy and Finance organised some thematic working groups opened to Ministries, and Regions as well as acknowledged economic and social partners. As a result, the NSRF is the sum of consolidated and homogeneous results of each single thematic labour-desk.

- 4) To what extent is a follow-up process in place: how are the given comments integrated in the follow up documents? Do such documents exist? To what extent can stakeholders comment on the new/revised documents?

Following the publication of the technical and administrative draft of the NSRF, neither comments nor requests for amendments or additions were addressed transparently. Those comments or requests were not communicated to other participating stakeholders of the drafting procedure. Line ministries, Regions and the economic and social partners call for amendments and integrations only via bilateral relations with the Ministry of Development. WWF and LIPU-Birdlife were also forced to use this channel, due to the fact that they were not part of the drafting procedure.

- 5) Is there a feed-back mechanism to draw from lessons learned from previous programming periods or mid-term reviews into the development of the strategic

framework? Can adaptation of the document be applied over the implementation process?

The official analysis and studies performed on the results of the implementation of the programming for the years 2000-2006, reported some limitations among which the most important seem to be the following:

- inadequate selection of the priorities and interventions;
- inadequate integration between general national policy and regional policy, so that specific policies, adequate financial backing and continuity of ordinary politics may avoid confining regional politics to a mere emergency role;
- limited planning of interventions only at regional level and no link to the national dimension.

The issue “environment” has been considered only on a theoretical basis as a cross-cutting issue with reference to each sector involved in the regional politics for development and employment. In fact, with reference to both the period 2000-2006 and 2007-2013, the environment is considered only as a sector-related issue. Furthermore, in both of the periods, such an approach seemed to be mostly aimed at repairing failures of other politics or pay-offs from a development based on classical and not sustainable models. If we take Community environmental policies as a reference, the present NSRF does not supply adequate answers to reach the foreseen environmental quality objectives.

- 6) To what extent has the partnership principle and the inclusion of social, economic and environmental partners been applied in the drafting process for the environmental OP and or other OPs which are of crucial importance for the environment (such as the Transport OP)? Were environmental partners treated equal to other partners?

On a national basis, the same conditions described for the drafting of the NSRF apply. However, at the level of Regions, several differences exist. Some Regions have invited the most representative economic and social partners to be present. Other Regions dialogue with partners who are participating in stakeholder rounds which have been operating since the last programming period. Environmental NGOs are part of those stakeholder forums.

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]

How far were environmental public authorities involved in the drafting process of the NSRF? - 6

Were their (governmental sector) contributions taken into account? - 5

How far were environmental NGOs involved in the drafting process of the NSRF? - 2

Were their (non-governmental sector) contributions taken into account? - 4

How accessible was all information regarding the programming process of the NSRF? - 3

How transparent or open was the public consultation conducted during the drafting process of the NSRF? - 3

Were consultation documents given in a timely manner? - 4

To what extent are lessons learned from previous or ongoing programming periods incorporated? - 4

How transparent was the drafting of key OPs? - 3

To what extent were environmental stakeholders included effectively in the drafting of key (environmental) OPs? - 4

Environmental integration and sustainable development

- 1) To what extent is there a reference to key environmental goals, to sustainable development, to the Göteborg strategy, to the 6th Environmental Action Programme or other key Community texts in environmental protection and sustainable development?

State and regions have decided in Italy to unify the Community regional policy with Italian regional policy. Therefore, in the NSF, the objectives and the priorities are established jointly. This document has been created with the strategy outlined in the “Lisbon Agenda” as a reference. While in the document there are frequent references to the concept of sustainable development, the European action programme for the environment is never mentioned.

Sustainable development is interpreted, above all, as an opportunity to activate new productive chains related to environmental resources and problems, whereas the environmental dimension is integrated into the development policies promoting the conformance to the relative rules and evaluating (“ex-ante” and “in itinere”) environmental issues. The strategic choices about the environmental objectives are destined to address age-old national problems and fill the heavy difference between Central-Northern and Southern regions, concerning infrastructural and environmental services. The priorities are: the development of the renewable energies and energy saving, the increase of water supply and improvement of water quality for public use, and waste management. It follows the decision that the Regional Operational Programmes, in particular in the Southern Regions, ensure considerable resources for intervention in favour of renewable energies and energy saving, water and waste. Environmental

protection, in particular, concerns the hydrological risk of productive sites and settlements, decontamination of polluted sites, and prevention of natural and technological risks. The Community funds can be used for waste management, water supply and water management only in the Convergence Objective Areas.

Italy is lacking in operative instruments related only to sustainable development, biodiversity, and management of natural resources (water, forest, etc). A clear dedication to those issues would lead – at least according to the authors of the NSRF – to an insufficiency of financial resources provided by the EU. By this logic, the possibility of benefiting from EU financial resources is subject to the requirements and conditions for the accomplishment of regional policies. In conclusion, and additional to the delay of Italy in adopting international and EU environmental laws and strategies, references to EU environmental key texts and to the strategy of sustainable development are limited and not influencing the NSRF.

2) To what extent are Natura 2000 measures, sustainable transport, the implementation of the Water Framework Directive and the CO₂ reduction measures mentioned as priorities in the overall national programming documents?

The environmental priorities of QSN 2007-2013 aim, above all, to solve the problems of energy and water supply, waste management, water and hydrogeological balance. Therefore, the NSRF does not point out environmental priorities which have not yet been implemented at the national level. Furthermore, in the context of Natura 2000 and the Water Framework Directive, the lack of management plans and bodies as well as the lack of an implementation act (regarding the Water Framework Directive)

hinder the allocation of EU financial resources to the completion of the legal and regulatory frameworks. With regard to Natura 2000, the NSRF – provided that the pre-requirements are met – is mainly aimed at supporting investment in infrastructure, training and research, delegating the support of habitats and of species to rural development (agro-environmental schemes), local development and to general development policy. The NSRF intervenes also in biodiversity topics, asserting the urgency of defining the national implementation of the Convention on Biological Diversity (CBD) and how those costs are met.

Furthermore, the NSRF supports the involvement of environmental stakeholders in the definition of targets for preservation of biodiversity and identification of related actions (see the Convention of Biological Diversity and the ecosystem approach). This enables the development of ecoregional biodiversity preservation strategies and was one key comment given by NGOs in the NSRF development.

Priority shall be given to waste water treatment of urban areas (Legislative Decree N. 152/99, implementing Directive N. 271/91 concerning waste water treatment) and upgrading the water distribution network with respect to the targets provided for by the Water Framework Directive. The NSRF establishes a priority of “support to interventions foreseen under the Water Protection Plans and under the River Basin Management Plans”; these will be assured and only the interventions foreseen under the same Plans will be financed. In such a context, priority will be given to the actions finalised to guarantee continuity and efficiency in the distribution of water resources for civil use, energy saving, purification and for the protection of waters (e.g. phytosanitary and dangerous substances), and also

to achieve the water bodies protection objectives, foreseen under Community and national laws, and to foresee investments for the “re-naturalisation” and the maintenance of the humid natural systems more threatened at the national and European level.

Regarding transport, priority shall be given to long distance commercial transports, by sea, by air and by rail, also encouraging land connections between port and airports infrastructure and production sites. In such a case, the sustainability is referenced to the impact of new infrastructure, to traffic increase and, as a consequence, to the growth of accident risk (sea transport). References to Kyoto commitments and to the necessity of reducing atmospheric pollution are made also to support certain types of transport as alternative to roads.

3) To what extent is the need for horizontal integration of the environment mentioned in the programming documents? Are mechanisms described to ensure the integration? Are key roles for the environmental authorities envisaged to ensure this? Are resources allocated to ensure this? (Training, technical assistance etc.) Within the NSRF, the acknowledgment of the necessity of integrating environmental politics with sectoral politics is known and it has been imposed by Community cohesion politics. First of all, the difficulty in achieving an adequate integration level is due to the lack of harmonisation of environmental national law. The last version of the NSRF dedicates a specific paragraph to environmental integration, expecting four unbreakable conditions for the national and regional programming: full integration of the environmental dimension in the processes of definition, realisation, monitoring and evaluation of policies, plans and development pro-

grams; conformity of the strategies and planned actions with Community, national and regional environmental politics and legislation; evaluation of sustainable development, protection of artistic, historical, archaeological and rural patrimony; evaluation and check of significant, transparent and participated environmental effect. In this paragraph, the Environmental Authorities are also identified as a tool (however the role and the specific functions are not defined) and the obligation to ensure the resources area available, define the organisational arrangements and ensure the integration of the environmental component in the policies, is also established. Such conditions are not identified but can be found in the chapter dedicated to the lessons learned in the previous programming cycle: a) reinforcement of technical support activities for involved subjects, characterized in all the environmental sectors by operating weaknesses and shortages in the technical endowment, and b) adequate planning, adequate strategic environmental evaluations, and strong institutional partnership.

4) To what extent are safeguarding mechanisms like the SEA and or the ex-ante evaluation for plans and programmes applied timely, correctly and by independent bodies?

The NSRF supposes that the Strategic Environmental Assessment (SEA) and the Environmental Impact Assessment (EIA) are the instruments for the integration of the environmental sustainability for all investments provided for by ERDF and SF. In this regard, the NSRF provides guidelines to applying the SEA in an effective way, involving different qualifications to identify which projects to develop. No reference is made to the conduction of SEA by independent organisations. We highlight that the related

Directive has not yet been implemented in Italy and that, only recently (Spring 2006), has the issue been specifically addressed by the authorities in charge of the programming procedure. The SEA is applicable only for the Operational Programmes. Such programmes are well behind schedule. It is possible to affirm that what is in progress is only an attempt to respect the prescribed formal and legal terms of evaluation process, not the substantial ones – that is, the letter and not the spirit of the system. Generally, the SEA has been placed at the beginning of the development process of the Operational Programmes, with little possibility of being able to inform and to orientate the sectoral policies. Activities of the SEA (editing of the environmental report, consultation, integration of the environmental report results and some consultations in the programme and information about this process) are integrated in the programme's ex-ante evaluation, if these programmes are under Directive 2001/42/CE. The ex-ante evaluation, in any case, is expected to include a judgement on the environmental sustainability of the planned interventions.

5) To what extent are environmental considerations mentioned/taken into account in the discussion of other policy priorities (e.g. in transport, employment, etc) rather than in a single section on environment and SD priorities?

Environmental evaluations have their main importance in the treatment of sectoral policies. However, the following issues are included in some strategic operation contexts: energy, mobility, waste/pollution, natural resources (water, soil). The necessity faced by the NSRF is represented by the implementation of plans and programmes, already operative, for the reduction of envi-

ronmental impact (management of waste, productive activities, desertification, and coastal erosion), restructuring (contaminated sites of primary importance), security of building works (soil protection, coastal erosion) and energy autarchy (plants for renewable energy, production of bio-fuels and bio-combustibles, energetic saving and "green" purchases).

The environmental profiles considered, with respect to single policy development, are listed following. In Priority 3, the promotion of renewable sources and energy efficiency will compete for greenhouse gas emission reduction and for fulfilling the accepted aims of the Kyoto Protocol. Priority 6, "nets and links for mobility" (directed to increase the availability and the quality of infrastructure and transport services and logistics and to increase the mobility of goods and people), according to the NSF, is considered to be able to contribute to reducing the atmospheric pollution. Priority 7, "Employment and production competitiveness", supports the enterprise system, and the NSF identifies environmental aid for environmental certification, "clean" technologies, efficient use of energy, action for prevention of pollution and pollution mitigation. The industrial policy actions have to be integrated with territorial planning in terms of implementation of the residential and industrial functions, and consistent with soil, environment and landscape protection. Priority 8, "Towns and Urban Systems' Competitiveness", provides air quality improvement, sustainable building, energy efficiency and some systems for waste draining and recovery for contaminated sites.

6) What is the overall national/regional management structure of EU Regional Funds in your country and is there a mechanism established to cover environmental issues properly?

The NSF 2007-2013 establishes common

strategic guidelines for the Structural Funds, the national co-financing, and the national funds for the unused Areas (FAS). The central administration in charge of funds is the Ministry of Economic Development for the EU Regional Development Funds (ERDF) and the Ministry of Labour and Welfare for the EU Social Fund (ESF).

The Managing Authorities of the National Operational Programmes (PON) are the Ministries; the Managing Authorities of the Interregional Operational Programmes are not well known, but it is anticipated that they will co-operate with a technical committee. Furthermore, the start of a national committee for the co-ordination and the monitoring of unitary regional politics is expected, composed of the Central Administrations, the Ministry of Economics and Finance, the Regions, and institutional and social-economic partnerships, all working to implement the NSF.

The authorities managing Regional Operational Programmes are generally the Head Offices of Regional Councillorships for planning and/or of EU Politics. The Management's Authorities are supported, regarding environmental issues, by the Environmental Authorities, established at a regional level, and by Councillorships for the environment. The Strategic Environmental Evaluations are tasks for the Environmental Authorities which, in relation to the development of Programmes, shall guarantee the monitoring of environmental aspects, the respect of environmental law provisions (at EU and national levels), the provision of technical support, and also directly implementing environmental measures. For each POR, as established by the Regulation, a Monitoring Committee for the Operational Programme is established. The intermediate and ex-post programme evaluation is carried out by independent

appraisals outside the Public Administration. The task of contributing to the Programme development, actively supplementing it in all the programming, implementation, monitoring and evaluation of the interventions is left to the social-economic partnership. It is expected that an Agreement Protocol will be agreed between all the organisations interested in the implementation of regional politics interventions and interested administrations, possibly based on a code of behaviour, and able to support a better participation on a voluntary basis. The more representative union organisations together form a part of the social-economic partnership with credit providers, employers, and "third sector", voluntary, non-profit and environmental organisations and those of equal opportunity promotion.

Scoring questions (to be answered from a scale of 6 very positive to 1 very negative)

To what extent is sustainable development mentioned as a priority in the national strategic reference framework (NSRF)? - 3

To what extent are environmental measures (air, energy, waste, water etc) defined in the NSRF? - 4

To what extent are nature protection (Natura 2000 network etc) measures defined in the NSRF? - 2

To what extent are integration mechanisms for environment and sustainable development mentioned and defined in the NSRF? - 3

To what extent are environmental safeguarding mechanisms like the SEA and their application mentioned in the NSRF? - 3

Does the overall national/ regional management structure of EU regional assistance

implementation support the covering of environmental issues? - 2

Resource allocation across different Operational Programmes

1) What total sum or per cent of the total Community monies under Regional Policy go to environment and nature conservation directly (waste, water, air, CO2 reduction, WFD, Natura 2000 or others). (Give approximate numbers)

As said, the National Strategic Framework 2007-2013 will allocate 122.7 million Euros. Of these, about 29 million are provided by EU funds, another 29 million (estimated) by national co-financing for Structural Funds, and about 64 million by the funds for the unused areas (FAS).

85% (101.4 million of 122.7 available) of the funds allocated to regional politics will be destined for the Southern Regions develop-

ment; of these, 54.7 million will come from FAS and 23.4 million from the Structural Funds. Therefore, there will be a problem concerning the “identification” of the specific Community regional contribution to the unitary programming system (Community and national) of the regional politics.

Against this heavy financial contribution for the development of “Convergence” Regions (plus some of the Southern Regions under the “Competitiveness” target), the NSF, besides the proposal of strategic priorities articulations, sets out a programmatic resource distribution among the ten Priorities. As regards the specific Community Structural Funds contribution, the two tables below show the programmatic Community funds allocation among the environmental priorities; the first table considers, in percentage terms, the total contribution, while the second one, also in percentages, provides only the Community contribution.

Priorities		Programmatic allocation of regional national and Community resources, for the southern regions, (total resources of FAS (reserve net) and Community funds (including co-financing))
P.3	Energy and environment: sustainable and efficient use of the resources for development Of which: renewable energy and energy saving (POL.)	15.8% 2.8%
P.5	Increase in value of natural and cultural resources Of which: cultural, natural and tourism attractors (POI)	9.0% 2.3%

Priorities	Programmatic resource allocation, for the southern regions, only by Community and regional politics (Community funds)
P.3 Energy and environment: sustainable and efficient use of development resources Of which: renewable energy and energy saving (POI in “CONV” regions and POR in CRO regions)	15.8% 3.3 %
P.5 Increase in value of natural and cultural resources Of which: cultural, natural and tourism development (includes POI in Convergence regions and POR in CRO regions)	10.4 % 2.1 %

CRO = Regional competitiveness and employment in Southern regions

2) To what extent are resources allocated by sectors or by problems? How are resources for the environment distributed across the OPs? Are they all combined into one environmental OP or as environmental measures across different OPs?

The resource allocation is indicated, for programmatic purposes only for Southern Italy and, as far as the environmental issues are concerned, only for differentiation of the objectives of the energy sources and for the development of sustainable tourism. For the others, the resources are not distributed, except at the Priorities level (n=10).

3) Are there realistic concerns that measures listed under other OPs (like under the transport OP) will be harmful to the environment or to nature conservation?

The increase of the speed and intensity of the goods flow along the limited number of routes from the Mediterranean towards Europe will lead to environmental problems, both during the realisation and/or adjustment of the infrastructure and later, when the traffic undergoes its expected increase. Problems are also expected for the investments in energy, where relative gains in

favour of the emission reduction of climate-changing gases, will have to be measured against losses caused to ecosystems and the landscape.

4) To what extent are environmental authorities nominated as managing authorities? How many Ops are under the sole or partial responsibility of the environmental authorities?

Apart from active participation in a few interregional operating programmes, the Environment Ministry is not a holder or co-holder of programmes. Instead it is clear that during the programming period, the programmes responsible, have refused such requests (an environment PON) from this Ministry.

5) Are the measures defined as “environmental measures” balanced across all potential environmental activities or are they just prioritising mostly environmental infrastructure issues like flood reduction? The main foreseen investment will undoubtedly be allocated to infrastructure and to environmental services, a real area of need for the Southern Regions. A more balanced

effect is probable for the “Competitiveness” Regions where the advantage in infrastructural endowment and services given back to the population is remarkable.

6) To what extent does the environmental OP reflects the key environmental needs of a specific MS or region? Are the environmental OP or the environment sections of other OPs of a high strategic and of high programming quality?

The main environmental needs for Italy also concern biodiversity and landscape conservation, besides the desertification process and the consequences of climate change on both ecosystems and species. All this is considered in a secondary way with respect to the emergencies regarding water, energy and waste. On the other hand, valid strategies and action plans are still lacking, and the interventions during the previous period 2000-2006, have shown severe limits in terms of quality and planning.

ties proposed balanced across all potential environmental priorities? - 3

To what extent do the environmental OP or environmental sections in other OPs reflect strategic needs for the environment? - 3

Scoring questions

To what extent is the share of resources spent on the environment adequate (to be around 30%) in comparison to shares of monies spent on other priorities? - 4

To what extent are allocations for the environment reflected in the different OPs? - 2

To what extent are resources allocated for environmental integration in every OP? - 3

To what extent do other OPs contain potentially harmful priorities for the environment? - 4

To what extent is the environment ministry responsible for the environmental OP or for the environmental parts of other OPs? - 2

Are the foreseen mechanisms to oversee and implement the environmental OP adequate for this role? - 3

To what extent are the environmental priori-

NATIONAL CHAPTERS

LATVIA



This chapter has been compiled by Janis Brizga, WWF Latvia, reflecting the status of January 2007.

Overview of the programming architecture

Latvia is one NUT2 region and under Objective 1, and is eligible for structural (SF) and cohesion funds (CF). The main goal set by the NSRF for the next programming period of SF and CF is to foster accelerated economic growth and approach the average EU level of welfare. The above objective is measured by economic and social indicators, such as GDP growth, employment and unemployment rates, education and productivity. There are no environmental indicators mentioned at this stage.

In order to achieve the set target, 3 priority areas (or axes) are defined:

1. Development and efficient utilisation of human resources:
 - high-quality primary education, mandatory secondary education and accessible higher education;
 - modernisation of the educational infrastructure;
 - training of the workforce according to the labour market requirements;
 - efficient utilisation and life-long development of the creative potential of the individual.
2. Strengthening competitiveness and progress towards a knowledge-based economy;
 - to promote technological excellence

and flexibility in enterprises;

- to develop science and research.

3. Improvements in public services and infrastructure as a precondition for balanced national and territorial development.

There are also several horizontal priorities set in the NSRF which all activities should be in line with:

- Balanced territorial development,
- The international competitiveness of Riga City,
- Macroeconomic stability,
- Equal opportunities,
- Sustainable development,
- Information society.

Operational Programmes are organised in line with the objectives of the NSRF. There are three OPs set up:

- ESF OP “Human Resources and Employment”,
- ERDF OP “Entrepreneurship and Innovations”,
- ERDF and CF joint OP “Infrastructure and Services”.

The MoF (responsible body) prepared the first draft of the NSRF (October 2005). The draft NSRF was published on the Internet and it was opened for discussion between November 16 – December 09, 2005.

There is a shadow monitoring committee for the Structural funds period 2007-2013 set up, and it includes line ministries, NGOs, social partners, regional authorities and representatives from the European Commission (observers). A first Committee meeting was organised in December 2005,

at which the NSRF was presented and discussed. The process for preparing the OPs was also discussed. A second meeting was held on June 2, 2006 where draft OPs were presented and the third meeting took place in November 2006.

Drafting procedure

- 1) To what extent has the lead ministry for the development of the National Strategic Reference Framework (NSRF) applied inter-ministerial consultation? Was the environmental ministry an equal partner in this process?

The MoE was involved in the process of preparation of the draft NSRF, and also prepared reservations and recommendations for the draft NSRF. However, the MoE was only interested in the issues of funding for the environmental infrastructure projects (mostly water and waste water treatment, waste management and N 2000) and was not at all involved (not interested) in assessing the priorities from other ministries (such as transport, energy, etc) and their impact on environment.

- 2) To what extent has the lead ministry for the development of the National Strategic Reference Framework applied the partnership principle and included social economic and environmental partners in the drafting process? Were environmental partners treated equally to the other partners? How are the consultation processes organised? What were the techniques of consultation?

NGOs were treated equally to ministries if we consider the possibility for comment. The first NSRF draft was presented to the NGOs, business associations and trade unions at the same time as to the ministries. NGOs had a chance to prepare

comments, and they were discussed in joint meetings (the same procedure as for the ministerial comments). NGOs were also included in the Shadow Monitoring Committee. However, most of the environmental NGO comments were not taken into account and were not included in the NSRF. After the first round of consultations, NGOs were not given a chance to participate in the working group meetings while several meetings with line ministries on Operational programmes were organised.

- 3) To what extent have other ministries or regional authorities consulted with economic, social and environmental non-governmental partners in order to formulate the positions that they submit to the lead ministry?

The only institution that consulted with environmental NGOs was the MoE. There were two meetings with heads of departments for discussion of priorities to be funded under EU SF. We have no information on possible consultations with other non-environmental NGOs. In addition, the fact that such a meeting occurred was as a result of an initiative of the environmental NGOs.

- 4) To what extent is a follow-up process in place: how are the given comments integrated in the follow up documents? Do such documents exist? To what extent can stakeholders comment on the new/revised documents?

All the reservations (401 in total) and recommendations (358 in total) from public discussion on the first draft NSRF were codified, and each was discussed in a common meeting. A public co-ordination meeting was organised on January 10, 2006, but the inter-ministerial meeting took place the following day, on January 11, 2006. Some of the comments were integrated in the

NSRF and it was approved in the Cabinet of Ministers on January 31, 2006.

5) Is there a feed-back mechanism to draw from lessons learned from previous programming periods or mid-term reviews into the development of the strategic framework? Can adaptation of the document be applied over the implementation process?

The feed-back mechanism for integration of the experiences of the current programming period into the planning process is a little bit late as most of the assessments on the implementation of the current programme were done after the first draft NSRF was already in place. There are 9 studies on the experience of SF implementation in Latvia:

- Thematic Evaluation of the Coherence of the EU SF and the Employment Policies stated in the EU and National Strategic Documents (finished - 12.01.2006);
- Study on effectiveness of implementation of SPD (25.09.2006);
- Thematic Evaluation of Selection Criteria for Projects Co-financed by the European Union Structural Funds (06.07.2006);
- Thematic Evaluation of the Development of EU SF Planning Documents 2004-2006 and Activities Included in the Documents (06.07.2006);
- Evaluation of SF monitoring indicators (06.07.2006);
- Assessment of the implementation of SPD activities (06.07.2006);
- UNDP study on SF impact on regional development (06.07.2006),
- Assessment of importance of the cultural sector in the national economy (23.05.2006);
- Correspondence evaluation for the programme on Business Development (15.08.2005);

There are several studies still pending (3 in preparation and 5 in tendering), and the results from these will be available only

later, in 2007. There are also regular public opinion polls on the awareness of beneficiaries organised. In March 2006, the MoF organised a conference on the evaluation of the current programming period. It was mostly dominated by professional consultancy groups and audit companies, and NGOs were not invited. In the course of several meetings, the MoF has stressed that environment and sustainable development was not sufficiently integrated during the implementation of SF in the period 2004-2006 and that improvements should be made in next period.

6) To what extent has the partnership principle and the inclusion of social economic and environmental partners been applied in the drafting process for the environmental OP and/or other OPs which are of crucial importance for the environment (such as the Transport OP)? Were environmental partners treated equal to other partners?

Draft OPs were available on the home page of the MoF from the beginning of 2006. NGOs were critical about their content – being especially disappointed about the planned allocations from the Cohesion fund as financing for environmental measures was just 30% of the total financial allocations available from the CF. Draft OPs were permanently updated and changed based on the inputs from line ministries and NGOs. Environmental NGOs supported the call of Ministry of Environment to increase the allocations for the environment, and the allocation to environmental priorities has slightly increased. Some of the comments of environmental NGOs were reflected in the priorities; for example, a separate sub-priority on energy efficiency was defined, and the financing was allocated under sustainable development priority for Cohesion Fund.

After several complaints from the public, financial allocations for priorities were approved in the cabinet of ministers on April 18, 2006. However, official public consultation on the draft OPs was launched on May 18, allowing just 10 working days for comments. Such a short period was not sufficient to ensure the meaningful participation of NGOs and is in conflict with the requirement set forward by DG REGIO for the Ministry of Finance in Latvia asking “to provide the partnership with sufficient time to prepare comments”.

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]:

How far were environmental public authorities involved in the drafting process of the NSRF? – 4

Were their (governmental sector) contributions taken into account? – 5

How far were environmental NGOs involved in the drafting process of the NSRF? – 4

Were their (non-governmental sector) contributions taken into account? – 2

How accessible was all information regarding the programming process of the NSRF? – 5

How transparent was the public consultation conducted during the drafting process of the NSRF? – 5

Were consultation documents given in a timely manner? – 4

To what extent are lessons learned from previous or ongoing programming periods incorporated? – 3

How transparent was the drafting of key OPs? – 3

To what extent were environmental stakeholders included effectively in the drafting of key (environmental) OPs? – 3

Environmental integration and sustainable development

1) To what extent is there a reference to key environmental goals, to sustainable development, to the Göteborg strategy, to the 6th Environmental Action Programme or other key Community texts in environmental protection and sustainable development?

Sustainable development is mentioned several times in the NSRF but with different meanings: as sustainable infrastructure (railway – 2, waste management – 1), and as balanced and sustainable regional development or sustainable growth. In the SWOT analysis, for example, “Prospecting new oil and gas deposits” is mentioned as the only opportunity for sustainable development in Latvia.

The Göteborg strategy is mentioned once in the NSRF: “The NSRF strategy is aimed at efficient attraction of the SF and CF funding for the promotion of economic and social development of the country, as well as for the encouragement of balanced territorial development, hence pursuing the common national development goals and contributing to the implementation of the EU strategies for growth and jobs (Lisbon), as well as promoting sustainable growth (Göteborg).”

Sustainable development and the Göteborg strategy is also mentioned twice in operational programmes: “In order to promote sustainable development of [the] Latvian economy (Göteborg Strategy)” and “In order to create a sound basis for rapid, sustainable and balanced development (Göteborg Strategy)”. These examples show the misinterpretation and misuse of the sustainable development concept in the NSRF. References to EU environmental policy mostly occur in the chapter describing the necessity for investment in environmental infrastructure.

2) To what extent are Natura 2000 measures, sustainable transport, the implementation of the Water Framework Directive and the CO₂ reduction measures mentioned as priorities in the overall national programming documents?

Environmental measures (Natura 2000, sustainable transport and energy efficiency) are covered in the 3rd OP “Infrastructure and services” and included in priorities 4 and 5. Priority 4, “Quality Environment for Life and Economic Activity”, covers measures 4.1 “Environment”, 4.2 “Tourism”, 4.3 “Socio-economic Impact of Cultural Environment”, 4.4 “Energy Efficiency of Housing”, while priority 5, “Promotion of Environmental Infrastructure and Environmentally Friendly Energy”, covers measures 5.1 “Infrastructure of Environmental Protection” and 5.2 “Energy”. However, sustainable transport is included under priority 3, “Development of Transport Network of European Significance and Promotion of Sustainable Transport”.

Natura 2000 is not mentioned in the NSRF, but is mentioned several times in the 3rd OP. Measure 4.1, “Environment”, includes measures for the development of infrastructure in Natura 2000 sites. However, Natura 2000 is also mentioned under other measures; for example, on transport infrastructure it says “new motor transport access roads and railway lines should be constructed taking into account that for any activities that may impact the territories of Natura 2000, an environmental impact assessment must be prepared.”¹

There is no clear link to the Water Framework Directive, but there are activities focused primarily on the supply of clean drinking water and waste water treatment which are planned to be funded under the 3rd OP. Whereas under the priority 4 measure “Environment”, there are activities for the support of improvement of water man-

agement and waste water treatment of small-scale environmental infrastructures, and the priority 5 measure “Infrastructure of Environmental Protection” will support development of large-scale environmental infrastructure, including waste water collection/treatment, improvement of water distribution services.

The 3rd OP also plans to fund energy efficiency activities for public buildings, aiming at CO₂ reduction. Assistance for higher efficiency in all stages of the heat supply system – in production, transmission and distribution – and for the conversion of fuel to renewable or to other local primary energy resources, as well as for the development of cogeneration power stations using renewable resources will be provided under the measure “Energy”. Another measure “Energy Efficiency of the Housing Owned by Municipalities” assists in improving the energy efficiency of the housing stock.

The measure “Development of a Sustainable Transport System” proposes just one project for financing and it is unclear how (what criteria were used? why just one project?) this project was chosen that would be financed from CF. Meanwhile, there is no financing for public transport envisaged from ERDF at all. NGOs believe that there need to be more projects financed under the “sustainable transport” priority.

The measure that envisages upgrading of railways provides no reference to whether passenger transportation on railways will not be disturbed by increased freight transport. Currently, Latvia faces the situation that on the rail line Riga – Ventspils there are no passenger trains running since the full capacity of the railways is fully utilised by freight transport. There is a fear that, with the upgrading of other lines, passenger transport could be closed down, either par-

¹ Par. 695. - Official translation: <http://www.esfondi.lv/page.php?id=659>

tially or fully. We expect to see a clear reference that the passenger transportation function of railways will be maintained or increased.

The measure on promotion of traffic safety includes no a reference to increased safety for cyclists (e.g. at the crossroads of towns, creation of separate cycling paths, etc.). There are many accidents in Riga annually in which cyclists are killed or seriously injured due to the lack of cycling paths. No financing for cycling is envisaged at all.

3) To what extent is the need for horizontal integration of the environment mentioned in the programming documents? Are mechanisms described to ensure the integration? Are key roles for the environmental authorities envisaged to ensure this? Are resources allocated to ensure this? (training, technical assistance, etc.) Sustainable development is one of the 5 horizontal priorities mentioned in the NSRD, and each of the OPs should describe how it integrates sustainability in the priorities. To ensure environmental integration, the NSRF states that “SF and CF support requires environmental impact assessment for all major investments in infrastructure, promotion of environment-friendly technologies in projects co-financed by the SF and CF, introduction of environmental standards in production processes, as well as innovations in the environmental sector.” It is also planned to integrate horizontal objectives in specific project selection criteria and have horizontal objectives integrated in programme evaluation indicators. The Ministry of Environment is part of the Monitoring Committee and is one of the line ministries in each OP management system. The monitoring committee is responsible for the monitoring of the implementation of the NSRF, and there is no other body or struc-

ture responsible for environmental integration. Environmental NGOs are part of the Monitoring Committee.

The European Commission (EC) in its first comments on the NSRF wrote: “The impact on the environment, in particular of the capital city, should be analysed in more detail with resulting remedial activities proposed. In fact the environment should be covered in a more holistic manner (currently only addressed in priority 3). The need for a sustainable development strategy is self evident.²”

4) To what extent are safeguarding mechanisms like the SEA and or the ex-ante evaluation for plans and programmes applied timely, correctly and by independent bodies?

The very nature of the SEA is that it is an integral part of the policy development process and applied from the beginning until the end of the policy process. However, the SEA and ex-ante evaluation tender was launched by the Ministry of Finance only at the end of May. The procedure of carrying out the mandatory SEA for the Operational Programmes started as late as mid-August when draft OPs were already approved by Government to start consultations with the EC. Later, with minor adjustments and some linguistic changes, the Cabinet of Ministers approved the OPs on October 3, 2006. These drafts were also officially submitted to the EC. Knowing that the programmes have already been reviewed by the Cabinet of Ministers several times without considering environmental impacts, the SEA process in Latvia is far from what the SEA Directive requires and what is internationally considered good SEA practice.

5) To what extent are environmental considerations mentioned/taken into account in

the discussion of other policy priorities (e.g. in transport, employment, etc) rather than in a single section on environment and SD priorities?

Each measure in the OP has to have a section describing its impact on horizontal priorities. One of these priorities is sustainable development – mostly focussing on the environment. However, the sections analysing the impact on sustainable development in the OPs are very weak, mostly showing positive impacts, but ignoring possible trade-offs and negative aspects of particular measures. In some OPs, particularly the one on “Employment and Investments in Human Resources”, the description on sustainable development mentioned merely that it has no impact on sustainable development. This was improved after NGO complaints.

6) What is the overall national/regional management structure of EU Regional Funds in your country, and is there a mechanism established to cover environmental issues properly?

The Ministry of Finance is the NSRF Coordinating Authority and Managing Authority of the Operational Programmes, but different line ministries fulfil their functions of Intermediary Bodies (IB) in accordance with their respective sectoral policies. The scope of authority of each IB within the framework of the Operational Programme is determined on the basis of the policy-making remit of each body at the national level.³ The Ministry of Environment is acting as Intermediary Body only in the OP “Infrastructure and Services”. In the implementation of the OPs “Entrepreneurship and innovations” and “Human resources and employment”, the MoE is not included. Compared to the current programming period, the number of IBs has been decreased while Managing

Committees are removed. Monitoring Committees will have the same structure and functions as in the previous programming period. The partnership principle is ensured through the work of the Monitoring Committee.

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]:

To what extent is sustainable development mentioned as a priority in the national strategic reference framework (NSRF)? – 3

To what extent are environmental measures (air, energy, waste, water, etc) defined in the NSRF? – 4

To what extent are nature protection (Natura 2000 network etc) measures defined in the NSRF? – 5

To what extent are integration mechanisms for the environment and sustainable development mentioned and defined in the NSRF? – 3

To what extent are environmental safeguarding mechanisms like the SEA and their application mentioned in the NSRF? – 2

Does the overall national/ regional management structure of EU regional assistance implementation support the covering of environmental issues? – 4

² http://www.esfondi.lv/upload/NSID-2006-04-03_EK_viedoklis_01.pdf (2006.04.03).

Resource allocation across different Operational Programmes

NOTE: This section can not be answered systematically according to the proposed questions, but will be described according to some examples in a more qualitative way.

The first drafts of OPs were prepared at the beginning of 2006. At the same time, on January 31, 2006, the first draft allocation plan was presented. This triggered wide public discussion on different priorities and allocations of funds to implement them. In April 2006, the Cabinet of Ministers approved the draft allocation plan, which is still valid. According to this document, 9.23% or 243.7 million EUR from Structural Funds and 38.16% or 519 million EUR from the Cohesion Fund are roughly allocated to environmental infrastructure projects. There is also the measure Sustainable Development as part of the Cohesion Fund. This measure covers sustainable transport (one project on the Riga passenger railway system) and energy efficiency in public buildings. This takes 15.43% or 209.8 million EUR of the Cohesion Fund. Most of the Cohesion Fund is allocated for transport projects – 45.51%. Transport (small scale projects) is also part of the structural funds – 11.63%. Most of the Structural funds resources (39.88%) are allocated to the first OP, which focuses on human resource development.

OPs, however, do not provide detailed information on funding distribution among activities. OPs show only the distribution among funds and different priorities, such as large scale infrastructure, small scale infrastructure, and educational and social infrastructure for the 3rd OP “Improvements

in Infrastructure and Public Services”.

Detailed description of funding is in the annexes – each measure has its own annex, which gives detailed information of funding allocations. These annexes, however, are not part of the public discussion and not included in SEA!

Resources are allocated by areas: education, transport, innovation, environment etc. All the environmental resources are concentrated in one OP: “Improvements in Infrastructure and Public Services”, together with all the other infrastructure projects. It is not defined in further detail where the allocations are concentrated.

There may be adverse negative impacts on the environment with the implementation of Priority 2, “Business support activities” and “Business infrastructure and improvements to equipment”, because of the increasing pressure on resource consumption and pollution. The main concerns, however, are in the 3rd OP, because of the infrastructure projects. There are several projects, especially under the transport priority, which could have a significant negative environmental effect. The project “Reconstruction of railway junction” (32.10 million EUR from the Cohesion Fund) together with the project “Development of infrastructure in Krievu Island for transferring the port activities outside the city centre” (72.60 million EUR from the Cohesion Fund) are designed in order to allow partial transfer of the activities of Riga Freeport from the centre to the sea direction. Despite the fact that the general idea of the project may sound socially favourable, there are several worrying problems related to the transparency of the project and its impact on nature in Natura 2000 areas. Environmental NGOs have repeatedly asked to apply a Strategic Environmental Assessment procedure for the medium term

³ Concept approved in the Cabinet of Ministers on October 18, 2005.

development plan of Riga Freeport in order to evaluate the impact of different scenarios. The Board of Riga Freeport had already prepared the draft plan in 2004, but with EU Directive 2001/42/EC coming into force, the responsible state body took the decision to apply a SEA for the plan. This is especially needed as a huge Natura 2000 site is included within the administrative borders of Riga Freeport. The effort made by the Board of Riga Freeport to reverse this decision in national institutions was not successful. However, they avoided carrying out a SEA, arguing that the Freeport could operate with the old plan (in force since 1996) despite the fact that planned activities and locations differ from those planned beforehand. The Board of Freeport has been also avoiding disclosing the draft plan or any feasibility studies related to it. The decisions taken by the Board of Riga Freeport are not transparent, and they contradict both the requirements of the SEA Directive, the Birds Directive and national legislation. Moreover, a large nesting population of *Larus ridibundus* (more than 1000 pairs) was discovered on Krievu Island, which is considered a place for development of port infrastructure. *Larus ridibundus* are protected under the Birds Directive (included in Annex II). This week, the Environmental Committee of Riga City Council requested the designation of Krievu Island as a nature protected area. It is clear that such a port development project should not be funded with EU money.

To what extent are allocations for environment reflected in the different OPs? - 4

To what extent are resources allocated for environmental integration in every OP? - 1

To what extent do other OPs contain potential harmful priorities for the environment? - 5

To what extent is the environmental ministry responsible for the environmental OP or for the environmental parts of other OPs? - 5

Are the foreseen mechanisms to oversee and implement the environmental OP adequate for this role? - 4

To what extent are the environmental priorities proposed balanced across all potential environmental priorities? - 4

To what extent do the environmental OP or environmental sections in other OPs reflect strategic needs for the environment? - 4

Scoring questions:

To what extent is the share of resources spent for the environment adequate (to be around 30%) in comparison to shares of monies spent on other priorities? - 3

NATIONAL CHAPTERS POLAND



This chapter has been compiled by Marta Majka Wisniewska and Marta Babicz, WWF Poland, reflecting the status of January 2007.

Overview of the programming architecture

Poland began the strategic documents preparation process for the years 2007-2013 in 2004 when the National Development Plan drafting was started. During the NDP drafting process, other supplementary strategic documents had been produced; for example, the National Regional Development Strategy. The National Development Plan has been broadly discussed and other parties consulted. The effectiveness of the process, however, is doubtful, as the authorities only informed potential interested parties and allowed them to express their opinion on the issue with no feedback mechanism nor detailed analysis of the comments of different interest groups. Multiple sectoral and regional conferences were organised and the citizens had had an opportunity to give their comments. It is worth underlining that it was the first public consultation in Poland carried out on such a large scale. The National Development Plan was accepted in 2005. It was accompanied by a short document referred to as a 'strategic assessment'. The 'strategic assessment' concerned one of the NDP's drafts, not the National Development Plan itself. Therefore, no proper strategic assessment of the documents according to the meaning of the 2001/42/EC directive have taken place.

In addition to the NDP, several sectoral Operational Programmes were been drafted and the drafting process for 16 regional Operational Programmes were started. In September 2005 – just before the parliamentary elections in Poland – the NDP was reformulated by the authorities into the National Strategic Reference Framework without any public consultation.

The new government, formed in October 2005, decided to deeply modify the existing programming documents.

At the beginning of 2006, the government decided to reduce the number of sectoral Operational Programmes. Moreover, the new version of the National Strategic Reference Framework had been drafted, and public consultation of the document was launched in February 2005. Just at the beginning of the consultation process, the title of the document was changed to the 'National Coherence Strategy'. The consultation process quality was comparable to the NDP's consultation carried out in 2005. The same is true of the sectoral programming documents consultation. The document drafting process had not been accompanied by any strategic assessment. The 'strategic environmental assessment' reports were produced at the very end of the drafting process as it became necessary to conduct negotiations with the European Commission.

Despite multiple objections of the European Commission concerning difficulties in effective management of the OPs' funds, the Polish government has prepared sectoral Operational Programmes as follows:

- the 'Infrastructure and Environment' Operational Programme

- the 'Human Capital' Operational Programme
- the 'Innovative Economy' Operational Programme
- the 'Eastern Poland Development' Operational Programme
- the 'Technical Assistance' Operational Programme

The NSRF and sectoral Operational Programme drafting process was co-ordinated by the Ministry of Regional Development. The regional Operational Programme preparation process was co-ordinated by the marshal offices.

Drafting procedure

1) To what extent has the lead ministry for the development of the National Strategic Reference Framework applied inter-ministerial consultation? Was the environmental ministry an equal partner in this process?

In 2005, the National Development Plan Draft as well as the Operational Programmes (amongst others, the 'Environment' Sectoral Operational Programme) were subject to a public consultation procedure. In September 2005, shortly before the new Polish Parliament was elected and a new Polish Government was formed¹, the Council of Ministers had accepted drafts of strategic documents including the National Strategic Reference Framework (NSRF) based on the National Development Plan. The NSRF had been prepared within the Ministry of Economy and Labour.

The newly formed Government brought a new attitude towards strategic documents and EU funds programming and spending. Part of the Ministry of Economy and Labour has been transformed into the Ministry of

Regional Development, which is now the lead ministry in the field of programming co-ordination. The new NSRF draft was prepared (known as the National Coherence Strategy). The number of Operational Programmes was reduced: at present these are the Eastern Poland Development, Infrastructure and Environment, Human Capital, Technical Assistance, and Innovative Economy OPs.

There have not been any widespread inter-ministry consultations regarding the NSRF. The document is highly general, and that is why it is difficult to determine which part of it ought to be discussed with the Ministry of Environment. Regardless of the strong objections of the Minister of Environment, the 'Infrastructure and Environment' Operational Programme was created at the beginning of 2006 (until December 2005, the Ministry had discussed the 'Environment' Operational Programme). The Ministry of Environment has not been, therefore, an equal partner in the strategic document drafting process. Still, the Ministry has taken part in the work on shaping the new Operational Programme, which contains the 'environmental' component.

2) To what extent has the lead ministry for the development of the National Strategic Reference Framework applied the partnership principle and included social, economic and environmental partners in the drafting process? Were environmental partners treated equally to the other partners? How are the consultation processes organised? What were the techniques of consultation?

The NSRF consultation scheme – analogical to the National Development Plan consultation scheme – was as follows: regional consultations (one conference organised in each of the 16 voivodships) and sectoral

consultations (several thematic conferences have been organised for the sectoral stakeholders, however, these were ‘informative’ meetings rather than ‘discussions’).

As declared by the Ministry of Regional Development via the official web-site²:

‘The consultations have been conducted within the widest possible geographical, branch and environmental scope – amongst others different occupational and unions’ groups, employers and businessmen organisations, local authorities, farmers, scientists and non-government organisations. Not only institutional partners, but all interested parties are free to participate in the consultations.’

Public consultations include the following scope:

- Goals and priorities of the National Coherence Strategy (the previous NSRF),
- Operational Programme funds allocation criteria,
- Funds allocation within the individual Operational Programmes’ structure,
- Institutional structural funds implementation system in Poland.

The consultations are to be conducted by the central administration organising:

- Conferences,
- Stakeholder meetings at the central level,
- Direct communication with the Ministry of Regional Development – the possibility of submitting a written opinion,
- Mass-media (press, radio, television, internet),
- Web-site.

It is, however, difficult to assess whether NGOs had been actively invited to participate in the consultations. As previously mentioned, regional consultations had been limited to conferences organised by the marshal offices, to which active NGOs were not invited. It is also unclear what criteria

had been used when choosing regional conferences participants. Moreover, the number of participants – over 100 guests – and the fact that there was just one conference in each region only made conducting reasoned discussion and effective consultation extremely difficult. Regional consultations have resulted in ‘shopping list’ enlargement (a list of large-scale investments in the given voivodship, e.g. roads, dams etc.).

3) To what extent have other ministries or regional authorities consulted with economic, social and environmental non-governmental partners in order to formulate the positions that they submit to the lead ministry?

There have been no consultations of this kind.

4) To what extent is a follow-up process in place: how are the given comments integrated in the follow up documents? Do such documents exist? To what extent can stakeholders comment on the new/revised documents?

Ecological NGOs have negative experiences regarding having their opinions taken into consideration within the National Development Plan and ‘Environment’ Sectoral Operational Programme³ drafting work. None of the comments submitted by NGOs were taken into account in the National Development Plan, and all the newly introduced changes from the NGOs’ point of view were changes for the worse. Changes proposed by NGOs with respect to nature protection and waste management have been included in the ‘Environment’ Sectoral Operational Programme draft. Comments concerning all the remaining parts of the document – especially within water management – have been ignored. Moreover, stress put on

¹ In September 2005, Parliamentary Elections took place in Poland when new Members of Polish Parliament were chosen and a new Government was formed.

² www.funduszezestrukturalne.gov.pl

water reservoirs, dams and road infrastructure in the latest 'Infrastructure and Environment' OP confirmed that NGOs' opinions – coherent with the EU policy and environmental law – have not been taken into consideration.

5) Is there a feed-back mechanism to draw from lessons learned from previous programming periods or mid-term reviews into the development of the strategic framework? Can adaptation of the document be applied over the implementation process?

There is no feed-back mechanism.

6) To what extent has the partnership principle and the inclusion of social, economic and environmental partners been applied in the drafting process for the environmental OP and or other OPs which are of crucial importance for the environment (such as the Transport OP)? Were environmental partners treated equal to other partners?

It was possible for NGOs' representatives within the 'Environment' Sectoral Operational Programme working group to submit comments and propose amendments. However, the comments were taken into account only when of a neutral character or when they had gained acceptance of the 'key players' – the sectoral stakeholders (hydroengineers, energy sector, etc.), which is difficult to achieve.

When an enlarged 'Infrastructure and Environment' consultation process began in 2006, 50 Polish NGOs had again prepared a joint statement including 53 comments on the OP text and delivered it to the relevant ministries and other decision makers. The NGOs strived for an official answer from the ministries, but it was issued after the final version on the document had been accepted by the Government. None of the key

NGOs' comments had been taken into account.

The principle in question is applied in a very limited way and it is treated marginally by the decision makers.

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]:

How far were environmental public authorities involved in the drafting of the NSRF?

– 2

Were their (governmental sector) contributions taken into account? – 1

How far were environmental NGOs involved in the drafting process of the NSRF? – 1

Were their (non-governmental sector) contributions taken into account? – 1

How accessible was all information regarding the programming process of the NSRF?

– 1 The NSRF drafting process was limited

to the ministry responsible for strategic documents preparation, – 3 During the strategic documents consultation information on the process was more accessible (the official web-site contains rather satisfactory information on the drafting work)

How transparent or open was the public consultation conducted during the drafting process of the NSRF? – 2

Were consultation documents given in a timely manner? – 4

To what extent are lessons learned from previous or ongoing programming periods incorporated?

– 1 The consultation scheme remained highly unchanged as it is believed that the National Development Plan consultation conducted in 2005 was effective. In NGOs' opinion it was not.

How transparent was the drafting of the key OPs?

³ Until the end of 2005, environmental issues had been covered by an individual 'Environment' OP. Its scope was later incorporated into the large scope 'Infrastructure and Environment' OP.

– 2 The Strategic Operational Programmes drafting process was limited to the ministries responsible for strategic documents preparation,

– 3 During the strategic documents consultation information on the process was of a better quality.

To what extent were environmental stakeholders included effectively in the drafting of key (environmental) OPs?

– 3 Document drafts were prepared without the participation of any interested ‘environmental’ party, except for the government. However, it must be underlined that the ‘Infrastructure and Environment’ Operational Programme is based to a great extent on the previous ‘Environment’ Operational Programme (under consultation until December 2005) with respect to the ‘environmental’ part of the current document. Some of the comments submitted to the previous Programme have been included in the new Programme. NGOs have been invited to the ‘Infrastructure and Environment’ Operational Programme panel. WWF and the Institute on Sustainable Development had the possibility to submit comments and participate in the discussion on the document’s shape. See also point 4 above.

Environmental integration and sustainable development

1) To what extent is there a reference to key environmental goals, to sustainable development, to the Göteborg strategy, to the 6th Environmental Action Programme or other key Community texts in environmental protection and sustainable development?

Sustainable development, the Göteborg strategy and the Biodiversity Convention

are mentioned in the NSRF, however, in a highly accidental, extremely general and purely declarative matter. There are hardly any other references to the key Community texts on environmental protection and sustainable development. Having analysed the key OPs, the planned funds allocation and the indicative list of major projects, it must be stated that there is a clear mis-direction in the way Poland intends to spend EU Funds during the years 2007-2013.

2) To what extent are Natura 2000 measures, sustainable transport, the implementation of the Water Framework Directive and the CO₂ reduction measures mentioned as priorities in the overall national programming documents?

The Natura 2000 measures, sustainable transport, implementation of the Water Framework Directive and the CO₂ reduction measures are not mentioned in the NSRF as priorities during the years 2007-2013. None of the horizontal goals of the document refers to the above-listed issues.

There is a reference to the Water Framework Directive, which is mentioned in the NSRF text’s footnote among all possible environmental directives. It needs to be stressed that the environment has been addressed in a highly general matter, and the NSRF parts devoted to the environment seem to tackle all possible issues but do not address any of them properly.

When describing the transport and pan-European network policy, alternative environment-friendly means of transport and public transport promotion have been mentioned in a purely declarative manner.

In the ‘Infrastructure and Environment’ OP dated from 29th November 2006, it is been proposed to set 17 priorities, amongst them (in addition to 2 technical assistance priorities): 1 referring to health care, 1 referring to culture and national heritage, 1 referring to

higher education, 1 referring to regions' competitiveness, 2 referring to energy sector, 4 referring to transport, and 5 referring to the environment (within the Ministry of Environment's responsibilities but not necessarily in relation to the environment protection).

The priority referring, amongst others, to Natura 2000 is the 'Nature protection and shaping ecological attitudes'. Unfortunately, this priority is not considered to be relevant. Funding allocations indicate that during the period 2007-2013 105.6 million EUR (EU funds + state budget funds) is to be spent. It needs to be stressed that Natura 2000 implementation alone requires 6.1 billion PLN, which equals 1.5 billion EUR. This negligence of nature protection in Poland – species and habitat protection as well as Natura 2000 implementation – is also confirmed in the allocations table, where, for example, 641.2 million EUR (including 545 million EUR from EU funds) is to be spent on the III priority 'Resources management and environmental threats counteracting' where numerous environmentally harmful projects in water management are to be implemented (e.g. river draining, reservoir construction, etc.). In addition to the fact that most of the investments proposed within the III⁴ priority are environmentally damaging, having compared the allocation here with other priorities declared to be 'environmental' it is clear that the Polish Government strongly disregards environmental issues.

Funds for the Water Framework Directive implementation have not been indicated in this OP, even though some of the actions – such as water management plans preparation – had been included in the previous drafts⁵.

One of the priorities of the 'Infrastructure and Environment' OP is to refer to environmentally-friendly transport. These are: rail-

way transport (app. 4 billion EUR; 57% of funds under the priority dedicated for TEN-TI), sea transport (app. 6% of the priority funds), municipal transport (app. 26% of the priority funds)⁶, intermodal transport (1% of the priority funds) and waterways (1% of the priority funds). Surprisingly, under this priority, one can also find allocations for the national road infrastructure development.

During the same period it is planned to spend more than 11 billion EUR on road network development. Therefore, there is little hope for sustainable development in Poland and environmentally friendly transport development is to be of marginal importance. New road infrastructure is going to be the main goal even in the field of transport safety improvement.

In the 'Environment friendly energy infrastructure' priority, there is no direct reference to greenhouse emissions reduction or energy saving solutions. The priority focuses on renewable source share and energy efficiency increase but does not mention any specified level of greenhouse gas emission.

3) To what extent is the need for horizontal integration of the environment mentioned in the programming documents? Are mechanisms described to ensure the integration? Are key roles for the environmental authorities envisaged to ensure this? Are resources allocated to ensure this? (training, technical assistance, etc.)

There is no horizontal integration of the environment in the programming documents, and so there are no mechanisms to ensure it. The Ministry of Environment plays only an intermediary role and is responsible for some of the activities included in the "Infrastructure and Environment" OP. The description of measures, technical assistance, etc. is highly imprecise and general.

- 4) To what extent are safeguarding mechanisms like the SEA and or the ex-ante evaluation for plans and programmes applied timely, correctly and by independent bodies?

The SEA and other safeguarding mechanisms in Poland are not considered to be a source of feedback information to increase the quality of plans, programmes and strategies. Unfortunately, it also applies to the NSRF and OP drafts. None of the drafted strategic documents has been accompanied by the Strategic Environmental Assessment. Strategic assessments and ex-ante evaluations have recently been 'produced'⁷ as part of the strategic documents' preparation final phase, and it has become necessary to conduct negotiations with the European Commission.

- 5) To what extent are environmental considerations mentioned/taken into account in the discussion of other policy priorities (e.g. in transport, employment, etc) rather than in a single section on environment and SD priorities?

Environmental considerations are virtually neglected by the strategic document's authors. Such priorities as the 'Environment friendly energy infrastructure' and 'Environment friendly transport' could change this negative impression if not for the projects specified there, the proposed success indicators and the modest funds allocated for the purpose of their implementation. The contents of the 'environment-

bound' priorities as well as the vital issues excluded from the priorities provide us with a sad picture of the 2007-2013 period. It is also striking that only modest funds have been allocated within the 'environmental' priorities as opposed to allocations within other priorities such as road infrastructure. Poland will not comply with most of the environmental obligations undertaken in the Accession Treaty and numerous planned investments are contradictory to the EU directives.

- 6) What is the overall national/regional management structure of EU Regional Funds in your country and is there a mechanism established to cover environmental issues properly?

The Ministry of Regional Development holds the responsibility for co-ordinating the overall system. The Ministry of Regional Development is also responsible for the SOPs, while the regional operational programmes are to be prepared and managed by the voivodship offices (regional authorities). In case of the SOPs, the so-called 'intermediary bodies' have been defined as the relevant ministries (the indicated ministers are responsible for the chosen priorities, e.g. as far as the 'Infrastructure and Environment' OP is concerned, these are the ministries of: health, economy, environment, transport as well as culture and national heritage). However, there is no mechanism allowing the covering environmental issues properly.

⁴ E.g. the indicative list of major projects includes the Nieszawa dam on the Vistula River (as an option of solving the Wloclawek Dam problem), the Katy-Myscowa reservoir on the Wisloka River, the Raciborz reservoir on the Oder River or the Wielowies Klasztorna reservoir on the Prosna River.

⁵ No funds have been planned for the Flood Directive implementation either.

⁶ Bearing in mind the fact that all major Polish rivers have been incorporated into the Natura 2000 network, such actions will surely have significant negative impact on the environment. Placing such activity within an 'environment friendly' priority is a huge misunderstanding.

⁷ A document called 'strategic assessment' was ordered by the government when the final version of the NSRF had been finished. There has been no process of strategic assessment while drafting the NSRF nor while preparing the 'strategic assessment' document.

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]:

To what extent is sustainable development mentioned as a priority in the National Strategic Reference Framework (NSRF)?

– 1

Sustainable development is not a priority in the NSRF. Moreover, the document does not refer to the sustainable development in any way. The adjective 'sustainable' has been used in the document but mainly referring to the 'growth', not 'development'. The definition of sustainable development included in the latest version of the NSRF has been shortened and the 'improving the standard of living of the current and future generations assuring natural resources, cultural heritage and socio-economic structure of the society preservation' part has been excised from the text of the document. It is significant that 'sustainable development' has been mentioned in the 'Eastern Poland Development' OP with reference to the urgent need to attain a level of economic development of the region equal to the that in the other parts of Poland, while the region in question is characterised by unique – at the national as well as European scale – natural value. Even though a definition of sustainable development (close to the most commonly used) has been included in the NSRF, it is interpreted as meaning equal economic growth throughout the country.

To what extent are environmental measures (air, energy, waste, water etc) defined in the NSRF? – 2 The NSRF does not address any environmental actions – some general statements occur only when horizontal goals are mentioned. However, even these are highly enigmatic.

To what extent are nature protection (Natura 2000 network, etc) measures defined in the NSRF? – 2 'Natura 2000' has been mentioned in the NSRF in a highly general way, which gives a good insight into the attitude towards nature protection within the document. Natura 2000 has also been referred to in the 'Coherence' chapter along with the New Lisbon Strategy, coherence policy and the relevant policies and national documents, where development and the Natura 2000 network implementation⁸ are mentioned as an action of high importance. However, these statements are of a rather declarative character, taking the 'Infrastructure and Environment' OP content into account. Within the 'Infrastructure and Environment' OP there is a statement: 'Moreover, the funds will be directed towards actions aiming at preserving endangered species and the genetic diversity of plants, animals and fungi, as well as the rebuilding of ecological corridors to enable the proper functioning of the Natura 2000 network'.

To what extent are integration mechanisms for the environment and sustainable development mentioned and defined in the NSRF? – 1

To what extent are environmental safeguarding mechanisms like the SEA and their application mentioned in the NSRF? – 2

It has been declared in the NSRF that: 'An assessment which aims at ensuring the quality, effectiveness and coherence of the funded interventions as well as the improvement of the Operational Programme implementation strategy' is to be added to the document. The EIA ('SEA' is not mentioned in the document) was prepared in September 2006, when the final version of

⁸ The 'Natura 2000 Programme' is placed in the document here.

the NSRF had been finished. There has been no process of strategic assessment while drafting the NSRF nor while preparing the 'strategic assessment' report. The evaluators draw similar conclusions to the NGOs: underlining negligence of environmental issues, focus on environmentally-harmful hydro-infrastructure investments, and development of Eastern Poland without consideration for the unique natural value of the region. Unfortunately, these comments have been ignored. Only minor changes have been incorporated into the NSRF, and its overall environmentally-unfriendly structure remained unchanged.

Does the overall national/ regional management structure of EU regional assistance implementation support the covering of environmental issues? – 1

Resource allocation across different Operational Programmes

1) What total sum or per cent of the total Community monies under Regional Policy go to the environment and nature conservation directly (waste, water, air, CO₂ reduction, WFD, Natura 2000 or others). (Give approximate numbers.)

Based on the 'Infrastructure and Environment' OP dated from 29th November 2006, we can predict that funds to be spent directly on environment and nature protection are as follows:

- waste-water treatment – app. 2.5 billion EUR (9 % of all EU funds within the OP in question)
- waste management – 1 billion EUR from the Coherence Fund (3.6 % of all EU funds within the OP)
- Natura 2000 – up to 90 million (0.3 % of EU funds within the OP)

- Water Framework Directive – 0 (no funds for the WFD implementation has been specified, the OP draft dated from 29th November 2006 does not refer to the need for the implementation of the WFD within any priority)
- air quality – 50 million EUR (0.2 % of EU funds within the OP)
- CO₂ emission reduction – 420 million EUR⁹ (1.5 % of all EU funds within the OP)

At the same time, it has been stated in the OP that; 'Investments contributing directly and indirectly to environment protection constitute 60% of the overall CF funds available'¹⁰.

2) To what extent are resources allocated by sectors or by problems? How are resources for the environment distributed across the OPs? Are they all combined into one environmental OP or as environmental measures across different OPs?

In December 2005, the government abandoned the individual environment-bound OP. The actions planned within the abandoned OP have been forced together with transport, energy infrastructure, health care and national heritage protection. In the 'Infrastructure and Environment' OP draft dated from 1st August 2006, funding allocations for the listed activities within 14 priorities have been proposed. The priorities have been a direct reflection of the sectoral priorities main goals – environmental issues have not been referred to in any priority apart from the strictly 'environment-bound' ones. This is also true of other sectoral Operational Programmes.

In the latest OP draft from 29th October 2006, all the activities have been replaced by more general categories of intervention. Nonetheless, the allocations indicate the main development directions set by the Polish decision makers. According to the

latest version of the OP, 40 % of the overall Community funds available are to be spent on the road infrastructure.

- 3) Are there realistic concerns that measures listed under other OPs (such as under the Transport OP) will be harmful to the environment or to nature conservation?

Yes, there are. However, the authors of the strategic documents do not perceive it at all. In the OP, it has been stated that ‘the potential conflicts between infrastructure development and environment will not affect overall nature protection system functionality and will not influence biodiversity on the national scale.’

- 4) To what extent are environmental authorities nominated as managing authorities? How many OPs are under the sole or partial responsibility of the environmental authorities?

The Ministry of Environment is one of the five managing institutions for the implementation of the ‘Infrastructure and Environment’ OP (it is responsible for implementation of 5 OP priorities). The managing institution delegates part of its responsibilities to intermediate bodies.

- 5) Are the measures defined as “environmental measures” balanced across all potential environmental activities or are they simply prioritising mostly environmental infrastructure issues, such as flood reduction?

Considerable funds are declared as allocated for ‘environmental’ measures within the ‘Infrastructure and Environment’ OP. Unfortunately, the ‘environmental’ measures listed in the OP have little to do with environmental welfare. 595 Million EUR from the Coherence Fund is to be spent on ‘Risks prevention’, understood as water retention,

improvements in existing water devices’ technical safety, and ensuring passage of flood waters and ice. This amount is 6 times higher than the amount planned to be spent on biodiversity protection. It would probably not meet with opposition if not for the fact that there are several environmentally harmful artificial water retention reservoirs on the major projects indicative list, and the Minister of Environment focused on the above-mentioned allocations increase. In general, the NSRF as well as the ‘Infrastructure and Environment’ OP are focused on the infrastructure investments.

- 6) To what extent does the environmental OP reflect the key environmental needs of a specific MS or region? Are the environmental OP or the environment sections of other OPs of a high strategic and of high programming quality?

The ‘Infrastructure and Environment’ OP does not address the key environmental needs. The ‘environmental’ part in terms of its strategic dimension and the EU requirements is highly insufficient. Even though the part concerning biodiversity protection is of considerable quality, the planned actions will not be effective with the current proposed funds allocation level.

Scoring questions:

To what extent is the share of resources spent on the environment adequate (to be around 30%) in comparison to shares of monies spent on other priorities? – 2 The funds to be spent on the priorities within the Ministry of Environment responsibility (but not necessarily environment and its protection friendly) are app. 4.7 billion EUR, which is equal to 17 % of the Community funds available within the ‘Infrastructure and Environment’ OP.

⁹ Assuming that actions in the field of renewable energy development are equal to actions aiming at CO₂ emissions reduction.

¹⁰ There is app. 21.5 billion EUR of CF available under the OP (in total: app.27.8 billion EUR of EU funds)

Allocations for the specific categories of intervention within priorities have been displayed in the file attached.

To what extent are allocations for environment reflected in the different OPs? – 1

To what extent are resources allocated for environmental integration in every OP? – 2

To what extent do other OPs contain potential harmful priorities for the environment? –

6 There are multiple potential environmentally harmful priorities (see: Annex). Threats to the environment have not been mentioned in the priorities description.

To what extent is the environment ministry responsible for the environmental OP or for the environmental parts of other OPs? – 3

The environmental part of the 'Infrastructure and Environment' OP (priorities from I to V; see Annex) has been prepared by the Ministry of Environment, but it is of poor quality.

Are the foreseen mechanisms to oversee and implement the environmental OP ade-

quate for this role? – 1 There are no such mechanisms. Monitoring and evaluation are mentioned in the OP but they have not been specified. The majority of the proposed success indicators are inappropriate.

To what extent are the environmental priorities proposed balanced across all potential environmental priorities? – 2 Some key environmental issues have not been addressed at all; for example, the WFD, especially having analysed the proposed allocations and needs in that field.

To what extent do the environmental OP or environmental sections in other OPs reflect strategic needs for the environment? – 2

The 'Infrastructure and Environment' OP does not address all strategic environmental needs, and the planned allocations for biodiversity protection, water treatment management and waste management are insufficient to fulfil Poland's obligations to the EU



NATIONAL CHAPTERS PORTUGAL



This chapter has been compiled by Nuno Pedroso, Liga para a Protecção da Natureza, LPN, reflecting the status of January 2007.

Overview of the programming architecture

The National Strategic Reference Framework in Portugal is called “Quadro de Referência Estratégico Nacional” (QREN). The NSRF will have several Operational Programmes that will especially allow three designs: introduction of competitiveness factors, human potential and territorial valorisation. It is divided into several Operational Programmes (OPs):

- 1) Three Thematic Operational Programmes (under the direct responsibility of the Government): Human Potential, Factors of Competitiveness and Territory Valorisation. (Funds: ERDF, ESF, CF)
- 2) Five Regional Operational Programmes (under the responsibility of the Commissions of Coordination and Regional development – CCDRs and Government), corresponding to the main regions of Portugal: North, Centre, Lisbon, Alentejo and Algarve. (Funds: ERDF)
- 3) Two Autonomic regions (under the responsibility of the Autonomic governments and Government): Madeira and Azores. (Funds: ERDF, ESF)
- 4) Cooperation Operational Programmes (Funds: ERDF):
 - Transborder Territorial Cooperation:
 - a) Portugal-Espanha;
 - b) Mediterranean Basin

Trans-national Cooperation:

- a) Atlantic Space,
 - b) European Southwest,
 - c) Mediterranean,
 - d) Madeira-Açores-Canárias
- Inter-regional and Intra-regional Cooperation Networks
- 5) Technical Assistance Operational Programmes (ERDF, ESF)

Overall, the NSRF/QREN and respective OPs will spend 45 billion (€21.5 billion from the EU and €23.5 billion from national investment).

Some important dates:

- 11 January 2007 – Approval of the final version of the NSRF by the Portuguese Government
- 18 January 2007 – The Portuguese Government sends the NSRF to the European Commission
- 11 January to 15 February 2007 – Public discussion of OPs

The answers given below relate to documents still in public discussion at the present time and may not reflect the final state of the OPs. Nevertheless, major changes are not expected to occur in the final documents. The main documents that were used for this evaluation are the NSRF document (outlines major policies and context of the National Strategic Reference Framework), 2 of the 3 Thematic Operational Programmes (since OP Human Potential is not available for public discussion) and the Regional Operational Programmes. Other documents, parallel to, but not included in, the NSRF are important, such as the

Portuguese Rural Development Plan and Fisheries Plan (€4 billion from European Agricultural Fund for Rural Development and European Fisheries Fund) and the National Strategic Environmental Assessment (SEA) for the NSRF and OPs.

Drafting procedure

1) To what extent has the lead ministry for the development of the National Strategic Reference Framework applied inter-ministerial consultation? Was the environmental ministry an equal partner in this process?

Several ministerial councils have met, resulting in resolutions concerning the NSRF. The general guidelines have been decided and inter-ministerial consultation is over. After the public discussion of the OPs, more discussion will occur at ministerial level to finalise documents.

The environmental minister, Francisco Nunes Correia, is the minister responsible for the NSRF, since in Portugal the Ministry of Environment is also the Ministry of Regional Development. The formal group (NSRF Working Group) created for the governmental leading of this process, co-ordinated by the General Director of the Regional Development, includes among others, representatives of the Finance and Public Administration Ministry; the Environment, Territory Planning and Regional Development Ministry; and the Work and Social Solidarity Ministry.

2) To what extent has the lead ministry for the development of the National Strategic Reference framework applied the partnership principle and included social economic and environmental partners in the drafting process? Were environmental partners treated equally to the other part-

ners? How are the consultation processes organised? What were the techniques of consultation?

The NSRF Working Group has, as one of its objectives, to include individuals of ability and experience in the strategy and the implementation of the next period of regional politics programming. It also decides on the participation of economic and social, national and regional partners in the process of elaboration of the NSRF and the OP, and the different ways for them to interact with the NSRF Working Group in accordance with the following guidelines:

- The participation of the economic and social partners takes place in more relevant stages of the of preparation of the NSRF and OP;
- The Economic and Social Council and the Permanent Social Advice Council constitute the privileged forums to assure the formal participation of the economic and social partners.

The consultation processes were mostly working meetings between the national government or regional governmental authorities and one or more social and economic partners. In these, the partners had the opportunity to communicate to the authorities their expectations and suggestions (for example, local municipalities were asked to give to the regional authorities needs that could be included in the programming). Some of these meetings were directly addressed to a specific subject; for example, tourism development or water distribution and treatment.

No environmental partners were called upon to participate in the in the early drafting process of the OPs. Very few were able to be present during the final stages of the public presentations of regional OP construction. The NSRF document is finalised and the OPs are in the phase of public dis-

cussion, i.e. open to the general public, where environmental partners will have the opportunity to contribute. The OPs are available for download and a period of one month (15 January to 15 February 2007) is open to contribute on those documents.

3) To what extent have other ministries or regional authorities consulted with economic, social and environmental non-governmental partners in order to formulate the positions that they submit to the lead ministry?

Each regional governmental authority (CCDR - Commissions of Coordination and Regional Development, responsible for the Regional Operational Programmes), has conducted a consultation process on its own, in the context of their regional OP. This process was done through working meetings with regional partners from the administration. No Environmental NGOs were consulted directly. LPN has mentioned in several meetings with authorities the willingness to actively participate and contribute to the programming.

Each Portuguese region (North, Centre, Lisbon, Alentejo and Algarve) has conducted one open meeting where presentations on priorities for the NSRF in each region were made, and the public present in those meetings could address the decisions makers. Nevertheless, the possibility for real intervention, especially for environmental NGO partners, was very limited. The public presence was very strong with 1200 people in the 5 open meetings.

4) To what extent is a follow-up process in place: how are the given comments integrated in the follow up documents? Do such documents exist? To what extent can stakeholders comment on the new/revised documents?

For the NSRF document, economic, social

and political partners were able to contribute directly, but no feedback on their real influence on the document is available. So far and in relation to the OPs, no follow-up process is in place since general public consultation as just started. Nevertheless, it is expected that other stakeholders or the general public will have the chance to comment on the documents through a more formal and public participation process. However, since we are in the final stage of the process, the level of real influence upon the already structured documents is expected to be low.

5) Is there a feed-back mechanism to draw from lessons learned from previous programming periods or mid-term reviews into the development of the strategic framework? Can adaptation of the document be applied over the implementation process?

References to a feed-back mechanism to draw from lessons learned from previous programming periods come from the evaluation on the previous 2000-2006 European funds. The NSRF and each OP take into account the conclusions of the evaluation of this mechanism in order to enhance its positive results and to overcome the identified problems. Some considerations were already being made and taken into consideration in the present process, such as:

- the 2000-2006 European funds has led to 11 thematic OPs and 7 regional OPs, and it is stated that, in comparison with other European countries, there was a dispersion between the thematic OPs. Now, there are only 3 main thematic OPs;
- the financial, economic, social and environmental sustainability of each project must assume great relevance in the next cycle of the funding programme, in order to promote their viability beyond the

phase initial investment.

- Need for on-going monitoring mechanisms....among others.

All regional OPs have a chapter on lessons learnt from the previous programme.

- 6) To what extent has the partnership principle and the inclusion of social, economic and environmental partners been applied in the drafting process for the environmental OP and/or other OPs which are of crucial importance for the environment (such as the Transport OP)? Were environmental partners treated equal to other partners?

There is no specific environmental OP, but one of the 3 main OPs (thematic) is related to Territory Valorisation and deals with priorities more related to the environment, such as Environment Protection and Risk Prevention, Energy and Transport. Nevertheless, in the other OPs, especially the Regional ones, there are priorities also related to environment. Those responsible for the construction of the OPs were very careful about complying with the partnership principle, but only for social, political and economic partners. To our knowledge, no environmental partner has been invited to the drafting process. Thus, environmental partners were not at all treated equally to other partners.

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]:

How far were environmental public authorities involved in the drafting process of the NSRF? – 6

Were their (governmental sector) contributions taken into account? – 3

How far were environmental NGOs involved

in the drafting process of the NSRF? – 1

Were their (non-governmental sector) contributions taken into account? – Too soon to know (will happen in current public discussion).

How accessible was all information regarding the programming process of the NSRF? – 4

How transparent was the public consultation conducted during the drafting process of the NSRF? – 4

Were consultation documents given in a timely manner? – 2

To what extent are lessons learned from previous or ongoing programming periods incorporated? – 4

How transparent was the drafting of key OPs? – 3

To what extent were environmental stakeholders included effectively in the drafting of key (environmental) OPs? – 1

Environmental integration and sustainable development

- 1) To what extent is there a reference to key environmental goals, to sustainable development, to the Göteborg strategy, to the 6th Environmental Action Programme or other key Community texts in environmental protection and sustainable development?

In all OPs and the NSRF, there is a reference to the Lisbon and Göteborg Agendas. The Lisbon Agenda is considered in the NSRF to be the main aspect for the Portuguese agenda relating to European economic policy. The European Union Sustainable Development Strategy is addressed in the National Strategic Environmental Assessment (SEA) for the NSRF and the OPs, which is an analysis of these documents taking into consideration a series of factors, such as the EU

Sustainable Development Strategy. This Strategy is transposed by the Portuguese Government into the National Sustainable Development Strategy and the National Plan for Territory Management, documents that were finished prior to the NSRF and should run parallel to the OPs. There are references to the need for a co-ordination between the NSRF and the OPs and other national plans such as the National Strategy for Sustainable Development, the National Plan for Growth and Employment, and the National Plan for Territory Management. Sustainable development is referred to in all NSRF documents and most frequently relates to the economy, energy or transport strategies. The 6th Environmental Action Programme is only mentioned once in the SEA, and no other reference occurs through the NSRF and OP documents. References to other important environmental goals are very scarce (e.g. 1 citation of the Countdown 2010 initiative in the Regional OP Alentejo). In general, the references are there, but strategies to achieve practical applicability are absent.

2) To what extent are Natura 2000 measures, sustainable transport, the implementation of the Water Framework Directive and the CO₂ reduction measures mentioned as priorities in the overall national programming documents?

The Environment appears very frequently in connection with the energy problem in the competitiveness context of the national economy. Climate change and the fulfilment of international agreements to reduce greenhouse gases are described as a major priority in the NSRF. Priority public policies are indicated that aim to diversify the production of energy (stimulating the investment in renewable energy sources and coal with new technologies of combustion and CO₂ sequestration) as well as to improve

the energy efficiency.

Another priority is landscape and urban planning that promotes more efficient transport systems, improves regional and local connectivity and better water treatments.

The Natura 2000 Network is only mentioned 3 times in the NSRF (the document has 192 pages). This is because the responsibility of supporting Natura 2000 lies mostly with the Rural Development Plan. This Plan is parallel to the NSRF and not included in it.

Again, in the NSRF document, the Water Framework Directive is not mentioned and CO₂ reduction measures only once.

Sustainable Development is mentioned several times but mostly with an economic context. It is in the SEA documentation that Natura 2000, sustainable transport, the Water Framework Directive and CO₂ reduction are more frequently referred to and assume major importance. Environmental quality (as related to air, water, noise and soil), climate change, biodiversity, environmental and technological risks are addressed as environmental and sustainability factors.

In the main OP related to environment (Territory Valorisation OP), the Natura 2000 network and the National Network of Protected Areas are mentioned 4 times. The Water Framework Directive is mentioned very few times and most of these references are related to prevention of pollution and investments in water quality for populations. In terms of regional OPs, which are more precise and operational, there are more references to Natura 2000. The regional OP Alentejo sets a good example with nature conservation and promotion of biodiversity as an important topic, with several listed possible actions to be taken to promote and conserve these aspects. Natura 2000 and the Kyoto Protocol are mentioned several times as guidelines and as objectives for environmental activities.

3) To what extent is the need for horizontal integration of the environment mentioned in the programming documents? Are mechanisms described to ensure the integration? Are key roles for the environmental authorities envisaged to ensure this? Are resources allocated to ensure this? (training, technical assistance etc.)

In the main NSRF document, there are references to the need for an articulation between the NSRF and the OPs and other national plans such as the National Strategy for Sustainable Development and the National Plan for Territory Management. Also addressed is the need to integrate NSRF OPs with European Agricultural Fund for Rural Development and the Fisheries Plan, which deal with important environmental aspects such as Natura 2000 or coastal areas. There is no specific methodology to ensure the integration, but since the environmental concerns (especially those relating to energy efficiency and transport) are there, it is expected that the approval of future projects/activities under the NSRF funding will have to act in accordance with those concerns. Success indicators of each project will also deal with these concerns. There are funds available for training, technical assistance, and education that, although not already specifically orientated to environmental integrations, may be used for this subject.

4) To what extent are safeguarding mechanisms like the SEA and or the ex-ante evaluation for plans and programmes applied timely, correctly and by independent bodies?

In the context of the construction of the NSRF 2007-2013, a Strategic Environmental Assessment (SEA) was conducted in the structural interventions co-financed by the ERDF and CF. The methodology took into account European Directive

2001/42/CE. This SEA was performed by an independent university (Faculdade de Ciências e Tecnologia – Universidade Nova de Lisboa). However, the good practices of SAE state that alternatives are considered in order to permit selection of the most sustainable options. The NSRF and OPs at the time of the SEA (early 2006) were very generic in specific interventions, and still are in some ways, which did not allow for consideration of alternatives. The OPs are mainly strategic guidelines and in general do not indicate many specific projects to implement. Nevertheless, the SEA identified potential problems and outlined opportunities to address during the OP implementation. Many considerations were taken into account in the OPs.

The ex-ante evaluation is still in progress since it is an all stage programme evaluation and will only end with the delivery of the final OPs to the European Commission. Theoretically, it allows the conclusions of the evaluation to influence all stages of the programme. A process of public discussion of the Environmental Report of the OPs is in progress, parallel to the process of the NSRF.

5) To what extent are environmental considerations mentioned/taken into account in the discussion of other policy priorities (e.g. in transport, employment, etc) rather than in a single section on environment and SD priorities?

In the NSRF main document and Territorial Valorisation OP, the environmental needs are in generally well defined in the context of the Portuguese situation, as well as the strengths and weaknesses, and the opportunities that the implementations of the OPs may provide. Nevertheless, there is a lack of clear information regarding the implementation of projects/activities/actions. The importance of urban areas and quality of life

in cities is a cross-sectoral priority in major and regional OPs and involves air, water and soil quality, transport, and energy efficiency. Thus, environmental quality as human quality of life and economy efficiency is present in policy priorities. Overall, assumed policy priorities, such as Protection and Environmental Valorisation, Urban Policy and Territorial and Social Cohesion, include environmental considerations that, if applied properly, may help biodiversity, natural and landscape heritage, energy resources and risk prevention. The main problem is that many types of actions proposed in the OP do not reflect the rhetoric above.

The Regional OPs reflect this context and may be seen as tools to implement environmental improvements in region-specific projects/activities. Most of the OPs have Environmental Protection as one of the main axes which is reflected in other policy priorities. The question is whether these will be only theoretical compromises or will be put into practice. Good examples are present in OP Alentejo, with outlined activities for implementing projects on nature conservation and promotion of biodiversity.

In the thematic OP “Factors of Competitiveness”, a document dealing with the economy, employment and technology, some negative environmental aspects are identified in the initial context/present situation. Nonetheless, environmental considerations are rarely mentioned and are always related to the competitiveness of economy.

6) What is the overall national/regional management structure of EU Regional Funds in your country and is there a mechanism established to cover environmental issues properly?

The different programmes and OPs, divided by ministries and respective ministers, are concentrated into 3 large, cross-cutting

areas: Human Potential, Factors of Competitiveness, and Territory Valorisation. Each one will be under the guidance of a college of ministers. Several co-ordinating commissions and managing authorities will be created, but so far, no mechanism is expected to be established to cover specific environmental issues besides the overall supervision of the Ministry of Environment in the Funds application (under the Regional Development area of the Ministry) and regular mechanisms of Environmental assessment.

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]:

To what extent is sustainable development mentioned as a priority in the National Strategic Reference Framework (NSRF)? – 4

To what extent are environmental measures (air, energy, waste, water etc) defined in the NSRF? – 5

To what extent are nature protection (Natura 2000 network, etc) measures defined in the NSRF? – 2

To what extent are integration mechanisms for the environment and sustainable development mentioned and defined in the NSRF? – 2

To what extent are environmental safeguarding mechanisms like the SEA and their application mentioned in the NSRF? – 5

Does the overall national/ regional management structure of EU regional assistance implementation support the covering of environmental issues? N.A.

OPs reflect strategic needs for the environment? – 3

Resource allocation across different Operational Programmes

- 1) What total sum or per cent of the total Community monies under Regional Policy go to environment and nature conservation directly (waste, water, air, CO₂ reduction, WFD, Natura 2000 or others). (Give approximate numbers.)

Allocations are not identified clearly for measures exclusively for the environment. Several measures include other aspects besides environment and are spread throughout several OPs and measures. For example, in the OP Territory Valorisation, allocations are given by general priorities and Environment Protection and Risk Prevention is one of them, with a total of €2,070 million of Community funding which is high comparing with the second and third priorities in term of funds: transports (€1.905 million) and Infrastructure (€453.5 million). It seems a considerable sum, however, the defined projects typologies and priorities within Environment Protection and Risk Prevention relate mostly to risk prevention and not directly to environmental protection.

It is not possible to predict the proportion of funds allocated to waste, water, air and CO₂ reduction, or how the proportion that will go to environment and nature conservation directly, since priorities mix these themes with others. For example, other OPs, such as Competitiveness, may allocate funds to CO₂ reduction, energy efficiency or development of scientific studies on green technologies (€39.75 million of Community monies are under Priority Energy), but most money is expected to be used for other aspects than environmental concerns.

In some Regional OPs, allocations are clearer in terms of possibilities of funds for envi-

ronment, since it is divided by priority axis: In OP Alentejo, one of the 3 axes is “Environmental Qualification and Rural Landscape Valorisation”, in which all environmental aspects of the OP are included (water management, prevention of natural risks, recycling, nature conservation and biodiversity, economic valorisation of rural landscape, and coastal landscape management). €131 million of a total of €869 million of the OP’s Community funds are allocated to this axis.

In OP Algarve, the Environmental Protection and Qualification axis may be used entirely for environmental aspects (€18 million) and a second (Territorial Valorisation and Urban Development) of the total of 3 axes in the OP may also be partially used (€61 million of the total of €175 million for OP Algarve). In OP Centre, the Environmental Protection and Qualification axis may be used entirely for environmental aspects (€211 million of the total of €1,702 million of Community funds for OP Centre). Reference to active management of Natura 2000 and Biodiversity is made under this axis.

In OP Lisbon, the Territorial Valorisation axis may be used for environmental aspects mostly related to urban problems (ecological transport, eco-efficiency, etc.) and landscape management (€70 million of a total of €306 million of Community funds for OP Lisbon).

In OP North, one of the 5 main axes is Environmental Qualification and Economic Valorisation of Specific Resources. Most of the allocations to this axis (€400 million of a total of €2,712 million of Community funds for this OP) may be used for environment and nature conservation directly, although the predicted activities include tourism, culture and economic activities. Regarding the Natura 2000 Network, most of the money will come from the European Agricultural Fund for Rural Development.

Overall, the Regional OP allocations are clearer than the thematic OPs. A total of €891 million (17.4% from a total of €5,132 million) destined for Regional OPs has potential for use for environment and nature conservation directly. For the 3 thematic OPs, no estimate for allocations is possible.

2) To what extent are resources allocated by sectors or by problems? How are resources for the environment distributed across the OPs? Are they all combined into one environmental OP or as environmental measures across different OPs?

Resources are allocated by 3 main sectors, corresponding to the three Thematic Operational Programmes: Human Potential, Factors of Competitiveness and Territory Valorisation with funds from ERDF, ESF and CF. Additional funds are distributed by the five Regional Operational Programmes (Funds: ERDF) and two Autonomic regions (Funds: ERDF, ESF). Cooperation Operational Programmes (Funds: ERDF): and Technical Assistance Operational Programs (Funds: ERDF, ESF) complete the list, with a total of €21.5 billion from the EU. An additional €4 billion comes from the European Agricultural Fund for Rural Development and the European Fisheries Fund. As explained in Descriptive Question No.1, environmental measures are scattered across different OPs, and they are not clearly separated from other measures.

3) Are there realistic concerns that measures listed under other OPs (such as under the Transport OP) will be harmful to the environment or to nature conservation?

Looking at the Competitiveness OP, if activities under this OP are steered towards the promotion of eco-efficiency, it is expected to have a positive influence on biodiversity and natural resources, climate change and

quality of environment. The problem is that this is not predictable at this time and Portugal has a tradition of ignoring the environmental context in economic processes. The Territory Valorisation OP includes development connectivity and mobility (roads, infrastructure, etc.) in the regions and in the urban areas. Again, negative impacts on soil, biodiversity and environmental quality are expected to occur, especially since this programme is the largest in European funds use. Of the 13 listed major projects, 9 are road systems and only 2 are train systems. The OP includes two major projects: the New Lisbon Airport (€3.09 billion of total investment), and the high velocity train (€8.3 billion of total investment), together using €1.1 billion from European funds. The predicted roads are considered fundamental to regional and urban connectivity but will mean higher traffic and more CO₂ emissions.

In the Rural Development Programme, along with OP Alentejo, the huge investment on the Alqueva Dam irrigation system and new dams in the Alqueva System to produce irrigated crops in a potential 110 000 ha will contribute to an already dramatic loss of biodiversity and important habitat areas, and also soil contamination in the Alentejo region, considered one of the most important Mediterranean habitat areas. In some regional OPs, tourism is of great importance, and it is not clear that there will be a mechanism for preventing the unsustainable growth of tourism-related infrastructure (hotels, golf courses, etc). To reduce the negative impacts given above, it is very important that an effective monitoring process based on environmental and sustainable criteria is applied in the implementation of the OPs.

- 4) To what extent are environmental authorities nominated as managing authorities? How many OPs are under the sole or partial responsibility of the environmental authorities?

In the Territory Valorisation OP, the Ministry of Environment, Territory and Regional Development will be responsible. The environment minister will also continue to be the main co-ordinator of the NSRF and global manager of the European Funds under the Regional Development sector of the Ministry. Several co-ordinating commissions and managing authorities will be created but no information is available on the exact composition of these commissions and authorities.

- 5) Are the measures defined as “environmental measures” balanced across all potential environmental activities or are they simply prioritising mostly environmental infrastructure issues, such as flood reduction?

Most of the so-called environmental measures are under axes such as Environment Protection and Risk Prevention. Most of environmental measures are considered actions concerning water management, prevention of natural risks, recycling or economic valorisation and management of rural and coastal landscapes. These occur in all regional OPs and mainly in one Thematic OP (Territorial Valorisation). Nature and biodiversity conservation, Natura 2000, and the Water Framework Directive are not common themes regarding environmental measures. Environmental measures concerning aspects such as energy, territorial valorisation, transport and urban development are balanced across OPs, but many deal with infrastructural issues, such as transport systems, waste treatment and collecting systems, flood reduction or fire prevention.

- 6) To what extent does the environmental OP reflect the key environmental needs of a specific MS or region? Are the environmental OP or the environment sections of other OPs of a high strategic and of high programming quality?

There is no specific environmental OP.

There are references to environmental aspects in the OPs, especially in the Territorial Valorisation OP. The main environmental aspects in the OPs translate priorities related to environmental quality (mainly urban aspects such as transport and water treatment), into energy efficiency (but mostly in an economical benefit for investment), into natural resources risk management (water quality, soil preservation, fires and droughts), and into transport, energy and climate changes (underdevelopment of train, ports and airport systems). All of these are considered to be aspects that need improvement in Portugal. Each Regional OP translates the above priorities to the specific need of each region.

In comparison with other Member States, Portugal possesses a large degree of natural diversity, with important biodiversity in the terrestrial, coastal and marine areas. This, and a need to develop efficient strategies for Environment and Biodiversity preservation is acknowledged in the OP. However, this is done more in terms of prevention of natural risk that may lead to a loss of ecological important areas, than the protection and management of biodiversity.

Scoring questions

To what extent is the share of resources spent on the environment adequate (to be around 30%) in comparison to shares of monies spent on other priorities? – 2

To what extent are allocations for the environment reflected in the different OPs? – 3

To what extent are resources allocated for environmental integration in every OP?

– Not clear.

To what extent do other OPs contain potential harmful priorities for the environment?

– 4

To what extent is the environmental ministry responsible for the environmental OP or for the environmental parts of other OPs? – 5

Are the foreseen mechanisms to oversee and implement the environmental OP adequate for this role? – Not clear.

To what extent are the environmental priorities proposed balanced across all potential environmental priorities? – 3

To what extent does the environmental OP or environmental sections in other OPs reflect strategic needs for the environment?

– 3



NATIONAL CHAPTERS ROMANIA



This chapter has been compiled by Raluca Barbu, WWF Danube Carpathian Programme Romania, reflecting the status of February 2007.

Overview of the programming architecture

The chapter contains information on: OP Environment, Regional Development and Transport Infrastructure. Romania receives a total of 19,668 billion euros from Structural Funds and the Cohesion Fund, and 17, 317 billion euros from the Regional Funds budget for 2007-2013. In detail, Romania was allocated 6,552 billion euros from the Cohesion fund, 12,661 billion euros from ERDF convergence and 455 million euros for accomplishing the European territorial co-operation objective. For benefiting from the Cohesion Fund, the state member's per capita GNP must be less than 90% of the community average, as it is for all the new state members. The convergence fund addresses those regions for which per capita GNP is less than 75% of the EU average (calculated in 2000-2002). Among these, the 12 least prosperous (with a GNP of less than 25% of EU average in 2002) are situated in Romania according to the fourth Cohesion Report of the European Commission.

In Chapter 21 "Regional policy and structural instruments coordination" regarding the institutional framework required by structural and cohesion funds management, it was pointed out that the Ministry of Public Finance has the duty to co-ordinate the NSRF development. This responsibility

transfer was officially settled through Governmental Decision no.272/2004 regarding the designation of the Ministry of Public Finance as the Management Authority for the Community Support Framework and the Managing Authority for the Cohesion Fund.

There are eight stages for the NSRF development, including different forms of involvement of civil society. The most important among all principles for civil society are the principles of co-operation, equal opportunities for all citizens, sustainable development and cohesion.

Chapters/sections of the NSRF 2007 – 2013 are as follows:

- Analysis of economical and social situation (including SWOT);
- Development priorities for planning the 2007-2013 period;
- Strategy regarding priorities accomplishment;
- Multi-annual financial planning;
- Presentation of NSRF implementing mechanisms;
- Description of the NSRF partnership framework

Operational Programmes (OPs) of the NSRF 2007 – 2013 are:

- 1) Increase of Economic Competitiveness of Romania
- 2) Development and modernisation of transport infrastructure
- 3) Protection and improvement of environment quality
- 4) Human resources and social services
- 5) Regional development and cross border co-operation

6) Administrative capacity development

7) Technical assistance

In addition to these, there is the programme on Agriculture, rural development and fishery funded by the European Agricultural Fund for Rural Development

Table 1: Operational Programmes and Managing Authorities

Operational Programme	Managing Authority	Intermediate Body	Fund
Convergence Objective			
Increase of Economic Competitiveness OP	Ministry of Economy and Trade	National Agency for Small and Medium Sized Enterprises and Cooperatives Ministry of Education and Research (Research Department) Ministry of Communication and Information Technology Ministry of Economy and Trade (Energy Policy General Directorate) National Authority for Tourism	ERDF
Transport OP	Ministry of Transport, Construction and Tourism	Ministry of Transport, Construction and Tourism	ERDF + CF
Environment OP	Ministry of Environment and Water Management	Regional Environment Protection Agencies	ERDF + CF
Regional OP	Ministry of European Integration	Regional Development Agencies	ERDF
Human Resources Development OP	Ministry of Labour, Social Solidarity and Family	National Agency for Employment Ministry of Education and Research (Education Department) 8 regional IBs coordinated by the MoLSSF	ESF
Administrative Capacity Development OP	Ministry of Administration and Interior	Ministry of Administration and Interior	ESF
Agriculture, Rural Development and Fishery	Ministry of Agriculture, Forestry and Rural Development	Paying Agency and Intervention for Agriculture/Paying Agency for Rural Development and Fishery Ministry of Agriculture, Forestry and Rural Development	ERDF EFF
Technical Assistance OP	Ministry of Public	Ministry of Public	ERDF

Drafting procedure

- 1) To what extent has the lead ministry for the development of the national strategic reference framework applied inter-ministerial consultation? Was the environmental ministry an equal partner in this process?

The Ministry of Public Finance (MPF) co-ordinating the NSRF development has held several inter-ministerial consultations with different participants (different ministries involved), organised in working groups according to the Operational Programme. The Ministry of Environment is represented in all working groups, being involved in the official consultation groups (with two roles: participating and representing the NSRF priority concerning environmental protection). The MoE is part of the “Partnership for National Framework”, and involved in the Structural Funds implementation – “Committee for Structural Funds and the Cohesion Fund”. The MoE was in this sense an equal partner to other ministries. Still, one of the first and highly emphasised recommendations following the SEA elaboration concerned the impact of different OPs on Natura 2000 and nature conservation.

- 2) To what extent has the lead ministry for the development of the National Strategic Reference Framework applied the partnership principle and included social, economic and environmental partners in the drafting process? Were environmental partners treated equally to the other partners? How are the consultation processes organised? What were the techniques of consultation?

The institutional and partnership framework for NSRF development was established through Governmental Decision no. 1115/2004.

Structures established for the NSRF partnership are:

- a. At the national level: The Inter-institutional Committee of the NSRF (ICP), which includes ministries’ representatives (decision makers), central public institutions, Regional Development Agencies, research and educational institutions, representatives of economic and social partners;
- b. At the regional level: The Regional Committees of the NSRF (RCN), which include representatives of Regional Development Agencies, as well as representatives of prefectures, County Councils, and representatives of educational, economical and social regional partners.

A plenary assembly of the ICP evaluated the main stages of the NSRF planning process, presented in “Consultative papers”. In October 2004, the first consultative paper of the NSRF was finalised. December 2005 was the deadline for the NSRF over the 2007 – 2013 development period.

The consultation with social, economic and environmental partners has been basically organised within different working groups on OPs, and not as much at the NSRF development level. A big influence on involving public partners (especially NGOs) had the experts assisting the ministries in twinning projects. Other partners involved in the consultation of the NSRF were: employers’ associations/organisations, syndicates, research institutes, regional and local state organisations dealing with EU funds, together with representatives of 8 regional development agencies, associations of municipalities and towns, unions of entrepreneurs, but no NGOs. Most of the involved partners represent the economic/business sector.

The working group for NSRF development is composed of mainly ministries' representatives. Apart from the meetings themselves, no other rules or methods were used, meetings being relatively formal and consisting of presentations. The main issues that occurred during the consultation process were:

1. Most of the managing authorities developed the objectives and measures before elaborating the analysis of each field of activity, underlining the main problems to be addressed in the programme.
2. The "EC final word" was the key argument for not allowing change to the programmes and strategy structures proposed and presented during the meetings.
3. The inter-ministerial committee has not functioned as a framework for input into the OPs. One example is that Natura 2000 inclusion was avoided in cross-cutting the OP Transport and OP Environment. Thus, the OP Transport was first sent to the government to be approved and only subsequently discussed with the MoE.
4. Most of the OPs (especially OP Transport) were not posted on the ministry's website, and thus were not very transparent. At the MoE, the OP was on the website all the time.
5. The documents were transmitted eventually with little time before consultations. Thus, formulating meaningful comments was difficult.
6. The EC delays in issuing implementing procedures or guidelines have been many times a strong argument for delaying the formulation of a clear analysis, objectives and measures.

- 3) To what extent have other ministries or regional authorities consulted with economic, social and environmental non-governmental partners in order to formulate the positions that they submit to the lead ministry?

The MoE has been found (during the programming period a Structural Funds Coalition it has been established which monitored the MoE, MoA, Ministry of National Defence and Ministry of Labour developing the OPs. WWF has been monitoring the MoA) to be organising most of the consultations with public partners concerning OP Environment. However, most of the consultations were relatively superficial, lacking real consultation and only introducing the inputs and comments.

Basically, NGOs were contacted and involved by the experts assisting the MoE and MoT in creating comments. Within the SEA reports, the independent organisation (REC Hungary was the leader organisation for SEA for most of OPs) strongly recommended the involvement of environmental NGOs to counterbalance the proportion of other sectors.

During the two "Financing Natura 2000" national seminars (the last one being organised in November 2006) for the various potential beneficiaries of structural funds (farmers, fishermen, forestry associations, representatives of communities associations, representatives of local and regional authorities etc) it has become clear that they are not aware of the opportunities that the OPs can provide.

- 4) To what extent is a follow-up process in place: how are the given comments integrated in the follow up documents? Do such documents exist? To what extent can stakeholders comment on the new/revised documents?

The Ministry of European Integration as the

managing authority for OP Regional Development was recognised as the most transparent ministry. From the very beginning, they organised public consultations and posted the programme on the website to be commented upon, involving partners from economic, social and environment fields equally and partly including their comments.

At this moment, most of the ministries responsible by developing and implementing OPs financed by SFs posted the final and previous versions of the programmes and the relevant SEAs, and they designed a special email address for interested stakeholders for sending comments and observations. However, this comes after they submitted the programmes more or less officially to the Commission.

Apart from the public consultations on OP Environment, the Ministry of Environment organised meetings only with NGOs representatives on Natura 2000. Most of the comments have not been introduced into the programme. The Department of Biodiversity, responsible for Natura 2000 implementation, was the main bottleneck for the ministry's communication with NGOs involved in Natura 2000 and in taking into consideration the NGOs' comments, especially regarding priority 4, "Implementation of appropriate management systems for nature protection".

As only few Romanian institutions had implemented programmes or strategies funded with EU money in the pre-accession period, this programming period has contributed useful experience to the development of public consultations.

5) Is there a feed-back mechanism to draw from lessons learned from previous programming periods or mid-term reviews

into the development of the strategic framework? Can adaptation of the document be applied over the implementation process?

In Romania's case, the current programming process is a new exercise. The report/analysis of 2004 – 2006 NSRF was not included into the diagnosis element of the current NSP, so there is a relative consistency between the two strategic frameworks. In conclusion, there is no clear feedback mechanism developed. OP Environment, OP Transport, and OP Agriculture and Rural Development present only the number of projects which have been implemented with EU money in the previous period.

6) To what extent has the partnership principle and the inclusion of social, economic and environmental partners been applied in the drafting process for the environmental OP and or other OPs which are of crucial importance for the environment (such as the Transport OP)? Were environmental partners treated equal to other partners?

During the preparation of OP Transport Infrastructure, only a few public consultations have been organised by Ministry of Transport, and they occurred in the last two months. Of nature conservation or environmental organisations, only WWF has been present at the meetings, making comments on Natura 2000 (briefly mentioned) and the Water Framework Directive (not mentioned at all). Further correspondence was carried out only by e-mail and the comments were partly incorporated into the programme text. There was not an equal distribution of partners within the working group; most of them represented the economic sector.

The development of OP Environment was initiated in May 2005, officially starting in March 2006. It has gone through consider-

able change and restructuring. During the public consultations, a significant number of environmental and socio-economic organisations were invited. From this point of view, the principal of partnership was achieved.

For the preparation of OP Regional Development, the Ministry of EU Integration involved an equitable structure of partners, the public consultation process being strongly encouraged by the experts assisting the managing authority. Nevertheless, the input on the environment or nature situation (esp. Natura 2000 and protected areas) in Romania included in OPs has been mainly ensured by the MoE, who did not fight for them until the end, especially from the point of view of proper financial allocation.

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]:

How far were environmental public authorities involved in the drafting process of the NSRF? – 4

Were their (governmental sector) contributions taken into account? – 4

How far were environmental NGOs involved in the drafting process of the NSRF? – 3

Were their (non-governmental sector) contributions taken into account? – 3

How accessible was all information regarding the programming process of the NSRF? – 3

How transparent or open was the public consultation conducted during the drafting process of the NSRF? – 4

Were consultation documents given in a timely manner? – 2

To what extent are lessons learned from

previous or ongoing programming periods incorporated? – 2

How transparent was the drafting of key OPs? – 3

To what extent were environmental stakeholders included effectively in the drafting of key (environmental) OPs? – 2

Environmental integration and sustainable development

1) To what extent is there a reference to key environmental goals, to sustainable development, to the Gothenburg strategy, to the 6th Environmental Action Programme or other key Community texts in environmental protection and sustainable development?

Considering the development gap between Romania and the EU (Romanian GDP per capita in 2004 was 31.1% of the EU average), the NSRF “function[s] as an instrument for accelerating the economic and social convergence process”, stating as objective: The rapid reduction of the social and economic development disparities between Romania and the EU member states. Its specific objectives are:

- increasing the long term competitiveness of the Romanian economy;
- infrastructure development at European standards;
- more efficient use of Romania’s human capital.

Within the 3rd priority, “Protection And Improvement Of Environment Quality”, concerning the previous environment protection national strategies, the Gothenburg strategy is mentioned: “national strategies also include the conclusions and recommendations of European sustainable development strategies (Lisbon and Gothenburg) and of the 6th Environment Action Program, with a

view to ensure the preservation, protection and improvement of the environment, the protection of public health and the sustainable use of natural resources". The Johannesburg agreement is another document briefly mentioned. The Lisbon strategy is the most important reference for the NSRF.

2) To what extent are Natura 2000 measures, sustainable transport, the implementation of the Water Framework Directive and the CO₂ reduction measures mentioned as priorities in the overall national programming documents?

There is no clear/distinct specification of Natura 2000, except "Following the negotiations on Chapter 22 "Environment", Romania has the obligation to establish the Nature 2000 Network by the accession date. After this date, Romania must provide management and monitoring plans for all the sites to be included in this network." The two EC Directives governing Natura 2000 are specified as main legal documents for Romania in engaging to respect and implement biodiversity.

The NSRF foresees "priority investments in order to comply with the relevant Directives water and used water". Concerning the CO₂ reduction measures, within the priority concerning environment protection there is a distinct objective stating: "the aimed objective is the improvement of the air quality in accordance with the requirements of Frame Directive 96/62/EC and of related directives: Directive 2001/81/EC on national emissions ceilings, Directive 2001/80/EC on the limitation of emissions of certain pollutants into the air from large combustion plants, Directive 2000/76/EC on the incineration of waste and Directive 2001/77/EC on the promotion of electricity".

3) To what extent is the need for horizontal integration of the environment mentioned in the programming documents? Are mechanisms described to ensure the integration? Are key roles for the environmental authorities envisaged to ensure this? Are resources allocated to ensure this? (training, technical assistance etc.)

The NSRF states that, "sustainable development represents a global concern. Romania is planning to achieve the three inter-dependent objectives of sustainable development: environment protection, social development and economic welfare", focusing on the following directions:

- sustainable development of natural values and improvement of the quality of the environment;
- integration of environment protection policies within regional and sector policies;
- protection and preservation of the natural heritage, preservation of biodiversity;
- reduction of differences between regions and improvement of people's access to public services;
- promotion of education on environment protection and information flow.

The mission of sustainable development contained within Contribution to horizontal objectives is:

- to consolidate environment protection and
- to reduce the negative impact on the environment.

4) To what extent are safeguarding mechanisms such as the SEA and or the ex-ante evaluation for plans and programmes applied timely, correctly and by independent bodies?

The ex-ante evaluation is not a commonly used evaluation practice. The SAPARD Programme is one of the singular situations when ex-ante evaluation has been done. An

Italian independent body produced the evaluation. However, the conclusions/recommendations developed has not been presented or made public. Government Decision no. 918/2002 is the national legal document based upon which Romania has begun to apply the environmental impact assessment. The process of developing the environment impact assessments were much criticised for not being carried out transparently. In consequence, there is little experience of applying both ex-ante evaluation and SEAs in Romania in the previous period.

Concerning the OPs, the Ministry of EU Integration has posted the SEA for OP Regional Development. Both the MoE and the Ministry of Transport organised meetings and sent the SEA reports for OPs they are developing.

All the SEAs have been produced by REC Hungary in partnership with various independent bodies. In the case of OP Transport and Environment, the most significant and critical recommendations are:

- intensify consultations of environmental organisations/partners,
- better inclusion of main EU legal documents (Directives on Natura 2000, WFD) as main impact indicators.
- more attention needs to be given to Natura 2000, which is poorly represented as a commitment of both protecting unique nature in Romania and complying with EU legislation.

However the process of applying SEA to OPs is currently ongoing and becoming a more transparent process.

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]:

To what extent is sustainable development mentioned as a priority in the National Strategic Reference Framework (NSRF)? – 5

To what extent are environmental measures (air, energy, waste, water, etc) defined in the NSRF? – 4

To what extent are nature protection (Natura 2000 network etc) measures defined in the NSRF? – 3

To what extent are integration mechanisms for the environment and sustainable development mentioned and defined in the NSRF? – 3

To what extent are environmental safeguarding mechanisms such as the SEA and their application mentioned in the NSRF? – 2

Does the overall national/ regional management structure of EU regional assistance implementation support the covering of environmental issues? – 2

Resource allocation across different Operational Programmes

1) What total sum or per cent of the total Community monies under Regional Policy go to environment and nature conservation directly (waste, water, air, CO2 reduction, WFD, Natura 2000 or others). (Give approximate numbers)

Apart from OP Environment there are not many additional allocations for Natura 2000, WFD. The overall distribution of funds per OP is presented in Table 2.

Axis 2 of OP Agriculture and Rural Development and axis 2 and 4 of OP

Fishery have allocated money for nature conservation as well, but these are still under discussion.

Table 2: Overall allocations by OP

Operational Programme	Total Funding	Relevant axis/measures
Macro-economical analysis (technical assistance and capacity building)	170.24 million Euros	-
Development of the Romanian economy's competitiveness	3.9 billion euros	-
Development and modernisation of transport infrastructure	4.5 billion euros	Axis 4 Development of Sustainable Transport, measure 4.3 Minimization of negative impacts of transport over environment
Protection and improvement of environment quality	4.5 billion euros	Entire OP
Human resources and social services	3.5 billion euros	-
Agriculture, rural development and fishery	7.8 billion euros (In axis 2, about 600 million euros has been estimated to be allocated to nature conservation)	Axis 2/ Natura 2000, Agri-environment, Forestry measures Axis 2 of OP Fishery + Axis 4 (supporting ecotourism for Natura 2000 sites)
Regional development and cross border cooperation	3.7 billion euros	Axis 4, Development of local and regional tourism/ measure 4.2 Creation/Development/Modernisation of the infrastructure for valuing the natural resources

170.24 million euros are allocated distinctly for building capacity and technical assistance. The money is managed by the Ministry of Public Administration and Interior and Ministry of Public Finance.

OP Environment is the only programme which has a budget that breaks down the environmental problems. In the others, there is a clear allocation by sector. There is no distinctive allocation to address environmental problems.

2) To what extent are resources allocated by sectors or by problems? How are resources for the environment distributed across the OPs? Are they all combined into one environmental OP or as environmental measures across different OPs?

3) Are there realistic concerns that measures listed under other OPs (such as under the Transport OP) will be harmful to the environment or to nature conservation?

The development of some motorways and European roads are planned close to Natura 2000 sites. There are already some discussions between the MoE and the Ministry of Transport in this respect in order to devise a solution to avoid the fragmentation of Natura 2000 sites. In addition, the NGOs have also reacted to avoid this. On the other hand, a strong emphasis has been put on tourism development, potentially creating significant conflicts with the sustainable development concept in terms of protecting the Natura 2000 sites through pressures such as buildings, landscape deterioration, ski lifts etc.

4) To what extent are environmental authorities nominated as managing authorities? How many OPs are under the sole or partial responsibility of the environmental authorities?

The Ministry of Environment is the only nominated authority for managing the environmental OP.

	Operational Programme	Managing Authority	Fund	Objective
1.	Regional	M. Construction and Reg. Development	ERDF	convergence
2.	Environment	M. Environment	ERDF, CF	convergence
3.	Transport	M. Transport	ERDF, CF	convergence
4.	Information society	Governmental Office	ERDF	convergence
5.	Research and development ¹	M. Education	ERDF	convergence; regional competitiveness and employment
6.	Competitiveness and economic growth	M. Economy	ERDF	convergence
7.	Education ²	M. Education	ESF	convergence; regional competitiveness and employment
8.	Employment and social inclusion ³	M. Employment and Social Aff.	ESF	convergence; regional competitiveness and employment
9.	Health Care	M. Health Care	ERDF	convergence
10.	Technical assistance	M. Construction and Reg. Development	ERDF	convergence
11.	Bratislava county	M. Construction and Reg. Development	ERDF	regional competitiveness and employment

5) To what extent does the environmental OP reflect the key environmental needs of a specific MS or region? Are the environmental OP or the environment sections of other OPs of a high strategic and of high programming quality?

The main environmental priorities described within the Environment OP are identified quite correctly. However, when going into details, some are not defined properly from a conceptual point of view. For instance, after subsequent requests from environmental organisations, the investments in biodiversity or water protection (from the WFD point of view) are rather seen as being expensive and not especially urgent. The OP is mainly orientated towards used water, sewage systems and waste management. This fact is consequently reflected in the financial allocation. In addition, the component of raising awareness is not clearly represented.

mental priorities? – 2

To what extent do the environmental OP or environmental sections in other OPs reflect strategic needs for the environment? – 2

Scoring questions:

To what extent is the share of resources spent on the environment adequate (to be around 30%) in comparison to shares of monies spent on other priorities? – 2

To what extent are allocations for the environment reflected in the different OPs? – 2

To what extent are resources allocated for environmental integration in every OP? – 1

To what extent do other OPs contain potentially harmful priorities for the environment? – 5

To what extent is the environmental ministry responsible for the environmental OP or for the environmental parts of other OPs? – 6

Are the foreseen mechanisms to oversee and implement the environmental OP adequate for this role? – 3

To what extent are the environmental priorities balanced across all potential environ-

NATIONAL CHAPTERS SLOVAKIA



This chapter has been compiled by Milan Janak, DAPHNE – Institute of Applied Ecology, reflecting the status of January 2007.

Overview of the programming architecture

During the 2007 – 2013 programming period, Slovakia should receive €7 689 165 932 from Structural Funds and €3 898 738 563 from the Cohesion Fund, which is altogether €11 587 904 495. For the “Convergence” objective, the entire territory of Slovakia except Bratislava County is eligible, which represents 88.84% of population of Slovakia. The territory of Bratislava County, with 11.16% of population, falls under the “Regional Competitiveness and Employment” objective. The two above-mentioned objectives will be implemented through the National Strategic Reference Framework 2007 – 2013 for Slovakia (NSRF).

Responsibility for co-ordination of the NSRF preparation was assigned to the Ministry of Construction and Regional Development. Preparation of the NSRF has run from the beginning of 2004, according to the schedule adopted by the Government of Slovakia. The first draft of the document was adopted by the government in October 2005, followed by second draft in May 2006, in which the above-managing authorities, number and titles of operational programmes, financial allocations were stated and which also specified the further process for the development of programming documents and implementation pro-

cedures. The new government established after elections in June 2006 revised the NSRF, a number of operational programmes and the financial allocations. The final draft of the NSRF, together with all operational programmes, was prepared by the end of November 2006 and adopted by the government on 6th December 2006. Altogether, there are 11 Operational Programmes under the NSRF 2007 – 2013, from which 10 implement the “Convergence” objective and 4 the “Regional Competitiveness and Employment” objective. Furthermore, a National Monitoring Committee has been established for the overall monitoring of NSRF, and for each OP a special monitoring committee will be established.

	Operational Programme	Managing Authority	Fund	Objective
1.	Regional	M. Construction and Reg. Development	ERDF	convergence
2.	Environment	M. Environment	ERDF, CF	convergence
3.	Transport	M. Transport	ERDF, CF	convergence
4.	Information society	Governmental Office	ERDF	convergence
5.	Research and development ¹	M. Education	ERDF	convergence; regional competitiveness and employment
6.	Competitiveness and economic growth	M. Economy	ERDF	convergence
7.	Education ²	M. Education	ESF	convergence; regional competitiveness and employment
8.	Employment and social inclusion ³	M. Employment and Social Aff.	ESF	convergence; regional competitiveness and employment
9.	Health Care	M. Health Care	ERDF	convergence
10.	Technical assistance	M. Construction and Reg. Development	ERDF	convergence
11.	Bratislava county	M. Construction and Reg. Development	ERDF	regional competitiveness and employment

Drafting procedure

1) To what extent has the lead ministry for the development of the National Strategic Reference Framework applied inter-ministerial consultation? Was the environmental ministry an equal partner in this process?

The Ministry for Construction and Regional Development (MCRD), which is the lead ministry for the development of the NSRF, has organised inter-ministerial consultation on several levels. The working group of ministers and vice-ministers concerned with implementation of EU funds has been created as a body to shape the NSRF before its submission. Furthermore, an inter-ministerial working group, composed of the directors of relevant divisions of ministries dealing with EU funds has been established. The Ministry of Environment is represented in both working groups. Moreover, representatives of the MoE have been involved in the official consultation groups for the NSRF preparation – the “Partnership for National Framework” – and SFs implementation – “Committee for Structural Funds and Cohesion Fund”. The MoE was in this sense an equal partner to other ministries.

2) To what extent has the lead ministry for the development of the National Strategic Reference Framework applied the partnership principle and included social, economic and environmental partners in the drafting process? Were environmental partners treated equally to the other partners? How are the consultation processes organised? What were the techniques of consultation?

Consultation with social, economic and environmental partners has been basically organised through the expert group “Partnership for National Framework”. In this group, representatives of relevant ministries and state organisations dealing with EU funds, together with representatives of 8 regional governments, the union of municipalities, unions of entrepreneurs, NGOs and other interest groups were involved. Two representatives of environmental NGOs were present (though representing/nominated by not only environmental, but also social justice, cultural heritage and other NGO platforms) in this expert working group. In this sense, inclusion of environmental partners in programming structures was sufficient. However, there were a few flaws during the working group’s operation:

1. The working group used to be rather a

^{1 2 3} Also includes the Regional competitiveness and employment objective.

formal discussion platform for discussing the analysis, synthesis, and other steps of NSRF preparation. There were no rules of operation set for the working group, so the ministry was not obliged to really take into consideration the given comments. The comments of NGOs given within period of 10 months (February-December 2005) were, without any explanation, not taken into consideration.

2. The logical order of programming was not respected – the strategic goal and the priorities were drafted before the analytical part of NSRF was completed and sufficiently discussed with partners. The proposed goal and priorities were not discussed within the “Partnership” working group before they were submitted to the government for approval. The proposal was finally withdrawn from the government’s meeting agenda and the consultation was organised.
3. Time for commenting upon the key documents (analysis of sector, analysis of regions, strategic goal and priorities) was usually very restricted. Usually, only 5 days were given for commenting, accompanied by the claim that the short consultation period is due to EU affairs. A few times it happened that the documents were sent out for comments on Friday (or the day before holidays) and comments should be submitted on the following Monday. This practice improved only at the very last stage of NSRF preparation, when for the final version, 10 working days were given for comment.
4. The National Sustainable Development Strategy was not used as a resource document for the preparation of the NSRF from the very beginning. Later, due to several comments by environmental NGOs, the NSDS was listed as resource document for the NSRF (but only formally). Based on further protests by the

NGOs, and as the SD concept has been added into the Community Strategic Guidelines, this approach has also been incorporated into the NSRF and its vision, goal and priorities. The flaws in programming and the merely formal inclusion of partners into the programming process in 2005 have led NGOs to an official boycott of the programming of 2007 – 2013 EU funds and also of the monitoring of 2004 – 2006 EU funds. NGOs have sent a complaint to representatives of the European Commission negotiating the NSRF with the Slovak government in December 2005. The MCRD consequently tried to organise separate meetings with representatives of the NGOs to discuss their critical comments on the NSRF, but this was rejected by the NGOs as not transparent and unfair to other partners. Several round table discussions with NGO representatives followed, and, in March 2006, NGOs reactivated their participation in the programming and monitoring of EU funds. The ministry consequently improved the quality and transparency of programming, making memos from expert group meetings, incorporating the sustainable development concept into the NSRF, giving more space for commenting and evaluating received comments, with reasons for non-inclusion, etc.

- 3) To what extent have other ministries or regional authorities consulted with economic, social and environmental non-governmental partners in order to formulate the positions that they submit to the lead ministry?

The most intensive co-operation of environmental authorities and environmental NGOs occurred with the EAFRD and proposals for the Rural Development Programme.

Furthermore, some consultation took place

about the LIFE+ programme.

Consultations for the SFs have happened only through the official working group for the preparation of the Environment OP, which ran parallel with the preparation of the NSRF in 2006. These consultations were, however, rather formal and only minor comments given by NGOs were taken in consideration; some were even neglected without explanation. Co-operation with the Ministry of Environment, the Department of Nature and Landscape Conservation was organised later in 2006 due to the activities of the “Financing Natura 2000” EU tender. The results of the seminar and the discussion about funding shortfalls improved the communication of the Nature Conservation Department with the Department of Environmental Programmes and Projects, which was in charge of the Environment OP preparation. The allocation for the nature conservation priority axis has been increased as a consequence.

4) To what extent is a follow-up process in place: how are the given comments integrated in the follow up documents? Do such documents exist? To what extent can stakeholders comment on the new/revised documents?

The flaws in programming and the rather superficial inclusion of partners into the consultation process of the NSRF resulted in an NGO boycott of EU funds programming and monitoring in December 2005. NGO reps in official structures preparing the NSRF as well as those monitoring the SFs and CF 2004 – 2006 implementation suspended their activities in the monitoring committees and working groups. The problems were overcome in March 2006 after several round table meetings. The final NSRF document was prepared during October-November 2006. Some comments were incorporated into the final document;

those not accepted were discussed in a further negotiation meeting where the conflicting issues were clarified. The evaluation of the consultation process has been summarised in one document where the reasons for inclusion/non-inclusion are specified (this is usual practice for all documents being submitted to the government for approval). However, some comments were not taken into consideration, or left open to be resolved in the consultation process for OPs. The preparation of Operation Programmes has not followed the same procedure, however. For the Environment OP, the meeting to resolve conflicts was not organised and some comments were just omitted and even not shown in the consultation evaluation. On the 6th of December 2006, the government approved the NSRF, and all OPs were prepared to be ready for the negotiations with the European Commission.

5) Is there a feed-back mechanism to draw from lessons learned from previous programming periods or mid-term reviews into the development of the strategic framework? Can adaptation of the document be applied over the implementation process?

For the NSRF and Ops, the mid-term and final reviews are in place, so adaptation during the implementation is technically possible. However, the NSRF does not contain a concise analysis of the 2004 – 2006 programming period. Such analysis has been partially made within the Ops, although in the case of the Environment OP, it represents only a summary of numbers of supported projects and the funds spent. There is no clear connection between the experience gained from the 2004 – 2006 programming period and the new priorities (no lessons learned). There are only few references to differences between the new

programming period and that of 2004 – 2006.

- 6) To what extent has the partnership principle and the inclusion of social, economic and environmental partners been applied in the drafting process for the environmental OP and/or other OPs which are of crucial importance for the environment (such as the Transport OP)? Were environmental partners treated equal to other partners?

For the preparation of OPs, similar partnership working groups were created to those for the NSRF. However, they were not functioning well, and there was usually only one representative of NGOs. In the case of the Environment OP, there were only three meetings of the working group organised within nine months: in February, April and June 2006, although the document was to be finalised for consultations with the Commission in November 2006. The programming of the OPs has begun officially in May 2006, and although the ministries seemed to have had their priorities prepared in advance, they were not willing to share. The following consultations were made in a hurry (example: an opportunity to comment upon the first version of the Environment OP was given during the weekend of 13th - 14th of May 2006, followed by a meeting of the WG on May 15th). In the case of the Environment OP, NGOs submitted a number of comments, some of them fundamental, which needed to be resolved before submitting the document to the government. However, there was no meeting organised to resolve conflicts, and some comments were just neglected and not included in the consultation process evaluation (e.g. the request to include land purchase for nature conservation purposes as an eligible cost in the OP).

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]:

How far were environmental public authorities involved in the drafting process of the NSRF? – 5

Were their (governmental sector) contributions taken into account? – 4

How far were environmental NGOs involved in the drafting process of the NSRF? – 4

Were their (non-governmental sector) contributions taken into account? – 3

How accessible was all information regarding the programming process of the NSRF? – 4

How transparent or open was the public consultation conducted during the drafting process of the NSRF? – 4

Were consultation documents given in a timely manner? – 2

To what extent are lessons learned from previous or ongoing programming periods incorporated? – 3

How transparent was the drafting of key OPs? – 2

To what extent were environmental stakeholders included effectively in the drafting of key (environmental) OPs? – 2

Environmental integration and sustainable development

- 1) To what extent is there a reference to key environmental goals, to sustainable development, to the Göteborg strategy, to the 6th Environmental Action Programme or other key Community texts in environmental protection and sustainable development?

The National Strategic Reference Framework 2007 – 2013 for Slovakia refers to Community Strategic Guidelines, the

National Lisbon Strategy/National Programme of Reforms, the Territorial Development Strategy of Slovakia and the Sustainable Development Strategy of the EU as the key resource documents shaping the vision of the NSRF. Therefore, it is being formulated as follows: “Overall convergence of the Slovak economy to the EU 15 average via sustainable development”.

The NSRF is aiming to be a “central, integrated strategic document, which defines and links relevant components of different autonomous, but coherent strategies of the EU, state, sectors and regions through funding from the SFs and CF in order to gain synergy and efficiency in achieving the vision and the strategic goal of the NSRF by 2013”. The strategic goal of the NSRF reads as follows: “By 2013 increase considerably the competitiveness and performance of the regions and Slovak economy as well as employment while respecting sustainable development”. Compliance with the Sustainable Development strategy of the EU is further described in a specific chapter of the NSRF.

The NSRF also declares compliance with the National Sustainable Development Strategy for Slovakia (adopted by the Decision of the Government Nr. 978/2001) and the Action Plan for 2005 – 2010 (adopted by the Decision of the Government Nr. 574/2005) as one of the key resource documents for the NSRF on the national level. In this regard, it should be pointed out that these were environmental NGOs which highlighted in May 2005 that consideration of the National Sustainable Development Strategy and the SD concept as whole is absent from the NSRF and also proposed setting sustainable development as a horizontal priority for the NSRF! However, this remark has been accepted also due to fact that the Community Strategic Guidelines have mentioned sustainable development

as one of main principles for EU funding.

2) To what extent are Natura 2000 measures, sustainable transport, the implementation of the Water Framework Directive and the CO₂ reduction measures mentioned as priorities in the overall national programming documents?

The NSRF sets the following three strategic priorities: “infrastructure and regional accessibility”, “knowledge-oriented economy”, and “human resources”. The strategic priority “infrastructure and regional accessibility” is divided into further 3 specific priorities: “regional infrastructure”, “environmental infrastructure and environment protection” and “transport infrastructure and public railway transport”.

Within the specific priority “environmental infrastructure and environment protection”, measures for achieving/maintaining a favourable conservation status of habitats and species, their monitoring and management of protected sites, including NATURA 2000, are all mentioned. This priority also includes climate protection measures, such as reduction of air pollutant emission, use of environmentally-friendly fuels and greater utilisation of renewable energy resources.

Water protection measures mentioned among the environmental priorities include the building of public sewage systems, waste water treatment plants, public water-supplies, and flood protection measures. Funding for Water Framework Directive implementation is seen only in relation to providing monitoring of the qualitative and quantitative status of water bodies.

The “transport infrastructure...” priority mentions that the development of transport infrastructure should lead to improvement of the quality of environment. However, it includes only the renewal of existing rolling stock for the public railway transport, which can be regarded as a direct investment in a

more environmentally-friendly infrastructure. The environmental NGOs asked for the Transport OP to be rephrased in order to focus more on environmental measures for regional public transport and urban transport. However, this was not accepted, with the comment that these forms of transport are not in the competence of the Ministry of Transport but the regional governments and the municipalities, and that such measures can be partly funded from the climate protection measures in the Environment OP.

3) To what extent is the need for horizontal integration of the environment mentioned in the programming documents? Are mechanisms described to ensure the integration? Are key roles for the environmental authorities envisaged to ensure this? Are resources allocated to ensure this? (training, technical assistance, etc.)

Sustainable development is set as one of four horizontal priorities within the NSRF for Slovakia. The following text is stated in the NSRF: “The goal of this horizontal priority is to ensure that every project activity which receives funding based on NSRF supports sustainable development in all of its components and thus supports the growth of environmental, economic and social sustainability. Implementation of this horizontal priority will be based on the consistent application of the sustainability principle in every funded project. The goals and principles of this horizontal priority in the NSRF will be implemented through all specific priorities.” However, the mechanism by which this horizontal priority will be integrated into funding implementation is not described in the NSRF. Though it was requested by NGOs, this was not developed in more detail within the NSRF. As is written in the NSRF: “The vice-chairman of the government for knowledge-based society, European Affairs, human rights and

minorities oversees co-ordination of the horizontal priority implementation” The co-ordination mechanism for implementation of the horizontal priority will be described in a dedicated document. How the different environmental authorities will be involved in this process has not been decided yet. Although it is not mentioned explicitly, the funding for implementation of the horizontal priority should be available from the Technical Assistance OP. “Operational Programme Technical Assistance will finance horizontal activities common to all OPs or which need to be implemented throughout all authorities involved in the management and implementation of the operational programmes.”

4) To what extent are safeguarding mechanisms like the SEA and or the ex-ante evaluation for plans and programmes applied timely, correctly and by independent bodies?

In Slovakia, environmental impact assessments have been applied since 1994, when Act Nr. 127/1994 on the environmental impact assessment was adopted for the first time. Though it was revised in 2000 due to approximation of the legislation to the EU, it has not developed in detail the process and content of the Strategic Environmental Assessment procedure. This has been developed further only in the new Act Nr. 24/2006 on environmental impact assessment which is aimed to implement the Directive Nr. 2001/42/EC (and others, such as Directive 2003/35/EC, 2003/4/EC, etc.). This means there are very few experiences with the SEA procedure from the past, when the SEA rules were not developed in detail. The quality of the assessment seems to depend much on the experience of the evaluator.

In compliance with the Community Strategic Guidelines, the SEA is being

applied to every Operational Programme developed in relation to NSRF 2007 – 2013. The process of SEA for OPs is currently on-going. From the procedural point of view, this is a flaw since the OPs were already adopted by the government on 6th December 2006. Therefore, the results of SEAs are unlikely to be taken into consideration for the final text of the programmes, which, when approved by the government, are ready to be submitted to the European Commission. With this regard, the SEA for 2007 – 2013 OPs is more a tool to be used by the EC to emphasise environmental concerns in the programming document.

- 5) To what extent are environmental considerations mentioned/taken into account in the discussion of other policy priorities (e.g. in transport, employment, etc) rather than in a single section on environment and SD priorities?

Strategic priority “infrastructure and regional accessibility” includes, apart from the priority “environmental infrastructure and environment protection”, another 2 specific priorities: “regional infrastructure”, and “transport infrastructure and public railway transport”. Within the specific priority “regional infrastructure”, it is declared that in the supported projects special “emphasis will be put on the environmental aspect concerning decrease of energy demands and increase of economic efficiency of public infrastructure...in accordance with the Directive 2002/91/EC.” Furthermore “introduction and use of renewable energy, reconstruction and upgrading of existing energy and thermal sources and increase of energy efficiency on local level will be supported”. The “regional infrastructure” priority also mentions that its development should help to ensure conditions for the sustainable development of municipalities, including the development of more environmentally-

friendly transport systems. However, this will have only a limited chance of being implemented as it will need to compete with other regional or local priorities, such as transport infrastructure, education infrastructure, and health-care infrastructure, which were insufficiently funded so far. The problem of integration of environmental concerns into the “transport infrastructure...” priority has been described earlier. In this regard, it should be mentioned that environmental NGOs have requested the inclusion of “building of infrastructure and measures for mitigation of barrier effect of transport infrastructure on wildlife (green bridges, underpasses, etc.)” into all transport priorities. This was only partially accepted, with the comment that “each transport infrastructure project is subject to EIA, where also such concerns are solved”. However, as the results of the EIA are not legally binding (they are considered as recommendation), the mitigation measures proposed by the EIA do not need to be implemented. In addition, as lack of funds is usually given as reason to omit mitigation measures, the vicious circle is closed again. Environmental concerns are absent within the description of another 2 strategic priorities of the NSRF, the “knowledge-oriented economy”, and “human resources”. The only exception is mentioning the energy efficiency measures and use of renewable energy within the specific priority “support of the competitiveness of enterprises and services especially through innovations” (strategic priority “knowledge-oriented economy”).

- 6) What is the overall national/regional management structure of EU Regional Funds in your country, and is there a mechanism established to cover environmental issues properly?

The “System of structural funds and

Cohesion fund management for the 2007 – 2013 programming period” adopted by the government’s Decision Nr. 833 from 8th October 2006 regulates national management of EU Regional Funds implementation. It sets the basic responsibilities for the authorities involved in the EU funds implementation. These are as follows:

- Central Coordination Authority (Ministry of Construction and Regional Development) – overall management and co-ordination of cohesion policy, communication with the EC, methodological governance of financial management, control and audit, management of central monitoring system (ITMS), information and (absorption) capacity building.
- Certifying Authority (Ministry of Finance) – financial management
- Audit Authority (Ministry of Finance) – financial audit
- Managing Authorities (one for each OP) – implementation of OPs under the NSRF
- Intermediate Bodies under different Managing Authorities (if these are relevant for the OP)

Evaluation of compliance of individual projects with environmental standards should be secured during project approval and implementation. Project approval should include evaluation of the project’s compliance with indicators (including horizontal indicators). However, the “System of Structural and Cohesion Fund management...” does not specify these indicators. The indicators (project evaluation criteria) will be developed by the managing authority and approved by monitoring committee, which means they do not need to include environmental indicators in the end! During project implementation, the managing authority or the intermediate body can make a project review which should also include a review of compliance with envi-

ronmental legislation. The only other tool to include environmental issues in the implementation of projects supported from the SF and CF is the EIA system, though it is not mentioned in the “System”. The problems with EIA are similar to those with SEA; however, with EIA there is already a considerable amount of experience. The various quality of assessments together with the non-binding results of evaluation limit the actual use of EIA in preventing/mitigating the negative impact of projects on the environment.

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]:

To what extent is sustainable development mentioned as a priority in the National Strategic Reference Framework (NSRF)? – 5

To what extent are environmental measures (air, energy, waste, water, etc) defined in the NSRF? – 5

To what extent are nature protection (Natura 2000 network, etc) measures defined in the NSRF? – 6

To what extent are integration mechanisms for the environment and sustainable development mentioned and defined in the NSRF? – 3

To what extent are environmental safeguarding mechanisms like the SEA and their application mentioned in the NSRF? – 1

Does the overall national/ regional management structure of EU regional assistance implementation support the covering of environmental issues? – 3

Resource allocation across different Operational Programmes

1) What total sum or per cent of the total Community monies under Regional Policy go to the environment and nature conservation directly (waste, water, air, CO₂ reduction, WFD, Natura 2000 or others). (Give approximate numbers)

For estimation of direct funding assigned to the environmental priorities within the NSRF for 2007 – 2013 for Slovakia, we have considered:

- The total budget for the Environment OP indicated in NSRF
- The indicative allocation for environmental priorities within the financial plans of

every OP in categories of expenditure according to Annex IV of the Council Regulation (EC) No. 1083/2006 from 11th July 2006.

The results of the analysis are shown in Table 2. The costs for renewable energy and energy efficiency measures which should be allocated within the Competitiveness and Economic Growth OP can not be taken into consideration as this OP does not indicate the share of funds according to categories of expenditure in detail. The total percentage of direct funding for environment from the NSRF 2007 – 2013 is thus 16.84%.

Table 2: Estimation of direct funding assigned for the environmental priorities within the NSRF for 2007 – 2013 for Slovakia

Operational Programme	Funding for environment (EUR)	Relevant axis/measures	Purpose (activities)	Total allocation (EUR)	Percentage from total sum (%)
Regional	105 000 000 (indicative)	Priority axis 2	conservation of natural heritage, other environment protection measures	1 445 000 000	7.27
Environment	1 800 000 000	Entire OP	water protection and use, flood protection, waste management, climate change and renewable energy, nature protection	1 800 000 000	100
Transport	-	-	-	3 206 904 595	-
Information society	-	-	-	993 095 405	-
Research and development	-	-	-	1 209 415 373	-
Competitiveness and economic growth	???	1.4	energy efficiency and introduction of progressive technologies (incl. renewables)	772 000 000	???
Education	-	-	-	617 801 578	-
Employment and social inclusion	-	-	-	881 801 578	-
Health care	-	-	-	250 000 000	-
Technical assistance	-	-	-	97 601 421	-
OP Bratislava county	7 940 000 (indicative)	1.2	flood prevention, biodiversity and nature protection	87 000 000	9.13
National Strategic Reference Framework	1 912 940 000			11 360 619 950	16.84

- 2) To what extent are resources allocated by sectors or by problems? How are resources for the environment distributed across the OPs? Are they all combined into one environmental OP or as environmental measures across different OPs?

The resources are allocated across OPs rather than by a sectoral approach. It is apparent from the table above that most funds for environmental issues from the 2007 – 2013 EU funds budget for Slovakia should be channelled through Environment OP (94.1%). As the Environment OP will support only “Convergence” objective regions, the OP for Bratislava County contains similar measures to the Environment OP to cover this part of Slovakia, which falls under the “Regional Competitiveness and Employment” objective. There, the environment funding should be used mainly for flood prevention measures, as well as for nature protection and management (development and implementation of management plans for Natura 2000 sites within Bratislava County, communication and public awareness activities, etc). Environment funding from the Regional OP should be assigned mainly to maintenance of urban greenery and other measures for improvement of the urban environment.

- 3) Are there realistic concerns that measures listed under other OPs (such as under the Transport OP) will be harmful to the environment or to nature conservation?

The development of tourism activities might be a potentially conflicting issue for nature conservation as there are recent and very concrete claims for building hotels, ski resorts, golf courts, etc in NATURA 2000 sites. In combination with a poor and often not independent EIA process, this causes real concerns for nature conservation.

- 4) To what extent are environmental authorities nominated as managing authorities? How many OPs are under the sole or partial responsibility of the environmental authorities?

Only for one OP has the environmental authority been nominated as the managing authority. It is the Ministry of Environment for the Environment OP. No other OP or any part of one is under the sole or partial responsibility of environmental authorities.

- 5) Are the measures defined as “environmental measures” balanced across all potential environmental activities or are they simply prioritising mostly environmental infrastructure issues, such as flood reduction?

The “environmental” measures, especially those defined within the Environment OP, mostly prioritise environmental infrastructure, especially water use and treatment (building of sewage systems, waste water treatment plants and water supply systems), climate protection measures and renewable energy (reduction of emissions, green public transport, use of renewable energy, etc.) and waste management measures (separation of waste, re-use and recycling, management of hazardous waste and old environmental burdens, restoration of dumping sites). The Ministry of Environment most often gives the different transition periods in applying environmental standards as the reason for such privileging of infrastructure over, for example, nature restoration and management. However, when comparing the current proposal with that from September 2006, it should be remarked on that, despite the total budget for Environment OP decreasing by more than 400 million Euro, the share of funds for Priority axis 5 – nature protection – has slightly increased: from 38 216 596 Euro assigned in September to current 56 756 935 Euro. As the estimated costs for man-

agement of NATURA 2000 network in the competence of the Ministry of Environment (i.e. excluding payments for farmers and foresters) is around 80 million Euro/year, the new allocation is not sufficient, but can be regarded as fair. The following table shows the division of funds among priority axis in Environment OP.

Table 3: Distribution of funds among priority axis of Environment OP 2007- 2013

	Fund	EU funds (a)	National co-funding (public) (b)	Total (d) = (a)+(b)	Level of community co-funding (e)= (a)/(d)	Percentage from total budget for OP
Priority axis 1.2.1 (water protection and use)	CF	725 243 065	127 984 070	853 227 135	0,85	40.29
Priority axis 1.2.2 (flood protection)	ERDF	120 000 000	21 176 471	141 176 471	0,85	6.67
Priority axis 1.2.3 (waste management)	CF	359 000 000	63 352 941	422 352 941	0,85	19.94
Priority axis 1.2.4 (climate change and renewable energy)	CF	485 000 000	85 588 235	570 588 235	0,85	26.94
Priority axis 1.2.5 (nature protection)	ERDF	56 756 935	10 015 930	66 772 865	0,85	3.15
Priority axis 1.2.6 (Technical assistance)	ERDF	54 000 000	9 529 412	63 529 412	0,85	3
Total		1 800 000 000	317 647 059	2 117 647 059	0,85	100

6) To what extent does the environmental OP reflect the key environmental needs of a specific MS or region? Are the environmental OP or the environment sections of other OPs of a high strategic and of high programming quality?

The main environmental priorities described within the Environment OP are identified quite correctly. However, when going into detail, some are not defined properly from a conceptual point of view. The “water related measures” included in priority axis 1.2.1 and 1.2.2 could be regarded as an example. Despite several requests from environmental NGOs, the investment in water pro-

tection are rather seen as costs for infrastructure development and not conceptually as measures for achievement of the Water Framework Directive’s environmental objectives. That is why the OP is orientated towards waste water treatment plants and sewage systems rather than towards measures for minimising the creation of waste water (including awareness raising), and also towards flood protection infrastructure rather than towards river basin restoration as flood prevention measures (change of landscape structure in order to prevent floods).

The justification of funds allocation among priorities is not backed up by an estimation of real funding needs. That is the main weakness of the OP, which makes it difficult to judge whether the proposed share of funds amongst the identified priorities is fair or favouring some axis (and if so, why?). In addition, some priority issues, such as land purchase for nature conservation purposes, is lacking among potential activities, though this has become one of the most urgent issues for the management of NATURA 2000 sites and its EU Funds regulations (ERDF, CF) enable it, with some limits.

Scoring questions

To what extent is the share of resources spent on the environment adequate (to be around 30%) in comparison to shares of monies spent on other priorities? – 3

To what extent are allocations for the environment reflected in the different OPs? – 3

To what extent are resources allocated for environmental integration in every OP? – 1

To what extent do other OPs contain potential harmful priorities for the environment? – 4

To what extent is the environmental ministry responsible for the environmental OP or for the environmental parts of other OPs? – 6

Are the foreseen mechanisms to oversee and implement the environmental OP adequate for this role? – 4

To what extent are the environmental priorities balanced across all potential environmental priorities? – 2

To what extent do the environmental OP or environmental sections in other OPs reflect strategic needs for the environment? – 3

NATIONAL CHAPTERS UNITED KINGDOM



This chapter has been compiled by Dr. Rachel Lee, RSPB; reflecting the status of November 2006

Overview of the programming architecture

Two regions of the UK – Cornwall and the Isles of Scilly, and West Wales and the Valleys – are eligible for Convergence support. The Highlands and Islands will receive ‘phasing-out’ Convergence funding. South Yorkshire and Merseyside will receive ‘phasing-in’ Competitiveness funding. All other regions will be eligible for funding under the Competitiveness Objective. The UK’s draft National Strategic Reference Framework (NSRF) consists of seven chapters. The first chapter provides an overview of the NSRF and the second reviews the UK economy, assessing its strengths and weaknesses against five ‘drivers of productivity’: competition, enterprise, innovation, investment and skills. An additional section briefly reviews the environmental situation. In establishing the principles of the UK’s regional policy, the Government renews its commitment to environmental sustainability and equality as cross-cutting themes. The following chapters focus on England, Scotland, Wales, Northern Ireland and Gibraltar, providing a brief analysis of economic strengths and weaknesses, summarising the environmental situation and outlining the strategy under the Convergence or Competitiveness and Employment objectives. In each case, structural fund operational programmes are

closely aligned with regional and national economic strategies (see the chapter headings), including the UK Lisbon National Reform Programme. Reference is made to the equivalent sustainable development strategies, but these have had a minimal influence on the framework and content of the NSRF.

Separate Operational Programmes (OPs) are proposed for the ERDF, and ESF – ESF operational programmes are tied to national/regional employment strategies as above. Ten ERDF operational programmes are expected for England (one Competitiveness OP for each English region plus a Convergence OP for Cornwall and the Isles of Scilly) and two for Scotland (a competitiveness OP and phasing out Convergence OP), two for Wales (one Convergence OP and one Competitiveness OP) and one each Northern Ireland and Gibraltar. The Cooperation objective is not included in the draft UK NSRF.

Convergence priorities	England	Wales	Scotland	Northern Ireland
Promoting innovation and knowledge transfer	✓			
Stimulating enterprise and business development	✓			
Improving access and connectivity	✓			
Creating an attractive business environment		✓		
Building sustainable communities		✓		
Promoting enterprise sustainability			✓	
Reinforcing community sustainability			✓	
Improving economic infrastructure			✓	
Competitiveness priorities				
Promoting innovation and knowledge transfer	✓			
Stimulating enterprise and supporting successful business	✓			
Ensuring sustainable development, consumption and production	✓			
Building sustainable communities	✓			
Supporting innovation and entrepreneurship			✓	
Promoting community regeneration			✓	
Supporting rural development			✓	
Building the knowledge based economy		✓		
Environment for growth		✓		
Increasing investment in research and development and innovation				✓
Promoting enterprise and entrepreneurship				✓
Improving accessibility and protecting and enhancing the environment				✓

Drafting procedure

1) To what extent has the lead ministry for the development of the National Strategic Reference Framework applied inter-ministerial consultation? Was the environmental ministry an equal partner in this process?

The lead Ministry is the Department for Trade and Industry with input from:

- the Department for Communities and Local Government for the England chapter
- the Department for Work and Pensions for ESF
- the Treasury (to ensure consistency with Lisbon objectives), and
- the Department for Environment Food and Rural Affairs (Defra), which is supported by input from statutory environment bodies.

Defra considers that they have been treated as equal partners. In contrast to the England Rural Development Plan process, environmental NGOs were not part of an advisory group influencing the drafting process.

2) To what extent has the lead ministry for the development of the National Strategic Reference Framework applied the partnership principle and included social economic and environmental partners in the drafting process? Were environmental partners treated equally to the other partners? How are the consultation processes organised? What were the techniques of consultation?

The Third Sector European Network (TSEN), representing social NGOs, has a seat on the Monitoring Committee for the England ESF programme – as do the Cooperative Group who are also members of TSEN. This is a legacy of the previous programming period (1994-99), when social NGOs were responsible for delivering many ESF priorities. Participation in the Monitoring Committee enabled closer involvement in the drafting process through contacts with Government officials, although this was on an informal, ad hoc basis. It should also be noted that TSEN is supported by Technical Assistance and much better organised than environmental NGOs.

No environment NGOs were directly involved in the drafting process at a national level in England. However, Environmental Partners (Defra supported by the statutory bodies) have been included as equal partners. In contrast, environmental NGOs are often well networked at a regional level and in the devolved administrations. For example, the RSPB (UK BirdLife Partner) fed into the drafting process in Wales.

Environmental NGOs hosted an event in November 2005 to communicate our views on the reform of EU Cohesion Policy. In the same week, we joined social NGOs for an informal meeting with the five Government departments mentioned above in order to discuss our concerns and to gain feedback on our lobbying efforts. The RSPB and Groundwork UK (an urban environment and regeneration charity) have worked together to establish a good relationship with Defra, but on the whole environmental NGOs are less involved on this issue than social NGOs. They have less capacity and interest in devoting time to regional policy at a national level, given that more energy is often needed for work in the regions. Efforts to bring together an environmental NGO coalition at a national level were met with mixed success.

The Environment and Structural Funds Group (ESFG)

This group brought together DCLG, the Department for Environment Food and Rural Affairs, Department for Trade and Industry and the Departments for Work and Pensions and Education and Skills, with the Environment Agency, English Nature, the Countryside Agency and the environmental sustainability theme managers in each of the regional programmes. DG Environment also attended. The aim of the group was to co-ordinate activity, share information and promote best practice on sustainable development within Structural Fund supported projects.

For the past two years, the DTI has hosted a stakeholder forum meeting approximately every six months. Environmental NGOs were invited to attend these meetings. The consultation on the NSRF was launched a stakeholder meeting on the 28th February 2006 and lasted 3 months. During this period, road shows took place in each of the English regions through collaboration between the national Government and regional/country authorities. Equivalent events were organised in the devolved administrations. The consultation asked 14 questions on a range of issues including: the economic analysis, the choice of priorities and emphasis on the Lisbon Agenda, delivery arrangements, amongst others. The final NSRF was published on 26th October 2006 and presented to stakeholders at the last scheduled meeting on 8th November. The Operational Programmes have been put out to tender to consultants; external stakeholders groups have fed in comments, for example, the 'South West environment theme group'. In some cases, draft programmes have been available publicly for 'pre-consultation' comments (e.g. in North West England and the Yorkshire and Humber regions). All ERDF operational programmes will be subject to Strategic Environmental Assessment, which will include public consultation in each region (October 2006 onwards).

- 3) To what extent have other ministries or regional authorities consulted with economic, social and environmental non-governmental partners in order to formulate the positions that they submit to the lead ministry?

Regional hearings were organised by the Government Offices of the English Regions with national Government, Regional Development Agency and Regional Assembly input. Devolved administrations

for Wales and Scotland were also responsible for imputing their views and drafting respective chapters; Northern Ireland came under direct rule from UK.

Defra also held a number of meetings with statutory and non-governmental environmental partners to help inform their input to the lead Ministry both on EU negotiating positions and development of the NSRF. Managing the relationship with environmental NGOs gave Defra a stronger position in discussions with the DTI.

- 4) To what extent is a follow-up process in place: how are the given comments integrated in the follow up documents? Do such documents exist? To what extent can stakeholders comment on the new/revised documents?

Apart from informal lobbying of Government departments (in particular, Defra and the DTI), the stakeholders' opportunity to make comments on the NSRF was during the public consultation. The responses to the consultation were published within three months of the deadline (22 May). However, the Government's response was not posted on the DTI website until much later in October, in order to coincide with the publication of the final NSRF.

There were no substantive changes to the Government's proposals. The NSRF makes a clearer link to the importance of Climate Change, the Welsh chapter now refers to the Welsh Sustainable Development Scheme (it did not before) and some of the priorities have been renamed underlining the fact that environmental investment is for economic growth. For example, Scotland's priority 'developing environmental sustainability' was renamed 'improving economic infrastructure'. There is also a new statement near the front of the NSRF (in case there was any doubt) that 'support for Natura 2000 sites will not be a priority

under structural funds programmes...'¹.

The Government is up-front in saying that structural funds will only be spent on environmental investments that improve business competitiveness or promote new job opportunities.

- 5) Is there a feed-back mechanism to draw from lessons learned from previous programming periods or mid-term reviews into the development of the strategic framework? Can adaptation of the document be applied over the implementation process?

The mid-term evaluations were not considered particularly good in relation to learning lessons on the environmental aspects of programmes. Defra commissioned research on 'The effectiveness of EU structural funds in delivering the Government's environmental objectives'² and used this information to actively persuade the DTI of the benefits of environmental integration in the structural funds. The statutory environment agencies also commissioned a report on the environment as an economic driver. This has led to a marked improvement in Government documents produced since the Government's first proposals in the 2003 consultation 'A modern regional policy for the United Kingdom' – and to Government support for environmental sustainability as a cross-cutting theme. NGOs have worked in alliance with Defra to push boundaries that bit further!

All structural fund programmes for 2007-13 will include 'integrated strategies for addressing environmental concerns and respecting the principles of sustainable development'³.

In the UK context, environmental partners include Defra, the European Regional Policy Group (representing: the Environment Agency, English Nature, the Countryside Agency, the Countryside Council for Wales,

¹ UK NSRF, paragraph 43.

² October 2005, Fraser Associates in association with The Rural Development Company.

³ UK NSRF, paragraph 40.

and Scottish Natural Heritage) and environmental NGOs. Defra is formally involved in the drafting process, advised by ERPG (who can also comment directly through consultations). Environmental NGOs are involved informally at a national level and through more formal groups at an English region or country level, for example, through membership of Environment-Link groups, Regional Assemblies, representation on the Boards of Regional Development Agencies and so forth. The UK will have regional OPs rather than thematic ones. As required in the regulations all OPs will have environmental partners involved in their preparation. This will usually be the statutory environmental bodies and in some regions environmental NGOs have been included. However, there have been exceptions where the Government's environmental representatives were not invited. For example, in England, the designated bodies are the Environment Agency (the regulator) and a new champion for the natural environment and biodiversity called Natural England. Launched in October 2006, Natural England still has no policy position on the funds, significantly affecting its capacity to influence programme preparation. In at least one case, a representative of one of NE's predecessor organisations⁴ was excluded from programme discussions despite requests for inclusion before and after this period of transition. Often those responsible feel that one environmental partner in a partnership is sufficient.

Scoring questions to be answered from a scale of 6 [very positive] to 1 [very negative]:

How far were environmental public authorities involved in the drafting process of the NSRF? - 6

Were their (governmental sector) contributions taken into account? - 5

How far were environmental NGOs involved in the drafting process of the NSRF? - 4

Were their (non-governmental sector) contributions taken into account? - 3

How accessible was all information regarding the programming process of the NSRF? - 5

How transparent or open was the public consultation conducted during the drafting process of the NSRF? - 6

Were consultation documents given in a timely manner? - 6

To what extent are lessons learned from previous or ongoing programming periods incorporated? - 4 - 5

How transparent was the drafting of key OPs? - 4

To what extent were environmental stakeholders included effectively in the drafting of key (environmental) OPs? - 4

Environmental integration and sustainable development

- 1) To what extent is there a reference to key environmental goals, to sustainable development, to the Göteborg strategy, to the 6th Environmental Action Programme or other key Community texts in environmental protection and sustainable development?

The NSRF makes a clear link between the Community Actions for Growth and Jobs (the Community Lisbon Programme) and

⁴ Natural England was formed from English Nature, the Countryside Agency and the Rural Development Service.

the UK National Lisbon Reform Programme. However, it also refers to the UK Sustainable Development Strategy 'Securing the Future'. The relevant chapters mention the sustainable development strategies for Scotland, Wales and Northern Ireland – the Wales chapter also refers their new Environment Strategy.

The key environmental challenge identified is climate change and the goal of meeting the Kyoto Protocol target to reduce carbon dioxide emissions to 20% below 1990 levels by 2010. No connection is made between the UK situation and the EU 6th Environmental Action Programme. The Government has chosen to focus on energy efficiency, reducing emissions, promoting low-carbon technologies and similar areas. Across the devolved administrations, 'environment' may be interpreted more widely; for example Northern Ireland has made environmental protection and enhancement a priority. Nevertheless, investment in the natural environment will be haphazard at best.

A word scan of the NSRF provides some interesting statistics:

- The 'Gothenburg Agenda' (the EU SDS) is mentioned 4 times, but not referenced
- 'Lisbon' is mentioned 27 times and links are provided to the relevant documents
- 'Sustainable development' is mentioned 32 times and just the word 'sustainable' appears 81 times often describing more growth and jobs.

2) To what extent are Natura 2000 measures, sustainable transport, the implementation of the Water Framework Directive and the CO₂ reduction measures mentioned as priorities in the overall national programming documents?

Investment in Natura 2000 sites will only occur where there is a clear economic case. The NSRF states explicitly that Natura 2000

is not a priority in UK Structural Fund programmes. It is expected that most funding will come from agri-environment schemes. However, there are concerns about funding gaps, for example, in Scotland where agri-environment will not be sufficient.

The Water Framework Directive is not mentioned either. Attention is focused on provision of infrastructure for water and waste management. In Scotland there is concern over drinking water quality and reference is made to stricter EU guidelines on waste and water in the Wales chapter.

Nevertheless, there do appear to be funding opportunities under the Territorial Co-operation strand – which is not addressed in the NSRF. Draft Territorial Co-operation programmes appear on websites for the Interreg North Sea, North West Europe and Atlantic regions.

Sustainable transport is included as an investment priority, including improving accessibility to public transport. However, reading between the lines, the main focus appears to be expanding and building existing transport infrastructure (especially secondary roads and improving access to regional airports).

Strong emphasis is placed on environmentally-friendly technologies, renewable energy and resource use efficiency, and (in England) reference to climate change adaptation and mitigation (under the 'sustainable development, consumption and production' priority).

3) To what extent is the need for the horizontal integration of environment mentioned in the programming documents? Are mechanisms described to ensure the integration? Are key roles for the environmental authorities envisaged to ensure this? Are resources allocated to ensure this? (training, technical assistance etc.)

The UK Government has made a commit-

⁵ UK NSRF, paragraph 40.

ment to environmental sustainability as a cross-cutting theme. Future Operational Programmes will include ‘integrated strategies for addressing environmental concerns’⁵. Defra will continue to occupy an advisory role (no longer managing EAGGF guidance section as a structural fund). No specific resources are allocated to this cross-cutting theme. Details on how integration will be implemented will be included in the Operational Programmes. Defra is currently leading work on providing guidance to programmes on how this can be done most effectively. However, the Government has signalled its intention to build on existing good practice, such as the creation of environmental sustainability theme managers. Regional Development Agencies will be looking at how they may deliver this role, but at the moment they have stated that they do not have sufficient resources.

- 4) To what extent are safeguarding mechanisms like the SEA and or the ex-ante evaluation for plans and programmes applied timely, correctly and by independent bodies?

SEAs are underway as required by the Directive for ERDF Operational Programmes. Independent consultants were appointed from June 2006 onwards and the environmental reports will be ready for consultation at the same time as the draft OPs. However, there is some concern that the quality will vary across the UK. Not all consultants will adopt the best practice of extending the SEA explicitly to look at the delivery mechanisms – involvement of environmental expertise, recommendations for issues raised at the application stage – as recommended by the Greening Regional Development Programmes’ report ‘Beyond the Defensive’. Consultation on the draft Convergence OP in Wales has already been

completed. Although it was well written and presented, it failed to consider alternative priorities within the draft programme. In other words, key strategic decisions about the direction of the OP had been made long before the SEA occurred, meaning that the SEA was neither timely nor effective. In England, consultations are expected to begin in December. ESF programmes will undertake SEA screening but are unlikely to require SEA.

- 5) To what extent are environmental considerations mentioned/taken into account in the discussion of other policy priorities (e.g. in transport, employment, etc) rather than in a single section on environment and SD priorities?

At a strategic level, one of the UK’s three aims is for ‘Environmental and Community Sustainability’. UK programmes must support sustainable development, production and consumption, in particular:

- adaptability and innovation in the use of natural resources
- low carbon energy efficiency, and
- support for the UK Climate Change Programme

There are no dedicated environmental priorities in England, Scotland or Wales. Northern Ireland is the exception, with a priority for ‘Improving accessibility and protecting and enhancing the environment’. Instead, the environment is mentioned across ERDF funding priorities.

The main emphasis in the NSRF and draft OPs is on building the environmental goods and services sector and, to a lesser extent, exploiting the natural environment as an economic driver (e.g. for tourism). The Government says it is committed to meeting economic objectives within environmental limits (as set out in the UK Sustainable Development Strategy – Securing the Future).

6) What is the overall national/regional management structure of EU Regional Funds in your country, and is there a mechanism established to cover environmental issues properly?

ERDF programmes will be closely aligned with the economic strategies of the English regions and devolved administrations (Wales, Scotland and Northern Ireland). ESF programmes will be aligned with national (England, Wales, etc) employment strategies. In England, the Structural Funds will be managed on a day-to-day basis by the Regional Development Agencies – which will also co-finance projects. Government Offices will provide the link to national Government. In Scotland, Scottish Enterprise is most likely to take the lead for ERDF programmes. In Wales, the Welsh European Funding Office sits within the Welsh Assembly Government – placing them in control. The Government will be the managing authority for Northern Ireland. Arrangements for Programme Monitoring Committees are still to be decided.

Scoring questions to be answered from a scale of 6 [very positive], to 1 [very negative]:

To what extent is sustainable development mentioned as a priority in the National Strategic Reference Framework (NSRF)? - 4
To what extent are environmental measures (air, energy, waste, water, etc) defined in the NSRF? - 3

To what extent are nature protection (Natura 2000 network, etc) measures defined in the NSRF? - 2

To what extent are integration mechanisms for the environment and sustainable development mentioned and defined in the

NSRF? - 5

To what extent are environmental safeguarding mechanisms like the SEA and their application mentioned in the NSRF?

- 4

Does the overall national/ regional management structure of EU regional assistance implementation support the covering of environmental issues? - 3

Resource allocation across different Operational Programmes

1) What total sum or per cent of the total Community monies under Regional Policy go to environment and nature conservation directly (waste, water, air, CO2 reduction, WFD, Natura 2000 or others)? (Give approximate numbers)

Funding allocations are now available in the technical annex to the UK NSRF, for each Operational Programme, broken down into yearly figures. From what has been seen so far, there is no indicative allocation of funds for priorities within the OPs. The Convergence programmes for Wales and Scotland may provide more information, but the Competitiveness Programmes are unlikely to make that commitment because the proportion of funds is too small. The regions will want to retain flexibility to decide where to spend the money. Given that there are no environmental funding priorities in the NSRF, it is impossible to estimate the percentage of funds that will go directly to the environment. However, it is already known that Natura 2000 and the Water Framework Directive are not priorities under the Structural Fund Programmes.

2) To what extent are resources allocated by sectors or by problems? How are resources for the environment distributed

across the OPs? Are they all combined into one environmental OP or as environmental measures across different OPs? See above. Reflecting the Government's strong focus on the Lisbon Agenda, resources have been allocated to the English regions according to indicators of population, innovation, enterprise, skills and productivity. Separate formulae exist for allocations to the devolved administrations of Scotland and Wales.

- 3) Are there realistic concerns that measures listed under other OPs (such as under the Transport OP) will be harmful to the environment or to nature conservation?

The general assumption is that the UK will receive too little funding to finance large harmful projects. Nevertheless, there is potentially damaging emphasis on improving regional transport links (e.g. airports and secondary roads) in Convergence regions of Wales, Scotland and the South West of England.

- 4) To what extent are environmental authorities nominated as managing authorities? How many OPs are under the sole or partial responsibility of the environmental authorities?

Environmental Authorities will not be managing structural funds because there will be no separate environment operational programmes in the UK.

- 5) Are the measures defined as "environmental measures" balanced across all potential environmental activities, or are they simply prioritising mostly environmental infrastructure issues, such as flood reduction?

Climate change is high on the Government's agenda. This is reflected in

the final NSRF (post consultation), which has an environmental section addressing climate change, in Chapter 2 on the UK's economic strengths and weaknesses. As discussed above, the main emphasis in the NSRF and draft OPs is on building the environmental goods and services sector and, to a lesser extent, exploiting the natural environment as an economic driver (e.g. for tourism).

- 6) To what extent does the environmental OP reflect the key environmental needs of a specific MS or region?

Not applicable.

Scoring questions

To what extent is the share of resources spent on the environment adequate (to be around 30%) in comparison to shares of monies spent on other priorities? N/A

To what extent are allocations for the environment reflected in the different OPs? N/A

To what extent are resources allocated for environmental integration in every OP? N/A

To what extent do other OPs contain potential harmful priorities for the environment?

- 3

To what extent is the environmental ministry responsible for the environmental OP or for the environmental parts of other OPs? N/A
Are the foreseen mechanisms to oversee and implement the environmental OP adequate for this role? N/A

To what extent are the environmental priorities proposed balanced across all potential environmental priorities? - 2

To what extent do the environmental OP or environmental sections in other OPs reflect strategic needs for the environment? - 2



6. ANNEX: EXAMPLES OF ENVIRONMENTAL ALLOCATIONS

Just to give some examples of funding allocation tables, we present the Polish Environmental OP allocation table and the German analysis of environmental allocations across relevant Bundesländer.

Polish Environmental OP allocations						
Priority	Priority axis	CF	% CF	ERDF	% ERDF	
Priority No I – water and waste-water management	Water management and water distribution (drinking water)	2725	12,6678784			
	Water treatment (sewage)					
Priority No II – waste management and surface of the ground protection	Households born waste and industrial waste management	1190	5,53202765			
	Environmentally degraded industrial areas renewal and contaminated areas restoration					
	Risk prevention					
	Risk prevention	543	2,5337546			
Priority No III – resources management and environmental treats counteracting	Households born waste and industrial waste management			200	3,1560675	
	Water treatment (sewage)					
	Air quality					
	Integrated system of pollution prevention and monitoring					
	Other actions aiming at environment protection and threats prevention					
	Biodiversity and nature conservation promotion (including Natura 2000)					
Priority No V – nature protection and shaping ecological attitudes				89,8	1,4179743	
Priority No VI – Road and air trans-european network TEN-T	Motorways (TEN-T)	7628	35,4514645			
	National roads					
	Airports					

Priority No VI – environment friendly transport	Rail	7513,5	34,9284787		
	Rail (TEN-T)				
	Rolling stock (TEN-T)				
	National roads				
	Multimodal transport (TEN-T)				
	Ports				
	Inland waterways (regional and local)				
	Clean municipal transport promotion				
	Motorways			2945,6	48,480064
	National roads				
Priority No VII – transport safety and national transport networks	Intelligent transport systems				
	Airports				
	Ports				
	Inland waterways				
	Motorways (TEN-T)	990	4,60227510		
	Renewable energy: wind power	732,2	3,40382407		
	Renewable energy: solar power				
	Renewable energy: biomass				
	Renewable energy: hydro power, geothermal power and miscellaneous				
	Energy efficiency, cogeneration, energy management				
Priority No XI – energy safety	Electrical power (TEN-T)			974,3	15,374783
	Natural gas				
	Electrical power (TEN-T)				
	Petroleum derivatives				
	National heritage protection and conservation			490	7,7323654
	Cultural infrastructure development				
	Educational infrastructure				
	Health infrastructure			360	5,5231181
Priority No IX – road infrastructures in eastern Poland					
Priority No X – environment friendly energy infrastructure					
Priority No XII – energy safety					
Priority No XIII – culture and national heritage					
Priority No XIII – health safety and health care system efficiency improvement					

Priority No XIV – higher education infrastructure	Research and technological development infrastructure and competent centres for the specific technologies				500	7,390,9688
	Telecommunications infrastructure (including broadband connection)					
	Educational infrastructure					
Priority No XV – technical assistance - the European Regional Development Fund	Preparation, implementation, monitoring and control				187,8	2,345,5474
	Evaluation and studies, information and communication					
Priority No XVI – technical assistance - the Cohesion Fund	Preparation, implementation, monitoring and control	189,4	0,88047566			
	Evaluation and studies, information and communication					
Priority No XVII –competitiveness of regions	Rail				899,9	9,4868245
	Motorways					
	Clean municipal transport promotion					
	Cultural infrastructure development					
	Integrated projects aiming at municipal and rural areas revitalization					
	Educational infrastructure					
RESERVES		21511,1	100	0		
TOTAL CF						100,00473
TOTAL ERDF					8337,3	

Indicative environmental funding allocations for selected Germany Länder OPs according to EU funding codes¹

Code	Theme	Sachsen	Brandenburg	Thüringen	NRW	Berlin	Ba-Wü
<i>Environmental Production Technology</i>		-	20.000.000 €	7.600.000 €	27.325.013 €	800.000 €	12.190.000 €
06	Support of SMEs in environmentally friendly production technology	-	20.000.000 €	7.600.000 €	27.325.013 €	800.000 €	12.190.000 €
<i>Sustainable Transport</i>		24.980.000 €	21.000.000 €	-	22.876.755 €	9.000.000 €	-
24	Bicycle Roads	12.450.000 €	-	-	-	-	-
25	Public Transport	-	-	-	-	-	-
26	Multi-Modal Transport	12.450.000 €	21.000.000 €	-	22.876.755 €	-	-

¹ Refer to Annex of Implementing Regulation. 1628/2006 of 8th December 2006.

Code	Theme	Sachsen	Brandenburg	Thüringen	NRW	Berlin	Ba-WU
27	Combined Transport (TEN-T)	-	-	-	-	-	-
28	Intelligent Transport Systems	-	-	-	-	-	-
52	Environmentally-Friendly Public Transport	-	-	-	-	9 000 000 €	-
Technical and Infrastructural Protection of the environment (Water, Noise, Soil)		458 560 000 €	93 000 000 €	276 600 000 €	162 695 178€	64 400 000 €	13 500 000 €
44	Waste Management	-	24 000 000 €	-	-	-	-
45	Water Distribution	-	18 000 000 €	-	-	5 000 000 €	-
46	Waste-Water Management	-	20 000 000 €	155 000 000 €	-	35 000 000 €	6 000 000 €
47	Air Quality	2 960 000 €	-	-	-	-	-
48	Integrated Protection of the Environment	-	-	-	-	4 400 000 €	-
50	Brown-Field restoration	49 950 000 €	31 000 000 €	109 700 000 €	114 383 774 €	20 000 000 €	3 000 000 €

Code	Theme	Sachsen	Brandenburg	Thüringen	NRW	Berlin	Ba-WU
53	Risk Prevention	364.660.000 €	-	11.900.000 €	9.150.702 €		4.500.000 €
54	Other	39.960.000 €	-	-	9.150.702 €	-	-
Climate-Relevant Measures		53.930.000 €	28.500.000 €	-	73.713.988 €	29.600.000 €	11.000.000 €
39	Renewable Energy: Wind	-	-	-	5.083.723 €	-	-
40	Renewable Energy: Solar	1.900.000 €	-	-	5.083.723 €	3.600.000 €	-
41	Renewable Energy: Biomass	5.990.000 €	-	-	12.709.308 €	3.600.000 €	3.000.000 €
42	Renewable Energy: Water and Geothermal	5.990.000 €	-	-	25.418.616 €	7.300.000 €	5.000.000 €
43	Energy Efficiency, Combined Heat and Power etc.	39.960.000 €	13.500.000 €	-	25.418.616 €	14.500.000 €	3.000.000 €
49	Mitigation and Minimisation of Climate Change Impacts	-	15.000.000 €	-	-	-	-
Nature Protection and Natura 2000		-	-	-	-	8.000.000 €	-
51	Biodiversity and Natura 2000	-	-	-	-	8.000.000 €	-

Code	Theme	Sachsen	Brandenburg	Thüringen	NRW	Berlin	Ba-Wü
Tourism		5.990.000 €	33.700.000 €	12.000.000 €	24.147.685 €	17.500.000 €	10.464.068 €
55	Natural Heritage Protection	-	-	-	-	-	-
56	Enhancement of Natural Heritage	-	-	-	11.438.377 €	-	-
57	Upgrading of Tourism Services	5.990.000 €	33.700.000 €	12.000.000 €	12.709.308 €	17.500.000 €	10.464.068 €

Total	Sachsen ²	Brandenburg ³	Thüringen ⁴	NRW ⁵	Berlin ⁶	Ba-Wü ⁷
Total:	543.460.000 €	201.200.000 €	296.200.000 €	310.758.617 €	128.700.000 €	47.154.068 €
Environmental Production Technology	-	1,33 %	0,51 %	2,13 %	0,09 %	8,5 %
Transport	0,81 %	1,4 %	-	1,78 %	1,03 %	-
Technical and Infrastructural Protection of the Environment	14,83 %	6,2 %	18,71 %	12,67 %	7,35 %	9,41 %
Climate-Relevant Measures	1,74 %	1,9 %	-	5,74 %	3,31 %	7,67 %
Nature Protection and Natura 2000	-	-	-	-	0,91 %	-
Tourism	0,19 %	2,58 %	0,81 %	1,88 %	1,99 %	7,3 %
In % of EFRD	17,57 %	13,41 %	20,03 %	24,21 %	14,68 %	32,88 %
Total EFRD	3.091.139.706 €	1.498.732.568 €	1.477.687.909 €	1.283.430.816 €	875.589.610 €	143.400.008 €

² Vgl. Programmteufel des Operationellen Programms aus Sachsen – Stand: 11.01.2007

³ Vgl. Programmteufel des Operationellen Programms aus Brandenburg – Stand: Januar 2007

⁴ Für Mecklenburg-Vorpommern liegt noch keine indicative Finanzaufstellung vor – Stand: Januar 2007

⁵ Vgl. Entwurf des Operationellen Programms aus Thüringen – Stand: 1.12.2006

⁶ Vgl. Entwurf des Operationellen Programms aus Nordrhein-Westfalen – Stand: Januar 2007

⁷ Vgl. Programmteufel des Operationellen Programms aus Berlin – Stand: 8.12.2006

⁸ Vgl. Programmteufel des Operationellen Programms aus Baden-Württemberg – Stand: 18.12.2006

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