

FINAL MESSAGES FROM THE EUROPEAN ECO FORUM TO THE ENVIRONMENT FOR EUROPE MINISTERIAL CONFERENCE IN KYIV, 21-23 MAY 2003

Agreed at ECO Forum International Conference 20 May 2003

The European ECO Forum, a platform of some 200 environmental citizens' organisations throughout the UN-ECE region, has been involved in the preparations for the Kyiv Conference since the beginning. It has been building upon its successes in the years before, and has facilitated a substantial NGO participation also in this stage of the Environment for Europe (EfE) process. In September 2000, at a meeting, also in Kyiv, it formulated its "Agenda for Kyiv 2002", updated with its Bratislava Declaration of December 2002.

In the past period, the European ECO Forum has seen part of its agenda fulfilled, be it that in most cases the results were below our expectations. Today, at the beginning of the Ministerial Conference, we make a final call to the Ministers to increase the ambitions of this pan-European project, take some firm political decisions and set out the road-map for further activities in the coming years.

Kyiv is the first meeting of Environmental Ministers of the UN-ECE after the Johannesburg Summit. The UN-ECE region includes most of the industrialized part of the globe, with an enormous ecological footprint causing serious problems in its own region and for the rest of the world. We are at a decisive moment for the future of the Earth: will governments be prepared to address the global challenges or not, will the industrialised countries be prepared to take the lead or not?

Unfortunately we see a real split in the UN-ECE countries between a majority of countries who seek progress through multilateral cooperation and a minority that is active to prevent or weaken such co-operation. This last group is small but led by the USA, the country with the largest ecological footprint, in the world. This situation is seriously limiting the perspective of a UN-ECE region playing the role it should have. We call upon all Ministers who believe in multilateral cooperation for environment and sustainable development, to move on and resist efforts to prevent or water down common agreements and actions.

SUSTAINABLE DEVELOPMENT IN EUROPE

We call for the Environmental Ministers to insist that the UN-ECE take the lead in sustainable development in a visionary and comprehensive way. It should take pan-European initiatives and promote and facilitate the formulation and implementation of National Strategies. Such strategies should be developed with full involvement of civil society, guided by National Councils that are composed of all relevant governmental institutions, representatives of civil society and other stakeholders.

We believe sustainable development should contain an ethical dimension as well. Ethical values, like solidarity, equity and sufficiency are essential elements of our concept of sustainability. This was recognised by the first EfE conference but this notion was not given a follow up. We urge

the ministers to bring back such ethical values into the Environment for Europe conferences agenda.

In particular, we insist that the governments decide to start, in the framework of "Environment for Europe" work on a pan-European regional strategy to phase out unsustainable production and consumption patterns, to be ready one year after the Kyiv conference, and with a period of implementation of 10 years. Besides the material impacts such a strategy is to have in our own region, such a united effort could create the necessary trust with developing countries, a precondition for progress at the global level.

An important element of this strategy must be the systematic promotion of environmental policy integration, and include the broader use of price mechanisms, the removal of environmentally harmful subsidies, increasing market access to environmental goods and services, including by public procurement, extended producer responsibility, as well as specific objectives for sectoral policies, in particular transport, energy and agriculture.

- The strategy should include regulation of advertising in order to prevent unsubstantiated and/or misleading environmental claims. The regional strategy should include the organisation of transfer of environmentally sound technologies within the region as well as the prevention of further exports of obsolete technologies.
- The strategy should include common guidelines for "green accounting": inclusion of environmental performance of the economy in the calculation of its GDP. Furthermore it should promote the systematic provision of information to all levels of society and authorities on how environmental factors are influencing economical and social development.
- The strategy should be designed in such a way that it explicitly contributes to the alleviation of poverty in the region and the respect for people's right for access to resource to fulfil their basic needs.

Sustainable development policy also includes the effective conservation of natural ecosystems and biodiversity and appropriate management of protected areas.

International funds for development in the region, for example structural, pre-accession and technical assistance funds by the European Union, need to follow strict environmentally sustainable development principles.

The European ECO Forum considers a lead role for business and industry as important. However, it is convinced that legally binding frameworks, laying down corporate accountability, are essential to prevent that its efforts will remain incidental, insufficient and uncontrollable.

Finally, we call for agreement, at least on the pan-European level, a small set of measurable, comparable, and easy to understand indicators for sustainability, addressing social, economic and environmental needs, including biodiversity. A pan-European system needs to be developed to monitor these agreed indicators linked to harmonised reporting mechanisms at national, regional and global levels, so as to assess progress towards sustainable development targets (including those set at Johannesburg) and promote wider concern and commitment, towards reaching such targets, thus accelerating progress towards sustainability.

A WELCOME TO NEW LEGALLY BINDING INSTRUMENTS

Three Protocols will be signed at the Conference. They will help to create more transparency about the movements of dangerous substances in our society, organise strategic environmental

decision-making with regards to plans and programmes on the national levels, and provide environmental liability in cases of transboundary impacts of accidents. These are three more products of what has been an important pan-European process of cooperation of environmental authorities and environmental organisations.

We call upon all Ministers to sign these Protocols on Strategic Environmental Assessment (SEA), Pollutant Release and Transfer Registers (PRTR), and on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters, even if they have not taken part in the negotiations. As a next step, we call for ratification of these Protocols as soon as possible as well as the reform and improvement of relevant national legislation to implement them fully and go beyond their requirements, even before the entry into force.

With regards to the SEA Protocol we express our concern that it is insufficient or silent on several important issues, including SEA for budgeting and other financial decisions, SEA on policies, regulations, legislation, and on public participation requirements. We call upon the Signatories to start work to broaden the Protocol to include all these elements. We also call for the development of national and local administrative measures and capacity-building on SEA, including financial assistance to civil society. We request countries not to weaken their legislation or practices if they already go beyond the Protocol. Finally, we urge renewed attention by national and local authorities to Articles 7 and 8 of the Aarhus Convention on public participation in policies and in executive regulations and other legal rules.

With regards to the PRTR Protocol, we are well aware of both the ambition and the limitations of the Protocol. There was much debate during the negotiations about on-site transfers and destinations of transfers within a country - whilst the protocol sets aside these items. European ECO Forum considers that their exclusion is not logical since the equivalent off-site transfers and international transfers are included in the protocol. We are also disappointed that in some points the Protocol is weaker than the Aarhus Convention when it deals with public participation rights. And it fails to include very important issues in its scope. However, it has much to offer, and its implementation will be a significant step forward in reducing pollution and using cleaner and greener technologies. We call upon ministers to agree in concrete terms to improve its content in the future and work further on the development of national PRTR systems beyond the requirements of the Protocol.

THE ENVIRONMENTAL STRATEGY FOR EASTERN EUROPE, CAUCASUS AND CENTRAL ASIA

Environmental citizens' organisations have a varying opinion about the EECCA Environmental Strategy. A majority supports the idea of elaborating the Strategy, as it could better address the environmental problems of the region, improve environmental policy and legislation, including on the local and sub-national levels, and partnership between East and West and different sectors of the society. However there are serious concerns about the poor quality of the Strategy, a worrying sign of lack of commitment of governments of this region to put environment really high on the agenda.

Specific obstacles for effective implementation are the low status of environmental authorities in governmental structures, lack of political will, capacity and absence of a proactive position to implement effective environmental policy, as well as a poor link of the Strategy with sustainable development principles.

While we recognize that the development of the Strategy should be a bottom-up process, the immediate endorsement of governments in the region at the highest level is essential for making it feasible.

Environmental organisations supporting the Strategy think that for effective implementation of the EECCA Environmental Strategy it is necessary:

- to continue work on the action plans in the Strategy, with clear mechanisms of implementation and indicators;
- to provide a proactive role by the EECCA governments, in cooperation with NGOs, business and industry and other "major groups", in the implementation of the EECCA Strategy;
- to provide possibilities for NGOs for monitoring of the success of the Strategy, including by a transparent reporting process at all levels;
- during the process of implementation of the Strategy, to provide better links with other economic and social programs, in particular Strategies on Poverty Eradication, employment, economic development etc.

A number of environmental citizens' organisations from Ukraine and Moldova are against participation of their countries in the Strategy as they think their countries do not belong to the EECCA region and that participation in the Strategy can create obstacles for accession to the European Union. These organisations are of the opinion that transboundary cooperation with neighbouring countries is much more important.

EDUCATION FOR SUSTAINABLE DEVELOPMENT

We welcome the inclusion of Education for Sustainable Development (ESD) as a component of the UNECE Ministerial declaration. We regret that the UN-ECE Strategy on ESD was not ready for discussion here in Kyiv.

We call upon Ministers to endorse the Statement on ESD and invite Education and other interested Ministers and bodies to continue developing the Strategy on the basis of the Addendum (Basic Elements).

We strongly recommend that this process is completed in time to be a contribution to the UN Decade for ESD, starting in 2005.

We insist on the continuation of this process under the framework of UNECE. It is essential to establish a Task Force in order to ensure the coordinated follow up and successful development of the strategy in line with the Statement on ESD.

The Task Force should comprise interested UNECE member states, international organisations and partners from other relevant sectors with the full involvement of NGOs at all stages of its development.

We recognize that this Strategy is vital in achieving the Millennium Development Goals and the targets agreed in the Plan of Implementation of the WSSD. Such a Strategy will also facilitate the implementation of multilateral environmental agreements in the UNECE region.

The Strategy in our view should provide for at least a minimum background on ESD for all countries in the region and include framework programmes for education of educators, decision makers, training for professionals and mass media. It should include education at all levels from pre-school to higher education, formal, non-formal and informal education, awareness raising and life-long learning. International education projects should lead to better understanding of each others approaches, promotion of best practices and common standards for the pan-European region.

ENERGY AND CLIMATE CHANGE

It is totally unacceptable that the two largest producers of greenhouse gases in the world, the USA and Russia, still have not ratified the Kyoto Protocol. We call upon Russia to ratify it without further delay. We call upon the USA to finally show some responsibility towards the rest of the world on this issue! And we insist that all countries that have ratified make real and sufficient efforts to achieve the required reductions mainly within their own boundaries.

We are concerned about the lack of action by many governments in phasing out of environmentally harmful energy subsidies. In 1995 and 1998, the EfE Conferences confirmed that these subsidies are an important problem making the fight against climate change and other forms of pollution very difficult. In 1998 it was even decided to target 2005 as a deadline for reform of energy price subsidies. Five years later, we see guidelines for subsidy reforms, but time is running out. We need a firm commitment that in the next few years' real substantial reform will take place, and the deadline of 2005 should re-appear to highlight the urgency.

We strongly support those countries that use the EfE process to promote a shift towards renewable energy. We need determined action, and it is necessary that ambitious targets for the region should be set in the near future. From the European ECO Forum there is no doubt that the end goal is 100% renewable energy, but just as important as a final goal are ambitious, yet realistic goals for the short and medium terms. The promotion of renewable energy should include, for a sufficient time period, targeted financial support.

Furthermore, to overcome institutional weaknesses and promote renewable energy worldwide, we promote the creation of an International Agency for Renewable Energy.

PHASE OUT NUCLEAR ENERGY!

In view of the continuing grave concerns about nuclear installations, both for the risks for major accidents and the ongoing increase of the legacy to future generation of nuclear waste, we pledge Ministers to agree on a phase out of all these installations as soon as possible. We would like to remind ministers that the most recent Euro-barometer on environmental issues, compiled autumn last year, shows that the public in the EU Member States is more worried about nuclear power plants than about any other environmental threat!

We also propose the establishment of international decommissioning support funds for closing the "highest risk reactors" in the region. For Armenia, we call for international financial support for investments to prevent electricity shortages.

TRADE, INVESTMENTS AND ENVIRONMENT

In 1998, at the Aarhus Environment for Europe conference, 51 countries (all but the USA) agreed "that the objectives and obligations of Multilateral Environmental Agreements should not be hampered by other international agreements, and the need to ensure that the WTO rules,

provisions and procedures take full account of the need to promote a high level of environmental protection. In particular, the multilateral trading system should, under clear and predictable rules, accommodate the use of trade measures taken in the framework of MEAs." It is a real disappointment to see that Ministers might agree this time on not more than the Johannesburg language that puts environmental and trade agreements on an equal level. Environmental Ministers should not move away from the position that the future of our planet is more important than unqualified trade promotion!

Furthermore, as many of the countries of the EECCA region represent major "emerging markets" for transnational corporations, we also recommend that strong efforts are made to ensure that investment intensive activities are subject to strict environmental and social conditions.

BIODIVERSITY

We support the development of the Pan-European Biological and Landscape Diversity Strategy (PEBLDS) and call for increased financial support and better coordination for its implementation.

In view of the uncertainty of the impacts of the use of genetically modified organisms in agricultural practices, we call upon to agree on a moratorium for the use of such organisms in agriculture in the region, and the distribution of products which involved GMO use, until there is undisputed evidence about lack of potential threats to the environment or effective measures to prevent such threats.

Agriculture in CEE countries has changed since 1990. For economic reasons farmers could not afford using much chemicals. This helped by default to protect and improve environment, especially biodiversity, of farmland. But biological resources of rural areas could be lost also because of abandonment. Present agriculture policies do not or hardly support environmental services of farms. The present agriculture policies in Europe need to be changed now to prevent further loss of biodiversity of farmland in most parts of Europe.

CONTINUATION OF THE EAP FOR CEE

While the Environmental Action Programme for Central and Eastern Europe (EAP), as started in 1993, has now been partly overtaken by the accession process to the European Union, it still is important for in particular those countries for whom accession is further in the future.

Involvement of environmental citizens' organisations in EAP-related activities at national and regional level is not sufficient. Therefore we recommend to:

- improve the enforcement of environmental legislation in CEE countries, by ensuring sufficient human, technical and financial capacities at all levels, and monitor the process of implementation of environmental policy and financial strategies;
- establish new and effective models of partnership between governments and NGOs;
- strengthen strategy-formulation and project development capacities in governmental and non-governmental sectors,
- strengthen the capacity and transparency of the secretariat for a new platform for environmental policy development and information management structure;

- Improve visibility, information dissemination and awareness raising on EAP activities and results;
- Redesign National EAPs with clearer priorities, schedules, financial obligations and methods and clear criteria to select cost-effective projects, and realize and disseminate analysis of good and bad practices in environmental policy formulation and implementation;
- Strengthen and extend co-operation with NGOs, involve businesses in the environmental activities, strengthen environmental management of enterprises, NGO-business partnerships and co-operation, and improve NGO funding;
- Work on harmonization of environmental policy between EU, accession and non-accession countries and implement these policies at national level;
- Promote experience and information exchange between CEE and EECCA NGOs on EAP-related issues.

THE FUTURE OF THE ENVIRONMENT FOR EUROPE PROCESS

The European ECO Forum strongly supports the EfE process to continue on a pan-European level and to be the platform for regional and sub-regional initiatives. We strongly believe that legally binding regional agreements, like the ones the EfE has already produced, contribute to an environmentally sustainable future for our region. We also believe that cooperation programmes, provided they receive real support from the governments and have the required infrastructure and means, can help to address serious environmental problems, overcome barriers to innovation and achieve a substantial decoupling between environmental degradation and economic growth.

We believe that the EfE should continue to work on these two levels:

- the region as a whole, to promote progress towards sustainable development
- assistance to individual countries and sub-regions.

With regards to the second issue, we would like to stress the creation of mechanisms for implementation of existing legally binding instruments, promotion of partnerships between countries, further programmes to protect biodiversity in the region with a regional or even global value, coordination and efficiency of international financial assistance programmes as well as good environmental governance.

MAINTAIN THE OPEN AND INCLUSIVE PROCESS

Public participation is not a favour given to citizens but a right and an opportunity to come to better quality decisions that will also receive wider public support. Environmental citizens' organisations therefore should be encouraged and assisted to play a meaningful role both in involving the citizens and in the actual decision-making processes.

While the European ECO Forum has serious concerns about part of the results, it appreciates the open and transparent character of the preparatory process. The European ECO Forum was given the opportunity to take part in all levels of preparation. In this way, the Environment for Europe process continues to act as an example for public participation and transparency, an example to be followed by other international forums, including the European Union.

However, in the final days of the preparations, the US delegation made an attempt to exclude the European ECO Forum from the process. It called for the European ECO Forum to be removed

from the Working Group of Senior Government Officials, which was preparing the Ministerial Declaration. The reason for the incident concerned the European ECO Forum opposition to a USA proposal to include in the Ministerial Declaration a statement that could be used to legitimize the resistance of countries to take part in badly needed international agreements, such as the Kyoto Protocol. We welcome that none of the other delegations supported the USA in its demand.

TAKE ENVIRONMENT FOR EUROPE AS AN EXAMPLE

Many other international processes are much less transparent and inclusive as EfE. We urge Ministers to promote a similar open attitude towards citizens' organisations in other forums, and we encourage the Parties and Signatories of the Aarhus Convention to start the work on guidelines to promote the application of the principles of this Convention in international decision-making processes and in international organizations.