

EaP CSF Working Group 3’s input on the post-2020 deliverables under the priority 4. “Together for environmental and climate resilience”

Written Input to EaP Platform 3, November 26 2020

Contents

1. EaP CSF’s suggestions for deliverables and targets under the priority 4. “Together for environmental and climate resilience”	1
Persisting weak institutional capacity	1
Recommendations	3
Post-2020 deliverables and targets	5
2. The role of civil society in the implementation of the post-2020 deliverables	9
Policy formulation and monitoring	10
Awareness campaigns	11
Capacity building, consulting and knowledge transfer	13
3. Assessment of Deliverables 13-16	14
13. Extend the core Trans-European Transport Network (TEN-T)	14
14. Increase the security of energy supply	14
15. Improve energy efficiency and the use of renewable energy; reduce greenhouse gas emissions (GHGs)	15
16. Support the environment and adaptation to climate change	17

1. EaP CSF’s suggestions for deliverables and targets under the priority 4. “Together for environmental and climate resilience”

The 20 deliverables for 2020 have been a laudable tool aimed at improving the delivery of concrete and visible steps on the EaP countries’ path towards reform. Notwithstanding several benefits of this approach - not least visibility and communicability - the implementation of deliverables 13, 14, 15, and 16 has been hampered by weak EaP institutions, which have been insufficiently capable to implement the necessary reforms. If green priorities are to be successfully implemented, institutional strengthening should be the first objective of the post-2020 agenda.

Persisting weak institutional capacity

Despite the AA/DCFTA and CEPA provisions aimed at strengthening institutional frameworks, the EaP Ministries of Environment still lack adequate capacity to ensure proper environmental protection and fight climate change. Environmental institutional reforms were not planned strategically, and in some

cases weakened the Ministries of Environment, instead of strengthening them. In Georgia and Moldova, the Ministries of Environment were merged with the Ministries of Agriculture, consequently creating a conflict between the competing interests of the agricultural industry – a strong polluter – and of environmental protection. Similarly, environmental compliance and enforcement institutions remain inadequate. EaP environmental inspectorates do not properly fulfil their function, and their weak control over environmental compliance and enforcement leads to weak implementation of the new environmental legislation. EaP countries' transformation from a command-and-control, vertical and exclusive decision-making system to one which is open, horizontal and inclusive for all stakeholders is difficult. Good environmental governance requires openness, participation, accountability, coherence and effectiveness of policy and institutions. However, in the majority of EaP countries, civil society organisations have imperfect or limited access to information, even if a law on access to information is in place; public participation is poor and policy frameworks are not based on measurable goals and objectives, making it difficult to assess progress. Weak institutions are also weak in administering public funds for environmental protection, which are often managed ineffectively and spent for non-environmental purposes. EaP countries' rate of environmental fees, fines and taxes is critically low in comparison with the environmental damage caused by polluters and users of natural resources. In turn, they should be substantially increased to stimulate environmentally conscious behaviour, in both individuals and enterprises. In each EaP country, the administration of environmental funds should be consolidated into one structure, or at least managed in a more coordinated way.

Institutional capacity weaknesses are relevant for other sectors as well. The “Clean Energy Package” (now fully streamlined within the European Green Deal) includes 8 revisions of 4 Directives and 3 Regulations; one new Regulation; a new work plan for Ecodesign and energy labelling; and two communications. The implementation in members of the Energy Community and AA countries is challenging, as even EU Member States face difficulties. Stronger standards and more challenging measures are imposed for energy performance of buildings; energy efficiency; renewables; amendments to the electricity market design; and a new governance framework is introduced in the Regulation on Governance of the Energy Union EU 2018/1999. It must be noted that the new rules envisage not only the acceleration of decarbonisation, but also energy security and stronger safeguards for energy consumers. Thus, these principles are relevant also for the other EaP countries which do not have strict legal commitments to the Energy Union, as they would in addition help facilitate energy trading in the region. Institutional capacity of energy regulators must be strengthened in order to become independent, competent and effective watchdogs for the electricity and gas sectors and ex-ante competition regulators. Ministries of Energy will face additional challenges in streamlining energy and climate action plans. Energy efficiency efforts will require strong markets for energy and carbon with prices that provide correct signals; and cooperation between central governments and local authorities to accelerate buildings renovation and development of infrastructure. Interconnectivity in a regional market would require not only investments in physical infrastructure, but acceleration of the harmonisation of rules in adjacent markets of both members and non-members of the Energy Union. Additional transparency and involvement of civil society in transparency efforts in the energy sector will be essential in Azerbaijan and should be supported by EU stakeholders, as Azerbaijan becomes an increasingly important gas supplier to the EU.

EaP countries have the potential to carry out more projects in the field of climate, energy and environmental protection, however, in order to realise this potential, the list of stakeholders and beneficiaries within the countries must be substantially revised.

Focus on Belarus

In Belarus, the current main beneficiary of green funding is the Ministry of Natural Resources and Environmental Protection. However, the Ministry has systematically demonstrated the inability to timely fulfil obligations even on existing projects: a telling example is the case of EU4Climate, which is still awaiting state registration in Belarus, while in other EaP countries it is already under implementation for almost a year. Over the past two years, the institutional capacity within the Ministry has significantly degraded, due to poor management, a toxic working environment and the massive outflow of specialists. However, in Belarus, there are a number of other partners and potential beneficiaries from both the state and civil society sectors. In order to significantly increase the effectiveness of the implementation of projects in the field of the green economy and the transition to climate neutrality, it is recommended to:

- i. Rely on the Ministry of Economy, the Ministry of Finance, the National Bank of the Republic of Belarus, the Development Bank and create additional opportunities for the commercial banking sector;*
- ii. Significantly strengthen the capacity of the Ministry of Foreign Affairs in the field of climate diplomacy. At present, Belarus is poorly represented in the most significant multilateral and bilateral processes and does not project the image of a reliable partner for climate investments and cooperation. The same applies to the Parliamentary Commission on Foreign Affairs;*
- iii. Support independent civil society organisations with a policy advocacy agenda for the development of climate policy in Belarus. At present, the promotion of climate risk accounting for the economy and financial stability in Belarus (including transitional risks related to geopolitical and geo-economic changes, which will also result from the implementation of EU Green Deal) is a priority for the non-governmental organisations' coalition "Green Network", but so far not included in the agenda of state bodies.*

Recommendations

To strengthen the governance and implementation capacity of EaP countries' environmental, energy and transport institutions in order to boost reforms, the European Union should:

- iv. Include good governance requirements into the conditions for financial, economic and sectoral support to the EaP countries and promote good governance, based on a transparent and inclusive decision-making process, involving different stakeholders;**
- v. Insist EaP governments work towards strong institutions in the three sectors (environment, transport, energy), able to adopt and implement new policies and laws according to the EU acquis;**

- vi. Establish a monitoring mechanism for the implementation – not only on the adoption – of legislation adopted according to AAs and CEPA in EaP countries within the EaP Environment and Climate Change, Energy and Transport Panels, including regular reporting;
- vii. Provide more support for raising awareness and knowledge about sectoral reforms within EaP countries’ governments and societies related to the European Green Deal implementation;
- viii. Allocate a portion of the funding for the period 2021-2027 to projects aimed at building the capacity of governmental agencies and staff responsible for the implementation of the Green Deal agenda. Capacity building should be tailored to the missing expertise of EaP countries’ governments and created on the basis of an independent external review of existing capacities. Needs assessments based on self-assessment methodologies return incorrect results, as a certain mindset persists among government officials that it’s best not to admit lack of knowledge, while this is instead fully indispensable to obtain adequate support.

The EaP governments should:

- ix. Design institutional reform in the environment, energy and transport sectors strategically, enabling architecture and functions (ministries, agencies, inspections, central and regional/ local levels) to develop and implement new policies and legislation according to the terms of the AAs; positive examples should be promoted in non-AA and CEPA countries; environmental compliance and enforcement institutions should be independent and well-governed, exercising a strict control over legislation. A clear separation of regulators from the executive is essential (e.g. environmental and energy regulatory functions should be separated from their respective Ministries and administered by an independent regulatory agency). Furthermore, no merging of environmental ministries with other ministries should be promoted; the model is far too premature for the current state of play and weight of environmental issues and institutions, especially taking into account the weak rule of law;
- x. Task the responsible ministries to develop dialogue with civil society organisations (CSOs) and other stakeholders further, providing them with more opportunities to advocate their position. The rules for such dialogue should be jointly agreed by all parties and be based on a clear procedure;
- xii. Finance environmental measures on combating pollution and halting the overuse of natural resources with domestic public environmental funds. These funds should be managed in a far more coordinated way and control over their use should be strengthened. The rate of environmental fees, fines and taxes should be increased significantly to correspond to environmental damage and risks. Public funds should work in synergy with private/IFI investments. Stronger implementation of the “polluter pays” principle is essential also in the energy and transport sectors.

- xii. Strengthen the current environmental monitoring system and analytical capacity within environmental institutions, introducing measurable goals and regular assessment procedures, and proper data collection and analysis for policy makers. The same should be applied to energy and transport.

Post-2020 deliverables and targets

The EaP CSF has formulated a list of deliverables and corresponding targets to go under the sub-objectives of priority 4, *“Together for environmental and climate resilience”*. As a general remark, since the EaP countries are all included within the scope of the EaP framework, the European Green Deal, and the Sustainable Development Goals agenda, the harmonisation of the goals and targets of the EaP policy framework and European Green Deal agenda on the one hand, and the SDGs on the other, would reduce the reporting burden on the government and could potentially streamline procedures.

1. Sustainable transport connectivity – proposed deliverables

The EaP CSF welcomes the priorities related to TEN-T included in the Platform 3 Discussion paper of November 26, 2020, but calls for the systematic publishing of information on the status of works related to the implementation of TEN-T projects on the websites of governmental agencies. Until now, monitoring of results of has been difficult due to lack of access to information. Along the proposed points, the EaP CSF suggests as new deliverables to:

1. Establish Road Safety Lead Agencies – or improve activity of the lead agencies when already existing – with responsibilities over analysis, monitoring, promotion and finances and allocated budget for activities and capacity-building;
2. Develop a Road Safety Fund (promote the pertaining legislative amendments where needed) at national level to be used for awareness raising campaigns, improve database and methodology, or research and generate funds from fines, insurance and taxes;
3. Ensure that the soon-to-be established Regional Road Safety Observatory improves the data collection of accidents, including data monitoring and road crash investigations, accounting for the use of child booster seats, helmets, seatbelts, reflective materials and mobile phones; include volunteer components for fastest reaction and decrease of post-accident death and irreversible injuries;
4. EaP governments set up the proper legal and regulatory context for the development of SUMP. The support should include guidance on methodology, provide state-of-the-art examples from an existing European context and a catalogue of measures that EaP cities should pursue, as well as financial support in the form of a national funding program dedicated to selected projects that prove to incorporate sound Sustainable Urban Transport and environmentally friendly transport policy practices.

Proposed benchmarks/targets

- By 2025: 30% reduction of greenhouse gas emissions in the air.
- A Road Safety Lead agency exists in all EaP countries.
- Functional Road Safety Funds are operational in all EaP countries.
- Road traffic and mobility statistics in all EaP countries are collected and in line with EUROSTAT standards;
- Local authorities develop comprehensive Sustainable Urban Mobility Plans (SUMP) at the municipal level.

- 80% of households in mountain districts have access to developed touristic infrastructure (internet, motorways, signboards, informational desks, maps in GIS format, outpatient clinics, guesthouses, outside furniture, food facilities etc.)

2. Energy resilience and interconnectivity

The EaP CSF supports the clauses in the position paper related with Section 2: “*Energy resilience and interconnectivity*” that European Green Deal should serve as base for activities on interconnectivity, security of energy supply, fostering the clean energy transition and decarbonisation. The European Commission’s proposal of setting a target of at least 55% in 2030 compared to 1990 (an increase from 40% currently) for the reduction of greenhouse gas emission is very ambitious. The following measures included in the Platform 3 Discussion paper of November 26, 2020 are particularly welcome:

- increase the use of renewable energy sources (solar, wind, hydro, geothermal, biomass) and of environmentally friendly biofuel;
- significantly reduce energy consumption in buildings through implementation of energy efficiency standards and renovation;

Along the proposed points, the EaP CSF suggests as new deliverables to:

1. Develop National Hydrogen Strategies in Eastern Partnership Countries, which will lead to greater sustainable economic development and tangible benefits to the lives of citizens by reducing energy dependence and consumption; National Hydrogen Strategies (EN-H2) can facilitate and accelerate the energy transition in the various sectors and at the same time strengthen the national economy;
2. Include the adoption of road maps for the implementation of the Clean Energy Package as part of Association Agreements or other cooperation documents;
3. Enhanced the capacity and accountability of key institutions (ministries of energy, energy regulators) to ensure a level playing field; competitive, transparent appointments of the leadership of energy regulators;
4. Support the implementation of emission reduction plans, which includes systems of monitoring, verification and reporting of greenhouse gases;
5. Support the creation of transparent and favourable conditions for the development of renewable energy;
6. Ensure that EaP countries’ extractive industry is transparent, environmentally safe and aimed towards the implementation of the goals of the green transition;
7. Introduce a carbon tax;

Proposed benchmarks/targets

- In order to achieve the goal of carbon neutrality in 2050, it will be necessary to comply with a trajectory that leads to a reduction of 85% to 90% in GHG emissions by 2050. The EN-H2 has as main objective to introduce an element of incentive and stability for the energy sector, promoting the gradual introduction of hydrogen as a sustainable pillar and integrated in a more comprehensive strategy of transition to a decarbonized economy. Hydrogen will be a fundamental vector for the decarbonization of various sectors of the national economy towards carbon neutrality;

- By 2023: approved national action plans on implementation of green transformation; RES is a natural part of energy markets (access to all segments, competition for consumers, no subsidies for new projects);
- By 2023: effective adoption of legislation to ensure independence, competence and accountability of energy regulators; By 2025: effective implementation;
- 100% climate neutrality by 2050;
- The carbon quota market is functioning;

3. Environment: people's health and wellbeing, circular economy, biodiversity and natural assets

Reformed governance and management system in the field of environmental protection should be considered as utmost priority. The division of functions between the ministry, agency (agencies) / service (services), inspection must be defined and applied. Along the points proposed in Platform 3 Discussion paper of November 26, 2020, the EaP CSF suggests as new deliverables:

Under people's health and wellbeing

1. Revision of National Action Plans on the management of water resources, water infrastructure and waste management. Effective implementation of existing National Action Plans by all stakeholders;
2. Integration of sustainable development curricula into National Curriculum of general education for all grades, starting from kindergarten through senior year;

Proposed benchmarks/targets

- By 2025: 95% of households will have access to clean water and at least 90% of waste will be recycled across the 6 EaP countries; 2 billion EUR should be leveraged by 2025 to support development of Water infrastructure high standards, support PPP in regards to waste management and SMEs in the 6 EaP countries;
- By 2023: a green education curriculum for schools should be worked out and adopted; by 2025: the curriculum is implemented in public and private schools across the country;

Under circular economy

1. Adoption of subsidy programmes for organic farmers, which includes the use of organic fertilisers in agriculture. EaP Countries should adopt National Standards for Organic Farming, a mechanism for accrediting certification bodies and a mechanism for certification of organic products. The countries should facilitate the creation of groups of producers of organic products for the domestic market;
2. Elaboration and adoption of a waste management plan (in marine litter) aiming at prevention and mitigation of marine littering, taking into consideration SDG objectives and circular economy approaches;

Proposed benchmarks/targets

- A waste management plan for marine litter is adopted for a five years period with annual updates and results in a measurable prevention and minimisation marine littering in the sea coast area.
- Awareness raising campaigns are carried out reaching a target group of over 1 000 000 citizens living in EaP coastal sea areas by 2025;

Under biodiversity and natural assets

1. Development of waste laws in the six EaP countries, setting up targets for recyclable waste, implementation of extended producers responsibility approach;

2. Development and adoption of strategies for biodiversity and ecosystem restoration;
3. Development of aquaculture strategy and action plan;
4. Creation of effective systems for monitoring the state of the environment;
5. Adoption of forest strategies;
6. Adoption of ecosystem approach to environmental decision-making processes, with integration into Environmental Impact Assessment and Strategic Environmental Assessment procedures;
7. Environmental Impact Assessment and Strategic Environmental Assessment procedures work effectively;
8. Implementation of river basin management plans developed with a support of the EU Water Initiative Plus; other priority river basin management plans are implemented;

Proposed benchmarks/targets

- 6 laws adopted in EaP countries, which set up ambitious targets (at least 30 %) for recyclable waste (plastic, glass, paper, metal, etc.), the new laws contain extended responsibility approach, implemented by the economic entities;
- 6 pilot projects implemented in 6 EaP countries (at least one project per country) with the support of EU4Environment Programme and EU4Business Programme;
- Environmental data is available online. The system of access to information on the state of the environment is synchronized with the European one;
- Sustainable forestry has been achieved. There is no illegal logging. There is an online wood tracking system;
- Online maps of ecosystems of countries using Copernicus data have been developed. National methods for mapping and assessment of ecosystems and their services have been developed;
- Open online registers of Environmental Impact Assessment and Strategic Environmental Assessment are operational;
- Civil society is involved in the processes;
- Commissions for transboundary river basin management have been established. Basin councils are capable bodies that determine the strategy of water resources management;
- National strategies have been developed to expand protected areas to 30% of the country's territory. The Emerald network is integrated into the Nature 2000 network;
- Waste water management is included as priority in national development strategies in 6 EaP countries with a list of priority cities and towns for which the EaP countries are committed to assure financing during the implementation of the next deliverables;

4. Climate policies

Given the importance of climate policies to achieve the EaP goals of long-term resilience, the list of benchmarks listed under Climate policies in the Platform 3 Discussion paper of November 26, 2020 is rather limited and disproportionately short if compared to other objectives. This limitation may reflect a relatively low interest, political will and capacities of the official structures in the EaP countries in developing effective and ambitious climate policies. In this situation, it is even more important that EU supports and promotes the development of more ambitious and better-informed climate policies in the EaP region.

The EaP CSF supports the goals on mitigation, on updating NDC, adopting absolute emission targets, developing Low Emission development strategies and MRV systems. Nevertheless, the targets need to reflect an increasing level or ambitions and be formulated in compatibility with Paris Agreement goals.

The Platform 3 Discussion paper of November 26, 2020 lacks benchmarks on climate change adaptation and disaster risk reduction policies, although these targets are mentioned in text.

Proposed benchmarks/targets

- National policies and implementation plans on climate adaptation and disaster risk reduction are developed and adopted;
- Climate change adaptation and disaster risk reduction are mainstreamed into the main sectoral policies, with specific focus in climate-vulnerable sectors such as agriculture and forestry and highly vulnerable areas such as cities;
- Climate change monitoring and information systems are established at the national level and connected to the international data networks and sources e.g. COPERNICUS system. The results, including long-term scenarios and early warning systems, are delivered to the relevant users at all levels;

Overall, climate targets could be based on or take into account the indicators already formulated for the relevant SGDs (e.g. SGD 13) and other existing reporting systems such as the Sendai Framework.

The EaP targets and deliverables on climate policies need to promote vertical and horizontal integration, and stakeholder involvement necessary for that. Last but not least, civil society organisations are important centres of expertise on climate policies in EaP countries and should be involved in existing and future processes to ensure quality results.

5. Green recovery, sustainable finance and administrative capacity

EaP governments' administrations should be strengthened in order to assure the implementation of environmental legislation in EaP countries;

Proposed benchmarks/targets

- 30% of NDICI funds are devoted to climate-related spending;
- Investment projects, in particular those related to hydropower production, undergo a mandatory Environmental impact assessment;

2. The role of civil society in the implementation of the post-2020 deliverables

In cooperation with governments, civil society should be the engine of green mainstreaming, with roles in **policy formulation, policy monitoring, awareness raising and experience transfer**.

In some EaP countries (e.g. Belarus), independent civil society organisations are currently the main allies of the European Union in promoting the European Green Deal, as it is the experts of such organisations that fully understand and share the political and economic priorities outlined in the Green Deal (in contrast to government agencies). Therefore, CSOs can and should play one of the leading roles in **(i) policy formulation and monitoring of policy implementation; (ii) awareness raising campaigns among the public and (iii) organisation of capacity buildings, training programmes and media campaigns** on the linkages of climate risks to all areas of the economy and society.

The EaP countries have the potential to improve their climate, energy and environmental protection. In order to realise this potential, the new deliverables and the post 2020 framework should be geared towards institutional strengthening, better implementation of environmental legislation and support for effective civil society involvement. Civil society should be involved in monitoring the progress in implementing environmental reforms on EaP countries, being a part of all the formal structures set up within the EaP initiative, and its participation in all events should comprise at least 1 expert from each EaP country. Civil society should be also involved in assuring the visibility of EU support and projects in the field of environment, energy, transport and climate change. Moreover, civil society should be involved in capacity building projects in the field of the environment in order to raise the capacity of the main target groups to implement necessary reforms related to environmental protection for various economic sectors. Civil society should be one of the catalysts for boosting cooperation between various ministries which are a part of the environmental change policy areas, ensuring cross-sector participation in the field of environmental protection. Last but not least, civil society should implement projects in the field of environment in order to show models and positive examples to be followed by the governments, LPAs and the general public (cleaning campaigns, planting forests, creating bicycle lanes etc.), fostering this way the implementation of innovative practices as well.

Policy formulation and monitoring

Civil society should be a key stakeholder at each stage of environmental, energy and transport policy development and decision making, to ensure careful policy formulation and avoid ineffective implementation due to bad initial design. Civil society is one of the pivotal actors in the process and should be treated as such. The absence of legal requirements for CSOs to participate in the decision-making process is and will be one of the main constraints preventing the effective contribution of civil society to the process of adoption and mainstreaming of the new deliverables. A best practice for civil society engagement can be found in Ukraine, where all the strategies related to sustainable development have been developed or are being developed by NGOs, or by corresponding ministries in cooperation with NGOs. NGOs also created successful pilot cases at the implementation stage, guaranteeing participation of all stakeholders through public presentations and awareness campaigns, and thus ensuring a holistic policy formulation and implementation. Most importantly, civil society should:

- a. Be included in public monitoring and assessment of activities included in action plans;
- b. Be involved in permanent working groups composed of CSOs and government representatives with a rotational chairmanship of such working groups;
- c. Be made a part of all the formal structures set up within the EaP initiative, and its participation in all events should comprise at least 1 expert from each EaP country;
- d. Have an effective dialogue with government agencies, monitor the actions of government and business, monitor the implementation of obligations enshrined in international and European treaties and conventions, and cooperate with responsible international structures at the level of reporting.

Civil society organisations are instrumental in monitoring policy implementation and holding governments to account. EaP CSF members noted that CSOs' role is particularly crucial in the following areas:

- a. Monitoring energy efficiency, green economy initiatives, transparency, road safety and air quality, through partnerships between CSOs, local authorities, businesses;
- b. Controlling the compliance of executive authorities with established targets and of businesses with environmental regulations; watchdogging public financing for environment to ensure its efficiency;
- c. Monitoring policy implementation, the effective use of allocated resources by governmental structures, and the effectiveness of implemented programmes;
- d. Active participation in SEAs and EIAs.

Recommendations to ensure CSOs' role in policy formulation and monitoring

- a. Support the strengthened institutionalisation of civil society's participation in policy dialogue, public debates, committees, consultations, especially at the local level, facilitating cooperation between local governments/municipalities and civil society, especially for what concerns the monitoring of implementation of the agreed commitments;
- b. Include a requirement for CSO engagement in all EU-funded cooperation projects with the authorities;
- c. Precondition EU assistance to national governments on Green New Deal matters on the prior acceptance of a joint agenda agreed between government and civil society, including reforms to be adopted, actions to be taken, and concrete roles for both;
- d. Channel stronger political support to civil society's green campaigns through the EU Delegation in each EaP country, working in close cooperation with EU Member States' embassies;
- e. Enhance the role of civil society organisations in Green New Deal-related policy implementation, to improve the results and strengthen the local ownership of reforms. Assign a specific role to civil society actors, including the EaP CSF and its National Platforms, in the Green New Deal's implementation;
- f. Establish working groups involving civil society representatives, scientists and governments working together on the practical elaboration of each country's climate action, discussing the application of good practices to the national context;
- g. Strongly encourage EaP governments to pass laws facilitating civil society organisations' active contributions to the process of highlighting and promoting the green agenda.

Awareness campaigns

Civil society should be involved in ensuring the visibility of EU support and projects in the field of environment, energy, transport and climate change. Independent civil society organisations are the European Union's main allies in promoting the European Green Deal, and are key players in raising public awareness, promoting behavioural change, and creating a grassroots demand for green policies, mobilising local society. As repositories of critical knowledge, local networks and public trust, civil society organisations will continue carrying out campaigns for better green legislation regulation and other public awareness actions. Civil society can also be instrumental in supporting local communities' involvement in the opportunities created within the green economy. In order to support civil society in the organisation of awareness raising campaigns, EaP CSF members recommend that:

- a. All CSO projects funded by the EU should include at least a small part of the green agenda (as is the case with gender mainstreaming). This could contribute significantly to raising awareness among citizens not directly touched by so-called green projects: for example, introducing zero-waste standards for events organised within EU-funded projects would not only show NGOs are “walking the walk”, but would also be more far reaching. Events on non-green related matters would also offer the chance to discuss green components;
- b. CSOs are closely involved in developing and carrying out special education programmes for schools’ curricula across the region; a specific curriculum can be developed in collaboration with the Ministry of Education through the signing of memoranda of understanding;
- c. Civil society should implement projects in the field of environment in order to show models and positive examples to be followed by the governments, LPAs and the general public (cleaning campaigns, planting forests, creating bicycle lanes etc.), thus fostering the implementation of innovative practices. Moreover, Public-Private-Partnership principles should be adopted for joint actions by CSOs, local communities, public organisations, business associations, scientific communities, and trade unions (or preferably professional guilds);
- d. Environmental CSOs and farmers’ organisations should work in cooperation to raise awareness in the farming industry. Projects like the Green Schools for Local Farmers and Cooperatives – currently planned by the Georgian organisation *Association for Farmers Rights Defence, (AFRD)* – can be taken as inspiration by others to promote the understanding of climate risks, mitigation and adaptation among different actors, and bring green mainstreaming to different segments of the business sector;
- e. Funding for joint actions involving CSOs and all types of media should be made available for the purpose of awareness raising.

Recommendations to ensure CSOs role in awareness raising

- a. Introduce a specific small funding programme allowing EaP civil society organisations access to grants for evidence-based research.
- b. Adopt rules so that funding is directed to independent, bona fide civil society organisations, especially for policy advocacy projects. Some international organisations, such as UNDP have a proven and stable record of re-granting to GONGOs, which might be acceptable in case of infrastructural projects, but doesn’t work at all in the case of policy advocacy. CSOs established by and serving economic and industrial groups have a track record of disseminating improper and misleading messages which confuse the public and create mistrust towards legitimate CSOs’ messages. Transparency at all stages of financing for CSOs as well as rules for transparent reporting of their work should also be ensured;
- c. Provide dedicated funding to projects aimed at ensuring the involvement of CSOs and broader audiences (i.e. the general population) in the implementation of the green agenda, rather than limiting their involvement to simply providing technical solutions;
- d. Allocate dedicated financial support to civil society projects aimed at supporting the green agenda at the EaP regional (multilateral) level, as many climate change and environmental projects have an important regional and cross-border dimension.

Capacity building, consulting and knowledge transfer

Capacity building and training for experts and civil servants in the sphere of climate policy is an urgent need. The level of knowledge among EaP civil servants and NGOs not working directly on climate issues, but whose expertise will be needed for the process of mainstreaming, is very low and this type of expertise is in short supply. As repositories of key technical expertise, civil society and the scientific community also have an important role to play in:

- a. Carrying out capacity building programmes for government civil servants and media training for journalists on reporting climate change and aspects of the green deal, and providing advice to businesses on climate risks and investment opportunities;
- b. Transferring the EU's green governance experience to the EaP countries, fostering new policies according to the European Green Deal;
- c. Exchanging experiences and expertise with colleagues from the rest of the EaP countries.

Recommendations to ensure CSOs' support in capacity building

Under the European Green Deal for the Eastern Partnership, capacity building should have dedicated resources which:

- a. Foresee capacity building trainings dedicated to:
 - i. Studying the policies and practices of EU member states and their transposition at the national level;
 - ii. Experience sharing on best practices from the OECD countries for EaP CSOs and experts;
 - iii. Regional networking and experience exchange programmes between experts and civil society organisations from the EU and EaP, and indeed within the EaP;
 - iv. Informing civil society organisations on how to make the climate agenda a burning issue that mobilises people. Newly mobilised populations can in turn put pressure on the authorities and politicians to tackle these issues, adding political momentum to addressing problems;
 - v. Facilitating exchange trips and study tours for CSOs, governments and scientists;
- b. Facilitate close cooperation between EU Member States' embassies in the EaP countries and civil society organisations to promote EU green best practices within the EU's Green Deal Strategy for the Eastern Partnership;
- c. Create joint capacity building opportunities for civil servants and CSOs to facilitate the creation of a collaborative environment and partnership among government and CSOs working on the same areas; open capacity building opportunities for civil servants to civil society representatives to ensure that expertise is equally shared between decision-making bodies and monitoring ones. NGOs are often excluded from participation in the numerous trainings open to government bodies, hindering their ability to fulfil their monitoring role;
- d. Support coalition projects, strengthening links between CSOs working on green areas from different countries (especially local and regional CSOs), given the important cross-border dimension.

3. Assessment of Deliverables 13-16

13. Extend the core Trans-European Transport Network (TEN-T)

In **Georgia**, the infrastructure projects included in the EU EaP TEN-T Action Plan have been treated as priority: the majority of projects have been initiated, the funds mobilised and agreements with donors signed. Information on the status of works related to the implementation of TEN-T projects is not published on the websites of governmental agencies. There is no monitoring of results of strategies and action-plans on road safety to give a clear picture of the quality of performance, which makes it difficult for civil society to learn of setbacks or failures. It would be advisable for the TEN-T related projects to have a dedicated web page, updated at least every three months. Overall, Georgia's capacity to absorb international funding was indicated as a weak point in the TEN-T Action Plan, and this remains unchanged, needing improvement. Georgian civil society, donors and partner countries must pay more attention to TEN-T related projects and more intensively monitor completion of plans announced by the government and its contractors.

A National Road Strategy has been adopted and is being implemented through annual action plans. The National Road Safety Agency (department) has been established and the number of accidents has been substantially reduced. Accident black spots have been identified on roads throughout the country and the necessary actions are being taken. A National Road Safety Agency (NADEP) has been developed. On the road safety front, the measures introduced to raise awareness, especially among young drivers, have been judged insufficient by civil society. The programme for technical inspection of cars has been completed. There are some implementation delays (such as with technical inspections, or black spot management), but the progress is evident and continues in the right direction.¹

Ukraine recorded progress in the settlement of its dispute with Romania on the Danube, therefore advancing in its process of accession to the TEN-T core networks. In autumn 2019, the country started implementing the EIB-funded Ukraine Urban Road Safety project. A more thorough approach would be needed to advance on the development of investment projects included in the Indicative TEN-T Investment Action Plan.²

14. Increase the security of energy supply

Overall, good progress was recorded on the targets of Deliverable 14, particularly in the AA countries.

In **Armenia**, the project aiming to improve the interconnection of high voltage electricity lines between Armenia and Georgia has encountered difficulties. In 2017-2018, the authorities decided to re-evaluate the cost effectiveness of connection through BTB transformers, and sought a cheaper, alternative approach. In November 2020, with the approval of the National Assembly of a loan of 75m Euros, it was

¹ <http://gip.ge/georgias-implementation-of-20-eastern-partnership-deliverables-for-2020/>

² <https://www.civic-synergy.org.ua/wp-content/uploads/2019/12/Ukraine-s-Implementation-of-20-Eastern-Partnership-Deliverables-for-2020-.pdf>

decided to continue the initial project with a new deadline of works established preliminarily as 2024-2025. Non-continuation of the project could have raised debt penalties of around 16m Euros.

In **Georgia**, good progress was recorded on most of the targets of deliverable 14, with prospects of success by the end of 2020, through gas flowing to the EU along the southern gas corridor. The system of identification and review of projects of common interest was established, (targets 1,2). Caspian gas is already flowing to Turkey via TANAP, pending the completion of TAP in order to reach the EU. Only the establishment of the Georgia-Armenia DC connection is lagging, due mostly to delays on the Armenian side.³

In **Moldova**, the construction of the Ungheni-Chișinău pipeline has started and is expected to be finished before the end of 2020. National energy statistics have been aligned with EUROSTAT standards and the national energy balance now includes data on solid biomass consumption by households, with estimations based on the agreed methodology. The national legislation has been amended to fully transpose the Third Energy Package. However, neither the full transposition and implementation of the EU Directives, nor even the construction and operability of electricity and gas interconnectors will be sufficient for the establishment of a transparent and functioning energy market in Moldova until the problem of “free of charge” gas being supplied to Transnistria is resolved. A fundamental obstacle for developing functional energy markets lies in the contractual scheme for natural gas procurement from Gazprom and delays in the implementation of unbundling in the gas sector. These two factors enable supply of natural gas to the Transnistrian region de facto for free and therefore make it impossible for Moldova to build transparent and functioning natural gas and electricity markets.⁴

In **Ukraine**, during 2018-2019, the EU4Energy project actively worked with state institutions to implement the National Action Plan on Energy Sector Reform. This work included drafting laws and regulations, expert reviews of legislative and regulatory frameworks, upgrading skills of civil servants, and providing other technical and expert assistance. However, the deadlines for updating the projects of common interest of the parties to the Energy Community, and, accordingly, the connecting infrastructure in the gas and electric segments, no longer match the geopolitical realities in the region of Eastern Europe and may lose their significance as of 2020. The launch of the Energy Efficiency Fund (EEF) and the reform of state support for renewable energy have become the biggest achievements of Ukraine in the domains of energy efficiency and the use of renewable energy. However, there is a risk of low demand for EEF services due to the high cost of borrowing.⁵

15. Improve energy efficiency and the use of renewable energy; reduce greenhouse gas emissions (GHGs)

Since the onset, deliverable 15 has been defined in a very generic way, which makes it difficult to assess if the deliverable itself has been achieved. The lack of a benchmark or target for indicators such as the

³ <http://gip.ge/georgias-implementation-of-20-eastern-partnership-deliverables-for-2020/>

⁴ <https://www.eap-csf.md/wp-content/uploads/2019/12/Evaluation-of-the-implementation-of-20-Deliverables-for-2020-RM.pdf>

⁵ <https://www.civic-synergy.org.ua/wp-content/uploads/2019/12/Ukraine-s-Implementation-of-20-Eastern-Partnership-Deliverables-for-2020-.pdf>

share of renewables makes it difficult to establish whether a good result was achieved. Abstract goals such as progress towards energy efficiency are very difficult to assess, because it is a complex calculation - made all the more so by the fact that the means of assessing energy efficiency was also not specified. This should be changed in the future.

On this basis, some progress has been recorded under deliverable 15 when it comes to the adoption of legislation. Challenges persist in the adoption of secondary legislation and in the sphere of implementation.

In **Armenia** enough strong progress has been made in the renewable energy area, particularly through the introduction of solar photovoltaic stations. At present, 3609 autonomous solar PV stations (capacity less than 500kW) with a total capacity of around 71MW are installed and connected to the electricity grid, and a further 6.9MW will be connected to the grid soon. In 2022, the Masrik Solar PV station with capacity of 55 MW is expected to generate over 128 gigawatt hours of electricity per year at a competitive tariff of 4.19 cents/kWh. This project will help reduce greenhouse gas emissions by around 40,000 tons annually between 2022 and 2042 by replacing power generated from more carbon-intensive sources. It is expected to put into operation by 2022 48 solar power plants with a total capacity of 197 MW.

In **Moldova**, despite major progress at the legislative level, the implementation of energy efficiency legislation is stagnating in all domains except energy labelling of equipment. This is mostly due to the slow adoption of secondary legislation (government decisions, regulations, etc.) and the insufficient capacities of the Energy Efficiency Agency.

All EU legislation pertinent to promoting the use of renewable energy and to energy efficiency has been transposed into national legislation, except for EU Regulation 2017/1369 on energy labelling (although the preceding Directive 2010/30/EU has indeed been transposed), and the Energy Performance of Buildings Directive (EPBD) 2018/844/EU, which has been transposed partially. Energy labelling of equipment is in the process of implementation. After aligning the national energy statistics to the EUROSTAT standards and the inclusion of estimated data on solid biomass consumption in the country's energy balance data, the share of renewable energy is estimated at over 26% of all end user energy consumption, which is much above the target of 17% negotiated within the Energy Community Treaty. However, specific targets on share of renewables in electricity (10%) and transportation (10% of liquid fuels) will not be met by 2020.

Generally, Moldova has progressed well with the transposition of the EU legislation, but is struggling with implementation on all dimensions – from the creation of a functional and transparent market to the implementation of projects in the realm of energy efficiency and renewable energy. In order to foster the implementation of adopted policies, the institutional framework has to be consolidated, including by addressing the problem of competitive salaries for public servants (relevant for the Ministry of Economy and Energy Efficiency Agency), and ensuring the de facto independence of the ANRE.

In **Georgia**, significant progress was recorded towards all targets set in Deliverable 15, however challenges remain, particularly in the area of institutional capacity: the capacity of policymakers, institutions and municipalities needs to be boosted and IFI support needs to be more selectively exercised to focus on high quality and strategically appropriate projects. Some of the deliverable's targets haven't been reached yet, and all unfulfilled goals should be left for new deliverables beyond 2020. In 2020, the

country adopted an avalanche of reforms, passing five major laws (Energy and Water Supply, Energy Efficiency, Renewable Energy, Energy Performance of Buildings, and Energy Labelling), and adopting the concept of electricity market design. As a result, the country needs to adopt about 40 different pieces of secondary legislation. This is particularly challenging, as the Ministry of Economy and Sustainable Development (MoESD, incorporating the former Ministry of Energy) is lacking the professional and institutional capacity to cope with the legislative changes and to operate in a new environment. The legislative changes have not been accompanied by adequate resources for their implementation.

The energy sector is witnessing deteriorating energy security caused by a growth of demand for electricity and natural gas and increased import dependence. Infrastructure development cannot catch up due partly to strong public opposition to hydropower development, poor quality of investors, and low energy tariffs that are subsidised through public resources.

At present, there is no constructive dialogue on the energy and environment nexus. Discussions around HPP development are taking place in a hostile atmosphere. A constructive process needs to be built, to hold the dialogue in good faith while taking into account Sustainable Development Principles.

16. Support the environment and adaptation to climate change

Progress was noted in several areas, but critical problems remain in the field of environmental governance, which should be prioritised in the next set of deliverables post 2020.

In **Armenia**, members highlighted that in recent years, energy efficiency projects have advanced, with a particular focus on the energy efficiency of public buildings and street lighting. Projects for the development of solar energy receive government support, while relevant indicators are displayed on the official websites of government agencies. At the same time, reforms in the hydropower sector are still progressing very slowly. Water resources management is not efficient, and control over the conservation of biodiversity, forests and lands is weak - that is, mitigation and adaptation measures have been announced but not yet implemented.

In **Azerbaijan**, members noted that the issue of soil protection and increasing the fertility of agricultural lands remain critical. There is no government support for the development of the organic farming movement.

In **Georgia**, preparation of the action plan for adaptation to climate change began in February but was delayed due to the COVID-19 pandemic. Georgia is a member of the Energy Community and a signatory to the Paris Agreement, and is preparing a National Energy and Climate Action Plan (NECP), a plan to deliver on its Nationally Determined Contributions (NDCs), and a Climate Action Plan (CAP), as well as a Low Emissions Development Strategy. However, the lack of professional and institutional capacity within the MoESD and the Ministry of Environment and Agriculture (MEPA) is further worsened by the lack of analytical or planning capacity, and insufficient research. The government's Climate Council has been created but has not convened for more than six months. This body needs capacity development and to set up operational and coordination procedures. Numerous donor projects in the environmental and climate change fields are not met with adequate receiving capacity from state agencies and are likely to have little sustainability.

In **Moldova**, despite modest improvements in the field of environment and climate change in the EaP countries, many problems remain, including important delays in the adoption of primary or secondary legislation, faulty implementation, weak enforcement, and lack of transparency and consultation with stakeholders. The situation in the field of environment remains without significant changes, with a poor level of wastewater and waste management, a decrease of forested areas, a rise in the percentage land classified as degraded, increasing vulnerability to climate change, and many other environmental problems which require immediate action.

If the post 2020 EaP framework is to be effective, the removal of two important stumbling blocks currently undermining the ambitious goals set by the European Green Deal should be prioritised for the post 2020 EaP framework. The first has to do with persisting weak environmental governance and institutions. Despite AA and CEPA provisions aimed at the strengthening of the institutional framework, EaP Environmental institutions still lack adequate capacity to ensure proper environmental protection and fight climate change. Environmental institutional reforms were not planned strategically, and in some cases weakened the Ministries of Environment, instead of strengthening them.

If the post 2020 EaP framework is expected to be effective, public administration reform in the environmental protection sector should also be prioritised. Good environmental governance, based on a transparent and inclusive decision-making process, involving different stakeholders, should be one of the conditions for financial, economic and sectoral support to the EaP countries. Future monitoring mechanisms should be qualitative and focus on the implementation – not only on the adoption – of environmental laws. As for environmental reforms, which proved to be some of the most difficult in the EaP countries, the new deliverables should support their sustainability (irreversible success), and for this bilateral task forces at the senior officials level should be established with the participation of IFIs, experts, and CSOs, to help each of the 6 EaP countries in achieving the targets set under the new EaP environment and climate change deliverables. These task forces should meet on a quarterly basis and report to the relevant structures of the EaP architecture.

Ukraine still does not have a clear plan for institutional reform. Despite some achievements, implementation potential remains weak and volatile, and environmental and climate policies are fragmented and lacking in durability.

First of all, Ukraine needs to ensure a strategic approach to solving environmental problems, and the adequacy and sustainability of environmental institutions to ensure proper environmental governance. To support this complex reform, a special bilateral working group with the EU is needed to monitor and control the achievement of the EaP region's environmental and climate policy goals at the level of senior officials, with the participation of financial institutions, experts and the public.

Ukraine's key achievement since February 2020 has been the restoration of an independent Ministry of Environmental Protection and Natural Resources. This was made possible by public pressure, from WG3 of the Ukrainian National Platform in particular. The group also did systematic work in the field of water resources management, lobbying for the implementation of the basin management principle. However, plans to develop river basin management plans are expected only in 2024.

The percentage of renewable energy has increased significantly, but there is an acute problem with the revision of the green tariff for RES, which threatens the development of the renewable energy sector. This is just one demonstration of the sad reality that there are still more problems than achievements. For example, the law on waste management has not been adopted yet, and the State Environmental Inspectorate has not been reformed, the inspectorate itself being left without effective tools.

There is no progress either in restoring the environmental monitoring system. As a result, the air in Ukrainian cities is one of the dirtiest in the world. Convenient online access to data on the state of the environment is not provided, and the available data are published in formats that are not convenient for the general public. There is no progress in the expansion of nature reserves: the area of such reserves is only 8% of the national territory, while the introduction of the land market threatens the creation of new protected areas. At the same time, there is some progress in creating new Emerald Network objects.

Work is under way to develop an updated Nationally Determined Contribution, and preparation was recently started on a Climate Change Adaptation Strategy. There are threats of dangerous changes to the National Emission Reduction Plan (NERP) to reduce emissions of major pollutants from large combustion plants.

The problem of illegal logging remains global for the country. The acute problems that arose during the implementation of the Laws on Environmental Impact Assessment and Strategic Environmental Assessment have not been resolved.