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Ad Hoc Preparatory Working Group of Senior Officials

“Environment for Europe”

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(Item 3 of the provisional agenda)

DRAFT MINISTERIAL DECLARATION¹

Introduction

1. We, the Environment Ministers and Heads of delegation from [55] countries in the UNECE region and the Representative of the European Commission, met at Kiev, Ukraine, from 21 to 23 May 2003, in the fifth of a series of Ministerial Conferences held as part of the “Environment for Europe” (EfE) process.
2. We underline the importance of the EfE process as a tool to promote environmental protection and sustainable development in the region, thus contributing to wider peace and security. We reaffirm our commitment to cooperation on environmental protection among countries in Europe, North America, the Caucasus and Central Asia, taking into account the principles that were agreed in Dobris, Czechoslovakia, in 1991; in Lucerne, Switzerland, in 1993; in Sofia, Bulgaria, in 1995; in Aarhus, Denmark, in 1998; and here, today, in Kiev, Ukraine in 2003.
3. We take note of the rapid political, economic and social changes that have taken place in the region since the establishment of the EfE process in 1991 and we underline our view that these changes call for efforts to strengthen cooperation within the region.
4. [As we move forward with the EfE process, we should emphasize our common goals with respect to the environment. We also wish to highlight our common dedication to achieving high standards of environmental protection. In doing so, we should take advantage of the diversity each of us brings to the Conference. There are many approaches and solutions to the environmental issues faced by the

¹ This version reflects the discussions by the open-ended drafting group, held on 29-30 April in Geneva, and comments submitted in follow up as agreed at the meeting.

UNECE. We come to the Conference with differing experiences, ideas, and mechanisms for approaching these issues. Such diversity can serve our common goals, with each of our efforts and experiences offering new lessons for facing the problems that impact us all.]

5. We welcome the decisions taken at the World Summit on Sustainable Development (WSSD) (Johannesburg, 2002) and we commit ourselves to implementing these decisions to strengthen the [three] [environmental] pillar[s] of sustainable development at the global, regional, subregional and national levels and to promote partnerships in support of the goals of the Johannesburg Declaration on Sustainable Development and the Plan of Implementation as well as of the Ministerial Statement of the Regional (UNECE) Ministerial Meeting for WSSD (Geneva, 2001). The present Declaration adopted at the first ministerial environment conference in the region since WSSD represents a collective response to these decisions.

I. ACHIEVEMENTS

6. We acknowledge that the EfE process has been a unique multilateral process that brings all countries in the region together on an equal footing. We are encouraged that this process has evolved into the major high-level pan-European framework for discussing key environmental policy issues, developing programmes, launching negotiations on legally binding instruments and various partnerships and initiatives, including new institutional structures for the environment, in a balance between subregional and regional issues and openness to intensive intersectoral cooperation. We appreciate that the process has provided a wider political platform for the environmental initiatives of subregions, thus making them more effective and visible.

7. We note the results achieved under the Environmental Action Programme (EAP) for Central and Eastern Europe endorsed at the Lucerne Conference. The EAP Task Force has played an effective role in promoting environmental policy reform and capacity building in countries with economies in transition, particularly in reforming policy instruments, environmental financing, environmental management in enterprises and urban water sector reform. The Project Preparation Committee (PPC) has been instrumental in mobilizing and channelling external financing to resolve priority environmental problems in countries with economies in transition, as well as in ensuring coordination among clients, host governments, donors and international financial institutions (IFIs). We recognize the achievements of the Organisation for Economic Co-operation and Development (OECD) and the Regional Environmental Center (REC) for Central and Eastern Europe, in implementing the work programme of the EAP Task Force.

8. We recognize that the UNECE programme of environmental performance reviews (EPR), also initiated at Lucerne as well as other analytical and advisory work of partners in the EfE process, has made it possible to assess the effectiveness of the efforts of countries with economies in transition to manage the environment, and to offer the Governments concerned tailor-made recommendations on improving environmental management to reduce pollution load, to better integrate environmental policies into sectoral policies and to strengthen cooperation with the international community.

9. We note the three assessment reports on the state of the environment produced and published by the European Environment Agency (EEA) in 1995, 1998 and 2003, that have helped to identify major threats and challenges for the development of regional environmental policies, and in the first years to lay

the ground for the preparation of the Environmental Programme for Europe, which was endorsed at the Sofia Conference as the first attempt to set long-term environmental priorities at the pan-European level and to make Agenda 21 more operational in the European context.

10. We note that the preparations for EfE ministerial conferences have stimulated the drawing-up of a number of legally binding instruments promoting environmental protection and sustainable development in the region such as the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, and the Protocols on Heavy Metals and on Persistent Organic Pollutants. Environmental agreements developed under the EfE process complement and strengthen the regional environmental legal infrastructure that has been built by the Conventions on Long-range Transboundary Air Pollution, Environmental Impact Assessment in a Transboundary Context, the Protection and Use of Transboundary Watercourses and International Lakes and on the Transboundary Effects of Industrial Accidents.

11. We [note] [stress] that other [important] policy tools have resulted from the EfE conferences, including strategies, policy statements and guidelines [such as the Pan-European Biological and Landscape Diversity Strategy (PEBLDS), the Policy Statement on Energy Efficiency and the Guidelines on Energy Conservation in Europe, as well as the Strategy to Phase out Leaded Petrol and the Policy Statement on Environmental Management in Enterprises]. These tools, together with the links established between the EfE process and other ministerial processes in the region - environment and health; transport, health and environment; and the protection of forests – help to promote integration of environmental considerations into sectoral policies.

12. We note with satisfaction that the process brought international organizations and institutions active in the region together to work in a unique cooperative setting. We also stress the success of the EfE process in involving civil society organizations in regional environmental policy-making and implementation. Positive examples are the active involvement of REC for Central and Eastern Europe and the establishment of new RECs in Eastern Europe, the Caucasus and Central Asia, and a structured dialogue with a broad coalition of non-governmental organizations (NGOs).

II. CHALLENGES

13. We reaffirm the important responsibility of our region to improve the global environment. We have to take action to confront the adverse impact of present development inside and outside the region. We stress the need to strengthen regional and subregional cooperation as well as to support partnership initiatives with countries outside the region particularly through inter-regional activities. We recognize the need to accelerate and coordinate our efforts to fight global environmental threats.

14. We are concerned that environmental degradation and unsustainable use of natural resources may have significant social and economic consequences, such as increased poverty, cause health hazards, and aggravate insecurity and social tensions, possibly leading to political instability. We are also concerned that conflicts over shared natural resources and ecosystems could lead to tensions between States and have an adverse impact on other subregions, directly or indirectly. We recognize that the EfE process should contribute to strengthening wider peace, security and human safety, and should continue its close cooperation with the Organization for

Security and Co-operation in Europe (OSCE). We note the serious environmental consequences of armed conflicts in the region and welcome contributions made by UNEP in undertaking post-conflict environmental assessments.

15. We welcome the Kiev Assessment prepared by the European Environment Agency (EEA) with the support of countries and UNECE and in cooperation with UNEP and other international organizations, which for the first time covers all countries of Eastern Europe, the Caucasus and Central Asia². We, Ministers from the countries covered by this assessment, are particularly concerned over its findings that in the countries covered by this assessment³:

(a) In terms of integration of environmental considerations into sectoral policies, only limited progress has been achieved to date and only in a few cases has there been significant decoupling of economic growth from associated environmental pressures. This progress has resulted mainly from one-off changes, technical substitutions (e.g. for leaded petrol and CFCs) or from economic decline. Much of this progress is therefore unlikely to be sustained in the face of continuing or renewed economic growth;

(b) Important ecosystems continue to be at risk, including wetlands and species-rich agricultural habitats. Land-use conflicts from transport, urbanization and intensive agriculture continue to diminish the remaining semi-natural remote areas at unacceptable rates. Progress has been made in recovering several species; however, a number of the region's species continue to decline at an alarming rate, threatening biodiversity. Overexploitation of some fish stocks is in particular putting these species at a high risk of collapse;

(c) Water quality and water resources in many subregions are still under threat from a range of human activities. Problems are generally the most severe near hot spots;

(d) The continued growth of transport, with minimal progress in the use of non-fossil fuels and modal shift, is a major problem for the environment, due to further increases in greenhouse gas emissions and health impacts. The increasing demand for tourism transport forms an additional challenge to integrated transport policies;

(e) Alarming exceedances of World Health Organization (WHO) air quality standards continue in many urban areas. Exposure to particulate matter is now the largest threat to health from air pollution in cities;

(f) Emissions of some persistent organic pollutants (POPs) are still a concern. Concentrations of a number of newly identified chemical pollutants not classified as POPs are rising. Obsolete chemicals and contaminated sites continue to have a serious environmental and health impact in countries in transition;

(g) Total waste quantities are increasing in most countries, with only limited progress towards the decoupling of waste generation, particularly hazardous waste, from economic growth in some countries;

(h) Soil is being irreversibly lost and degraded as a result of increasing and often conflicting demands from nearly all economic sectors. The main problems are irreversible losses due to soil sealing

² These countries include Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Republic of Moldova, Russian Federation, Tajikistan, Turkmenistan, Ukraine and Uzbekistan. The name of this group of countries does not constitute an internationally recognized term based on either geographical or socio-economic criteria.

³ The indents 15(a) to 15(h) might be reconsidered to make them in line with respective provisions in part III on Responses.

and erosion, continuing contamination from local and diffuse sources, acidification, salinization, compaction and desertification.

16. As many environmental problems in the region remain unsolved, we need to raise the profile of environmental issues within governments, to strengthen the involvement of sectoral ministries in environmental protection and to tackle these problems in closer cooperation.

17. We recognize that the WSSD's outcome and the existing pressures on the region's environment call for refocusing pan-European policy-making on more effective integration of environmental [requirements in other policy areas and, in particular, to reverse trends that are moving the region away from sustainability. Sustainable development, in particular, requires us to decouple] [protection, economic development and social development, including, where appropriate, delinking] economic growth from adverse environmental impacts. Care of the environment and proper management of natural resources need [to be central and not peripheral to, or in competition with,] [to be fully taken into account in] socio-economic development.

18. We note and continue to support the international legally binding instruments for environmental protection to which we are party; at the same time, we stress that greater emphasis should be placed on compliance with and national implementation of these instruments. In addition to political will and, in some cases, substantial financial resources, the development of appropriate human and institutional capacities is required, and this has not always been sufficiently recognized.

19. We further note that legally binding agreements alone will not suffice to guarantee environmental protection and a comparable level of their implementation throughout the region. Countries need to establish clear objectives, set realistic specific time frames and coherently apply the most cost-effective policy instruments. Economic instruments, voluntary approaches and information and participation instruments have to be more widely and effectively used to promote integration of environmental considerations across the region.

20. We stress the importance of environmental information and data for policy-making and public awareness, recognizing that not all countries use indicator-based mechanisms for their periodic environmental assessments and their evaluation of the effectiveness of environmental policies and decision-making. Better data collection in such areas as chemicals and biodiversity is needed. Improved coordination and optimization of environmental assessments, including outlooks, and reporting are another area for concerted action.

21. We note the over 220 partnership initiatives announced at the WSSD and the need to continue to engage business and industry on corporate social responsibility and accountability, as well as in public-private partnerships to achieve common environmental and sustainable development objectives including eco-efficiency. We recognize the need to further engage the commitment, creativity and resources of business and industry as well as research and innovation in these efforts. We take note of the reports on the Implementation of the Aarhus Policy Statement on Environmental Management in Enterprises prepared by OECD and the REC for Central and Eastern Europe.

22. We recognize the importance of developing new and reinforcing existing forms of cooperation for promoting environmental protection for the benefit of sustainable development within the UNECE region, and recognize the severity of existing environmental challenges, in particular in South-East and East European, Caucasian and Central Asian countries. Many of these countries face serious financial and other difficulties in achieving national environmental objectives. These countries like many others have to make difficult decisions about realistic priorities, establish better cooperation between Environment and Finance Ministries, improve national and local capacities, and use existing resources more efficiently. Further efforts are also needed at all levels to mobilize additional [domestic and international] finances for environmental purposes. These countries need a clear perspective regarding co-operation with other subregions.

III. RESPONSES: MAKING IT HAPPEN

A. Global commitments

23. We will support the work of the United Nations Commission on Sustainable Development, the United Nations Environment Programme (UNEP) and other relevant UN agencies in following up WSSD results at the global [and regional] level, and implement [these results and] the outcome of the Regional Ministerial Meeting for WSSD at the regional and national levels, as appropriate.

24. We call on all countries in the region to honour their global commitments in multilateral environmental agreements (MEAs). We welcome the agreement of WSSD to promote mutual supportiveness between the multilateral trading system and the MEAs, consistent with sustainable development goals, in support of the work programme agreed through the World Trade Organization, while recognizing the importance of maintaining the integrity of both sets of instruments. We will work towards the implementation of the United Nations Framework Convention on Climate Change. Member States that have ratified the Kyoto Protocol to the Convention [strongly urge][invite] countries that have not already done so [to consider ratifying] [to ratify] it in a timely manner[, which will also enable an early implementation of the Kyoto mechanisms of clean development mechanism and joint implementation]. We will promote regional coordination and cooperation among the relevant MEAs.

25. [Life on our planet is dependent upon the oceans. Seas' and oceans' resources are not inexhaustible and not of an infinite regenerative capacity. For this reason the world's leaders agreed on a set of actions at WSSD to help ensure the productivity, safety and overall health of our oceans. We will continue [in existing fora] to work toward sustainable fisheries, the conservation of biodiversity, the strengthening of marine science, improved coordination and cooperation, the reduction and elimination of marine pollution and greater marine safety. We reaffirm the commitments made at WSSD to encourage the application of the ecosystem approach for oceans and seas by 2010, to make every effort to achieve substantial progress to protect the marine environment from land-based activities by the next Conference of the Global Programme of Action for the Protection of the Marine Environment from Land-Based Activities in 2006, and to establish marine protected areas consistent with international law and based on scientific information, including representative networks by 2012. [We welcome subregional cooperation around the seas in the region, and the efforts to address maritime transport safety and we welcome in this context the work of the subregions on particularly sensitive areas.]]

26. We will strengthen our efforts at the global, regional, subregional and national levels to promote good governance [and to reverse the current trend of natural resource degradation], with a view to contribute to building social cohesion, reducing poverty and vulnerability to natural and man-made disasters, and promoting sustainable development, peace and security. We welcome and support the initiatives and partnerships designed to address these links to strengthen cross-sectoral collaboration and obtain better results.

27. We will encourage national efforts to promote sustainable production and consumption as well as corporate environmental and social responsibility and accountability. We stress that environmental protection is a concern not only for Environment Ministries. [The integration of environmental considerations into sectoral policies and the decoupling of economic growth from environmental degradation are crucial.]

28. [We will encourage and promote the development of a 10-year framework of programmes in support of regional and national initiatives to accelerate the shift towards sustainable consumption and production, taking them up to our next Conference. Important elements of such work should be the systematic promotion of environmental policy integration, including: the broader use of price mechanisms to support policy integration; the reform of subsidies that have considerable negative effects on the environment and that are incompatible with sustainable development; increasing market access to environmental goods and services; promoting environmentally friendly public procurement; extended producer responsibility; and public awareness; as well as specific objectives for sectoral policies, in particular transport, energy and agriculture.]

[We underline the importance of the shift towards sustainable production and consumption patterns and encourage countries, sub-regions, and regions, as appropriate, and in light of their individual circumstances, to devise programs to accelerate this shift. As agreed at WSSD, we will encourage and promote the development of a 10-year framework of programs in support of these initiatives. Countries should decide which tools will be of most use to them in these efforts in accordance with their own circumstances. Tools to achieve these ends could include, inter alia, partnerships, voluntary programmes, regulatory reform, tradeable permits, reduction of environmentally harmful and trade-distorting subsidies with a view to eliminate them, promotion of environmental policy integration, independent third-party verified labeling and public awareness.]

29. Business and industry have an important role to play in the promotion of the sustainable development.

[While governments and international organizations should establish a supportive and enabling environment for sustainable development, business and industry also have a special responsibility and should take concrete actions. We call upon business and industry to contribute to the protection of the global environment by managing their operations in an environmentally responsible manner and reporting publicly on their efforts to do so. We will continue to support frameworks for the better coordination of the initiatives of business and industry in the follow-up to WSSD under the United Nations Secretary-General's Global Compact Initiative, OECD, the International Standardization Organization and others.] [We encourage industry to improve social and environmental performance through voluntary initiatives, including environmental management systems, codes of conduct, certification and public reporting on environmental and social issues, taking into account such initiatives as the International Organization for Standardization Standards and Global Reporting Initiative on sustainability, bearing in mind principle 11 of the Rio Declaration on Environment and Development.]

B. Monitoring and assessment

30. We call on EEA to prepare the fourth assessment report for the EfE ministerial conference in three years' time building on new partnerships, especially with UNECE and UNEP. We encourage international collaboration to enhance the international comparability of environmental information in priority areas such as air emissions, urban air quality, transboundary inland and ground water pollution, marine pollution, chemicals, hazardous waste, waste management, human health and biodiversity. We welcome the document on Lessons Learned from Data Collection for the Kiev Assessment and invite the relevant organizations and institutions, including UNECE, EEA and UNEP, in accordance with their mandates, to join us in implementing the recommendations for improving monitoring capacities in the region.

31. We support the UNECE Working Group on Environmental Monitoring in its activities, particularly on strengthening environmental information and observation capacity in the twelve countries of Eastern Europe, the Caucasus and Central Asia, and we endorse the Recommendations on Strengthening National Environmental Monitoring and Information Systems, and the Guidelines on the Development of State-of-the-Environment Reports in these countries. We recognize that, at the regional level, further development of the cooperation framework provided by the Working Group on Environmental Monitoring is required. We invite donors to support the Working Group and the work for the fourth assessment report by the EEA.

C. Environmental performance reviews

32. We welcome the report "Environmental policy in transition: Lessons from 10 years of EPRs" and support the implementation of its recommendations. We reaffirm our support for the EPR programme of UNECE, which was initiated at the Lucerne Ministerial Conference, and we note that it has been an important instrument for countries with economies in transition. The UNECE and OECD programmes of EPRs should continue to assist individual countries to assess progress, to promote policy dialogue through peer reviews, to help stimulate greater accountability and to offer the Governments concerned tailor-made recommendations on how to reduce the overall pollution burden.

D. Strategic environmental assessment

33. [We note the importance of strategic environmental assessment (SEA) in the region, which offers a way to assess the impact of plans, programmes, policies and legislation on a broad scale and facilitates timely environmental assessment of specific actions that have been addressed at the programmatic level. We invite all countries in the region to consider adopting, if they have not already done so, domestic procedures for the preparation of environmental assessment documents that can address plans, programmes, policies and legislation.]

34. [In this regard, we, the Ministers and Heads of Delegations of States adopting and signing the Protocol on Strategic Environmental Assessment to the Espoo Convention on Environmental Impact Assessment in a Transboundary Context welcome it as a cross-sectoral approach to this issue]

[We welcome the adoption and signature of the Protocol on Strategic Environmental Assessment to the Espoo Convention on Environmental Impact Assessment in a Transboundary Context. This Protocol underlines the cross-sectoral approach]

by integrating environmental, including health, considerations into the preparation and adoption of plans, programmes, and, to the extent appropriate, policies and legislation and thus further contributes to sustainable development. We invite all interested UNECE States [to consider signing][to sign] this Protocol[, if they have not done so, ratifying it without delay and applying its provisions to the maximum extent possible pending its entry into force][and to work actively for its ratification and implementation]. We recognize [the close cooperation between the governing bodies of the Espoo and Aarhus Conventions and] the active participation of the health sector and NGOs in the negotiations of the Protocol on SEA[, and we encourage these organizations to support its implementation]. We also invite all interested UNECE States that have not yet ratified or acceded to the Espoo Convention [to consider doing so][to do so without delay].

E. Civil liability and compensation

35. [We stress the importance of civil liability regimes at the national, regional, and in certain cases, even the global level, to serve as mechanisms of internalizing the effects of industrial accidents and environmental harm. We emphasize the importance of insurance and other financial mechanisms to making these regimes work effectively.]

36. [We, the Ministers and Heads of Delegations of States adopting and signing the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters to the 1992 Conventions on the Protection and Use of Transboundary Watercourses and International Lakes and on the Transboundary Effects of Industrial Accidents, welcome it as one such regime.]

[We welcome the adoption and signature of the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters to the 1992 Conventions on the Protection and Use of Transboundary Watercourses and International Lakes and on the Transboundary Effects of Industrial Accidents.] This new Protocol may prove to be an important tool for ensuring adequate and prompt compensation for damage caused by transboundary effects of industrial accidents on transboundary watercourses and for preventing industrial accidents. We invite all [Parties to the two Conventions][States that are eligible to do so] to consider [signing this Protocol, if they have not done so, ratifying it] [also to become parties to the new instrument] [and to endeavour setting up a sound civil liability regime]. We also [invite][strongly encourage] all [interested] UNECE States that have not yet ratified or acceded to the Conventions [to consider doing so] [to do so without further delay].

F. Public participation

37. We encourage all States to take steps to promote good governance, transparency and accountability and to enhance the role of the public in decision-making processes, inter alia through capacity-building measures aimed at implementing [the Aarhus Convention and] principle 10 of the Rio Declaration.

[Today, we reaffirm our commitment to that principle and underscore the importance of providing access to environmental information, public participation and environmental decision-making, and effective access to judicial and administrative proceedings. We should strive to have legislative and regulatory frameworks in place to implement these important procedural tools at the national level. Those governments developing or seeking to improve such frameworks can refer to a variety of approaches.]

[We welcome the recommendation in the Lucca Declaration of the Meeting of the Parties to the Aarhus Convention that consideration should be given to the possibility of developing guidelines on public participation in international forums for possible adoption, as appropriate, at a future Meeting of the Parties, and we encourage it to invite the governing bodies of other UNECE environmental conventions to collaborate in this exercise.]

38. [In this respect, we, the Ministers and Heads of Delegations of Signatories and Parties to the Aarhus Convention, welcome its entry into force as one such approach. We invite all interested States that have not yet ratified or acceded to this Convention to consider doing so.]

[We welcome the entry into force of the Aarhus Convention and we also encourage all interested States that have not yet ratified or acceded to this Convention to do so as soon as possible.]

39. [We endorse the value of national pollutant release and transfer registries (PRTRs) as important mechanisms to facilitate both access to environmental information and the reduction of potentially harmful releases and transfers of pollutants. Governments in the region should ensure they have the legislative and regulatory frameworks necessary to operate effective PRTRs at the national level. Those governments developing or seeking to improve such frameworks can have reference to a variety of existing approaches, such as the OECD guidance on PRTRs, relevant work under the Intergovernmental Forum on Chemical Safety and the Commission for Environmental Cooperation of North America, each of which have developed provisions relating to the design, structure and operation of these tools.]

40. [In this respect, we, Ministers and Heads of Delegation of States adopting and signing the Protocol on Pollutant Release and Transfer Registers to the Aarhus Convention welcome it as an additional approach. We invite all interested States to consider signing the Protocol, if they have not done so, ratifying it without delay and applying its provisions to the maximum extent possible pending its entry into force or to consider putting in place, if they have not already done so, the legislative and regulatory frameworks necessary to operate effective PRTRs at the national level.]

[We welcome the adoption and signature of the Protocol on Pollutant Release and Transfer Registers (PRTRs) to the Aarhus Convention. Such registers provide an important mechanism for generating information on potentially polluting activities and bringing it into the public domain. The new Protocol is expected to increase corporate accountability[and lead to significant and tangible reductions in emissions of polluting substances in the region]. We invite all States to sign, ratify and implement the protocol at the earliest opportunity and to work towards its early entry into force.]

We note that the active and constructive participation of environmental NGOs and industry has been a crucial feature in the negotiation of the Protocol and urge these main groups to remain involved in its implementation and further development.

G. Transboundary air pollution

41. [We, the Ministers and Heads of Delegations of Signatories and Parties to the 1998 Aarhus Protocols on Heavy Metals and on Persistent Organic Pollutants and the 1999 Gothenburg Protocol to Abate Acidification, Eutrophication and Ground-level Ozone, note that the first two Protocols]

[We are pleased to note that the 1998 Aarhus Protocols on Heavy Metals and on Persistent Organic Pollutants]

will soon be entering into force, but are concerned about the low number of ratifications of [the later Protocol] [the 1999 Gothenburg Protocol to Abate Acidification, Eutrophication and Ground-level Ozone].

We call upon Signatories to all three Protocols that have not yet ratified them to do so [without delay] [as soon as possible]. We take note of the statement addressed to our Conference by the Executive Body for the Convention on Long-range Transboundary Air Pollution and we welcome its decision to facilitate funding from Parties for its core activities [and ask Parties to consider steps to facilitate] [, and resolve to take action for the purpose of ensuring] the necessary contributions, in cash or in kind, for this important work. We encourage the Executive Body to continue its work on identifying areas where concerted action could lead to a significant reduction of air pollution.

H. Compliance and implementation

42. We [endorse][note] the Guidelines for Strengthening Compliance with and Implementation of MEAs in the UNECE Region as an important tool to strengthen compliance with and implementation of regional environmental conventions and protocols, recognizing that each agreement is negotiated in a unique way and enjoys its own independent legal status. We will support countries with economies in transition[, as appropriate,] to build their capacities to comply with the obligations arising from MEAs.

43. [We welcome the innovative compliance procedures agreed by the Parties to the Aarhus Convention which appropriately reflects the special nature of this convention, allowing the public to play a role directly in compliance by having the right to address the Compliance Committee, and inviting NGOs to nominate candidates for this Committee.]

44. We [welcome][note] the efforts of the various enforcement and compliance networks within the region to share experience and develop best practices. We also welcome the Guiding Principles for Reform of Environmental Enforcement Authorities in Transition Economies of Eastern Europe, the Caucasus and Central Asia developed within the EAP Task Force. We [call upon] [invite] the environmental enforcement authorities in these countries to implement the Guiding Principles and on donor countries to help them to do so.

I. Energy for sustainable development

45. We recognize the variety of initiatives undertaken for integrating environmental aspects and sustainable development into energy policy in the region including multilateral initiatives such as the European Union (EU)-Russia Energy Dialogue, the Energy Charter process, the EU Northern Dimension, the Baltic Sea Region Energy Cooperation, the Euro-Mediterranean Partnership in the Field of Energy, UNECE Energy Efficiency 21, the Global Village Power Partnership, the US Clean Energy Initiative and the EU Energy Initiative “Energy for Poverty Eradication and Sustainable Development”.

46. We welcome the elements of the Plan of Implementation adopted at the WSSD concerning a sustainable energy future and stress the need to implement them, including the goal of diversifying energy supply by developing advanced, cleaner, more efficient, affordable and cost-effective energy technologies, such as fossil-fuel technologies and renewable energy technologies, hydro included [With a sense of urgency actions should be taken to substantially increase the global share of renewable energy sources with the objective of increasing its contribution to total energy supply, recognizing the role of national and voluntary regional targets as well as initiatives, where they exist.]

[. With a sense of urgency actions should be taken to substantially increase the global share of renewable energy sources with the objective of increasing its contribution to total energy supply. In this respect we support a share of 15% renewable energy and 10% new renewable energy by 2010 as an achievable global goal. Clear and ambitious time-bound national targets and adequate targets for the entire region should be set to achieve this goal.]

[, with a view to substantially increasing the global share of renewable energy resources, as the basis for clear and ambitious time-bound national targets and a target set for the entire region.]

We will support energy partnerships to work together to remove barriers to renewable and energy-efficient technology. We welcome the offer of Germany to host a global conference on renewable energy and energy efficiency in June 2004. [In this context we invite countries that have not joined the Joint Declaration on the “The Way Forward on Renewable Energy” at Johannesburg, to consider doing so.]

47. We [endorse] [note] the Guidelines on Reforming Energy Pricing and Subsidies prepared jointly by the UNECE Committees on Environmental Policy and on Sustainable Energy as a means of implementing the energy-related provisions of the Aarhus decisions, in particular the decision [supported by most countries] which relates to the promotion of action to progressively reduce and, where possible, remove energy price subsidies which counteract an efficient use of energy and/or have harmful effects on the environment [by 2005]. We [encourage] [invite States to consider] implementation of these Guidelines. We support the use of market based and economic instruments, as appropriate, which can [provide incentives and flexibility for decoupling economic growth from energy use in a cost-effective way] [help reduce the impact of energy use on the environment]. [We invite both Committees, as a follow-up, to study the role of economic instruments in promoting the use of renewable energy as requested in Aarhus.]

48. [We welcome the progress report by the Energy Charter Secretariat on implementing the provisions of the Aarhus Declaration in the area of energy efficiency and we endorse the Statement on Energy Efficiency. We will support further efforts to improve energy efficiency and promote renewable energy sources to help meet environmental objectives. We invite the Energy Charter Secretariat, in cooperation with other relevant organizations, to report on further progress on energy efficiency at our next conference.]

[We support further efforts to improve energy efficiency and promote renewable energy sources as a means of meeting environmental objectives. [Our Statement on Energy Efficiency reaffirms these goals.] We also note the progress report by the Energy Charter Secretariat on implementing the provisions in the area of energy efficiency and invite it to report on further progress on its energy efficiency efforts at our next conference.]

J. Water for sustainable development

49. [We are committed to the goals of the WSSD on water, in particular to halve, by the year 2015, the proportion of people who are unable to reach or to afford safe drinking water and the proportion of people who do not have access to basic sanitation, and to develop Integrated Water Resource Management (IWRM) and water efficiency plans by 2005.]

50. [We welcome water-related initiatives and partnership from all donors and the support they will provide to the countries of Eastern Europe, the Caucasus, and Central Asia, including: the “Strategic Partnership on Water for Sustainable Development” launched at the WSSD by the EU and

the twelve countries of Eastern Europe, Caucasus and Central Asia, aiming at urban water supply and sanitation including work on innovative financing mechanisms for water infrastructure and water resources management, including [transboundary river basin and regional seas issues]; the Statement on the Strategic Partnership on Water for Sustainable Development – East European, Caucasian and Central Asian Component of the EU Water Initiative; the US Water for the Poor initiative launched at WSSD, focusing on increasing access to clean water and sanitation services, improving watershed management, and increasing the productivity of water; the US initiatives on:

- Central Asian transboundary water planning for water management,
- Caucasus data for integrated water management, and
- The Infrastructure Development Facility.

[We endorse the Statement on the Strategic Partnership on Water for Sustainable Development – East European, Caucasian and Central Asian Component of the EU Water Initiative and we invite other countries in the region and other interested parties to consider joining this important initiative]

[We invite other countries in the region and other interested parties to consider joining these important initiatives]

so that a critical mass of resources can be mobilized to achieve their goals.

[We look forward to the multi-stakeholder conference that will be organized in 2005 within the framework of the EAP Task Force to assess the implementation of the 2000 Almaty Ministerial Conference on Urban Water Sector Reform.]]

51. [We welcome the initiatives and intentions of the countries of South-East Europe and the Mediterranean to promote peaceful and productive cooperation for introduction of integrated water resource management approaches.]

K. Transport, environment and health

52. We will work to implement effectively the newly established Transport, Environment and Health Pan-European Programme, as a successful example of the integration of the environment and public health into sectoral policies, carrying out the activities under the rationalized priorities as outlined in its work plan and ensuring adequate participation of representatives of South-East and East European, Caucasian and Central Asian countries in accordance with the eligibility criteria adopted within WHO and UNECE.

L. Chemicals

53. We recognize the essential role of sound management of chemicals for sustainable development and for the protection of human health and the environment. We invite all interested States that have not yet ratified or acceded to the Stockholm Convention on Persistent Organic Pollutants and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade to consider doing so.

54. We welcome the adoption in December 2002 of the Globally Harmonized System for the Classification and Labelling of Chemicals. We encourage countries to implement this system without delay to improve the protection of human health and the environment from the mismanagement of chemicals, with a view to having the system fully operational by 2008. We also note with satisfaction that

the WSSD adopted clear targets on chemicals with the aim of ensuring that, by 2020, chemicals are used and produced in ways that do not lead to significant adverse effects on human health and the environment; of further developing a strategic approach to chemicals management by 2005; and of promoting a reduction of the risks posed by heavy metals [and obsolete pesticides] that are harmful to human health and the environment. We are fully committed [to achieving these goals] [to continue this work, reflecting the decision taken by the UNEP Governing Council earlier this year. We encourage Parties to the Convention on Long-range Transboundary Air Pollution to prepare for the entering into force of the protocol on POPs].

M. Biodiversity

55. We [welcome the progress] [note the efforts] made so far by PEBLDS and [endorse][support] its emerging role as an important instrument for the implementation of the Convention on Biological Diversity in the pan-European region and as a vehicle for promoting the integration of biodiversity and landscape concerns in all relevant horizontal and sectoral policies. We, Ministers from States participating in the PEBLDS process endorse the Resolution on Biodiversity submitted by the PEBLDS Council and we commit to achieving the nine targets for halting the loss of biodiversity by 2010 through national efforts and regional cooperation. In doing so we highlight as key issues for Europe: forests and biodiversity, agriculture and biodiversity, the Pan-European Ecological Network, invasive alien species, financing of biodiversity, biodiversity monitoring and indicators, and public participation and awareness.

56. [In view of the uncertainty of the impacts of the use of genetically modified organisms (GMO) in agriculture, we want to work towards a moratorium on the use of such organisms in agriculture in the region and the distribution of products which involve GMO use, until there is undisputed evidence about the lack of potential threats to the environment or effective measures to prevent such threats.]

N. Environmental education

57. We recognize that education is a fundamental tool for environmental protection and sustainable development and that environmental education has increasingly addressed a wide range of issues included in Agenda 21. We invite all countries to integrate sustainable development into education systems at all levels[, from pre-school to higher education and informal education,] in order to promote education as a key agent for change. We welcome the proclamation by the United Nations General Assembly, at its 57th session (December 2002), of the United Nations Decade of Education for Sustainable Development starting in 2005, and will take the lead in promoting it regionally in cooperation with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and other relevant organizations. [We endorse the Statement on Education for Sustainable Development and invite [Education][relevant] Ministers to take an active part in the development, in close cooperation with UNESCO, of the Strategy for Education for Sustainable Development by 2005.]

O. Environmental expenditure

58. We welcome the Good Practices of Public Environmental Expenditure Management in Transition Economies developed within the EAP Task Force and encourage economies in transition to use them as a tool to strengthen environmental expenditure programmes. We also call on donors to support these efforts and to cooperate with economies in transition to draw up realistic environmental investment and

financing plans at national and local level. Further efforts are particularly needed to strengthen local finance and investment capacity by improving fiscal arrangements with higher levels of government, better budget management and multi-year investment plans in municipalities. We also call on donors and recipients to ensure that all funding arrangements respect environmental requirements and promote sustainable development. We invite donors to consider devoting a substantial part of their assistance to economies in transition to environmental programmes.

59. We [note the reports on Trends in Environmental Expenditure and International Transfers for the Environment in Eastern Europe, the Caucasus and Central Asia prepared by OECD and in Central and other East European countries prepared by REC for Central and Eastern Europe. The environmental financing challenge in Eastern Europe, the Caucasus and Central Asia is particularly great, although a proportion of their national income that some are allocating for environmental purposes is comparable with that of west European countries. In this connection, we] [welcome] [note] the recent initiative by Georgia to develop a debt-for-environment swap [, as an innovative approach to mobilizing additional finance]. Other poor, indebted countries of the region may want to consider working with creditor countries through the Paris Club, and, as appropriate, with OECD, the World Bank, the International Monetary Fund (IMF) and the United Nations Development Programme (UNDP) to develop similar initiatives.

P. Environmental Partnerships Strategy

60. We adopt the “Environmental Partnerships in the UNECE Region: Environmental Strategy for Countries of Eastern Europe, the Caucasus and Central Asia. Strategic framework” intended to contribute to improving environmental conditions and to implementing the WSSD Plan of Implementation in Eastern Europe, the Caucasus and Central Asia by strengthening the efforts of these countries in environmental protection and by facilitating partnership and cooperation between these countries and other countries of the UNECE region. We welcome the Strategy’s key objectives and areas of action to:

- (a) Improve environmental legislation, policies and institutional framework;
- (b) Reduce the risks to human health through pollution prevention and control;
- (c) Manage natural resources in a sustainable manner;
- (d) Integrate environmental considerations into the development of key economic sectors;
- (e) Establish and strengthen mechanisms for mobilizing and allocating financial resources to achieve environmental objectives;
- (f) Provide information for environmental decision-making and promote public participation and environmental education;
- (g) Identify and address transboundary environmental problems and strengthen cooperation within the framework of international conventions.

61. We consider the Strategy as an important basis for developing action plans and [East-West] partnerships and call upon UNECE member States, international organizations and institutions, RECs, NGOs and the private sector to support initiatives to achieve its objectives. We invite the GEF, within its mandate and focal areas, and in accordance with its procedures, to support project proposals from the countries of Eastern Europe, the Caucasus and Central Asia. [The responsibility for achieving the objectives of the Environmental Partnerships Strategy and reporting on the progress lays with the countries of Eastern Europe, the Caucasus and Central Asia with support from their partners.]

[Q. Water, environment and security in Central Asia]

62. We [welcome] [note] the Central Asian initiative on Environment, Water and Security, "Invitation to Partnership" developed jointly by Ministries of Environment and Water, non-governmental and international organizations. We call upon donors and other interested parties to support efforts of the Central Asian countries to strengthen cooperation to protect water basin ecosystems, use water rationally and improve governance to ensure this subregion's sustainable development and its security. In this regard, we support, in particular, the recommendation to start preparing a partnership agreement on transboundary water problems, environment and security in Central Asia, as proposed in the report on Environment, Water and Security. This would constitute a concrete follow-up to the Johannesburg Plan of Action and an important step in contributing to the EU Water Initiative.

R. Mountains

63. We [welcome] [note] the progress made in the protection, sustainable development and management of mountain regions, and the strengthening of cooperation among mountain regions, such as the Alps, the Carpathians, the Caucasus and Central Asia through the sharing of experiences and technical cooperation. We emphasize the importance of implementing the partnerships for sustainable development of mountain regions in order to effectively address imminent challenges in biodiversity conservation, sustainable local development, water management and flood prevention and control in mountains and adjacent lowlands. We [welcome][note with appreciation] the adoption and signing of the Framework Convention for the Protection and Sustainable Development of the Carpathians [and call for its implementation]. We [welcome] [note] the decision of the Bishkek Mountain Summit and [call for] [invite] support [for] [to] the Central Asian Mountain Charter adopted at the Summit.

S. Regional Environmental Reconstruction Programme (REReP)

64. We [welcome and support] [note] the REReP in its efforts to strengthen institutions, enhance cooperation and reduce environmental health threats in South-Eastern Europe. We appreciate the joint work done by the countries of South-Eastern Europe and REC in Central and Eastern Europe to facilitate REReP implementation and we invite the donor community to further support and develop the process.

[T. Nuclear energy

65. In view of the continuing grave concerns about nuclear installations, both for the risk of major accidents and the ongoing increase of the legacy of nuclear waste to future generations, we pledge to phase them out as soon as possible.]

IV. FUTURE OF THE PROCESS

66. We strongly support continuation of the EfE and welcome the document on its Future as a basis for discussion. The goals for the future of the EfE process are:

- (a) To promote the achievement of policy objectives through regional and subregional cooperation on policy responses based on environmental monitoring and assessments, integration with sectoral policies, and governance, including the involvement of civil society, business and industry, and other major groups;
- (b) To strengthen the implementation of environmental instruments to which countries are party, including regional conventions and protocols, and to encourage efforts to improve their efficiency, effectiveness and coherence;
- (c) To improve cooperation between the regional programmes of United Nations bodies and organizations and other international organizations and institutions;
- (d) To mobilize financial resources from all sources, inter alia from governments, IFIs, donors and the private sector, to support the implementation of regional environmental instruments and subregional initiatives including capacity building;
- (e) To support interregional cooperation and links with the global environmental governance structure, where this adds value;
- (f) To contribute to the regional sustainable development activities of UNECE;
- (g) To improve and strengthen monitoring and assessment in the region.

67. Within the EfE process, a larger concentration of efforts on the East European, Caucasian and Central Asian countries is needed. The process should seek to build a broad political platform for environmental initiatives and perspectives for regional and subregional cooperation. It should particularly address those areas where the experience gained and the expertise of the EAP Task Force, PPC and the RECs would add value. It should aim towards the participation of the countries based on a strategic approach and a real understanding and commitment to reform, including administrative and legislative improvements. Further efforts to increase investment should continue, especially in the municipal sector.

68. We agree with the need to make cooperation with other ministerial processes in the region more effective and to limit the number of ministerial conferences. We invite the two distinct regional processes – Environment and Health, and Transport, Environment and Health – to keep us apprised of their progress and encourage communication to explore opportunities to strengthen joint action, as appropriate. In addition, we will further develop our cooperation with the Ministerial Conference on the Protection of Forests in Europe We agree to invite the above-mentioned Ministers to our future conferences and to involve them actively in the preparatory work, as appropriate.

69. We decide that future EfE ministerial conferences should be held on a regular and predictable basis, every [year][three][four] years, in a host country or in Geneva.
[In order to streamline the preparations for EfE ministerial conferences, we agree to invite the UNECE Committee on Environmental Policy and its Bureau to serve as preparatory body and executive committee, respectively. To this end we request the Committee to review its rules and practices with a view to accommodating other processes and programmes, while respecting their independent responsibilities and contributions. For the preparations of EfE ministerial conferences the Bureau should be extended to include representatives of the EAP Task Force and other relevant bodies and NGOs.]
[We affirm that the EfE process should continue as a broad framework bringing together a wide range of international organizations, with an effective division of labour and channels of communication and collaboration among them. An ad hoc working group of senior officials shall convene to coordinate the preparations for the next conference, with the UNECE serving as Secretariat. We strongly call upon the

UNECE Committee on Environmental Policy and the ad hoc working group to hold joint meetings with a coordinated agenda to avoid duplication and to ensure more efficient decision-making.]

70. We invite UNECE through its Committee on Environmental Policy and in consultation with other principle subsidiary bodies, as appropriate, and in cooperation with other relevant organizations and institutions, to monitor the outcomes of the Kiev Declaration, to consider reflecting the relevant commitments of the Kiev Declaration in its work programme [and to assist us in assessing progress in the implementation of environmental commitments of this region emanating from the Johannesburg Declaration on Sustainable Development and the Plan of Implementation as well as the UNECE Regional Preparatory Meeting for WSSD].

71. [The Central and East European sub-programme of work of the EAP Task Force should phase out by 2004. Equally, PPC will phase out its work in the accession countries by this time. We invite the EAP Task Force and the PPC to continue their work together, including through joint annual meetings [and with a common Bureau]. [Participation in both bodies will be open to all countries of the UNECE region, international organizations, IFIs, the RECs, and civil society and private sector representatives.] We invite OECD and the European Bank for Reconstruction and Development (EBRD) to provide support for secretariats for the EAP Task Force and the PPC respectively. At our next conference, we will consider opportunities for transferring the secretariat functions to a country in Eastern Europe, the Caucasus or Central Asia.]

72. [We invite the EAP Task Force to lead efforts to facilitate and support, in cooperation with other relevant international bodies, the achievement of the objectives of the Environmental Partnerships Strategy by East European, Caucasian and Central Asian countries. Achieving these goals will include facilitating policy and institutional reform, capacity building, development of civil society, transfer of lessons learned and best practice, cross-border cooperation and environment-related investments in Eastern Europe, the Caucasus and Central Asia. The EAP Task Force, in cooperation with relevant international bodies, and on the basis of information provided by East European, Caucasian and Central Asian countries should keep the Committee on Environmental Policy informed of progress in achieving the objectives of Environmental Partnerships Strategy. We agree on the importance of sharing experience and knowledge within the region, and of transferring relevant experience from Central and Eastern Europe, [including from the countries acceding to EU] [also through the REReP], to other countries in Eastern Europe, the Caucasus and Central Asia. The REC for Central and Eastern Europe should play a useful role in this respect. We recognize [the need to] [the importance of] support [ing] the activities of the EAP Task Force and the PPC [with [adequate and predictable] [sufficient] funding].]

73. [In developing its work plan, EAP Task Force should establish, as appropriate, work-sharing arrangements with the international organizations and institutions that actively supported the development of the Strategy's individual objectives. A close link should be promoted with EPRs of countries in Eastern Europe, the Caucasus and Central Asia, and capacity-building activities under the regional environmental agreements. We also count on close cooperation with UNDP country offices in the subregion. RECs, major groups, as appropriate, including environmental NGOs and the private sector will be invited to take part in the EAP Task Force activities through participation in a multi-stakeholder dialogue and the development of environmental civil society.]

74. [We note with satisfaction that the East European, Caucasian and Central Asian RECs have

started to implement their mandates in the subregion. We will continue to support these RECs taking into account their role, in particular, in making available an impartial platform for cooperation, partnership and the exchange of information as well as in supporting the involvement of civil society in decision-making. We invite REC for Central and Eastern Europe to strengthen cooperation with the East European, Caucasian and Central Asian RECs in developing a REC network.]

75. We stress the need to develop a communication strategy to raise awareness of the EfE process among a wider audience of stakeholders and the general public based on the achievements of the process. We invite UNECE through its Committee on Environmental Policy, in consultation with other principal subsidiary bodies, as appropriate, and in cooperation with the EAP Task Force and other relevant organizations and institutions, to develop this strategy without delay.

76. We agree that our next conference will be held in

77. We express our deep gratitude to the Government of Ukraine for having hosted this Conference and we wish to thank it and its people for the warm hospitality we have received.