The importance of the rule of law in beating pollution: the establishment and reinforcement of the Polluter Pays Principle (PPP) and the environmental responsibility in the Western Balkans

Regional exchange webinar under the 'Innovative Solutions to Pollution in South East and Southern Europe' organized in collaboration with the United Nations Environment Programme

Tuesday, October 5, 10.00-12:15

Summary report of the event

Date: 2021-11
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1. Acronyms and abbreviations

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<th>Acronym</th>
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<tr>
<td>BAT</td>
<td>Best Available Techniques</td>
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<td>BiH</td>
<td>Bosnia and Herzegovina</td>
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<td>CSO</td>
<td>Civil Society Organization</td>
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<td>EPA</td>
<td>Environment Protection Agency</td>
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<td>JRC</td>
<td>Joint Research Centre – EU</td>
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<td>IMET</td>
<td>Italian Ministry for Ecological Transition</td>
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<td>ISPRA</td>
<td>Italian National Institute for Environmental Protection and Research</td>
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<td>MEAs</td>
<td>Multilateral Environmental Agreements</td>
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<td>MoEP</td>
<td>Ministry of Environmental Protection of Serbia</td>
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<td>MoEPP</td>
<td>Ministry of Environment and Physical Planning – North Macedonia</td>
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<td>MoFTER</td>
<td>Ministry of Foreign Trade and Economic Relations – BiH</td>
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<td>PPP</td>
<td>Polluter Pays Principle</td>
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<td>SDGs</td>
<td>Sustainable Development Goals</td>
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<td>SEE</td>
<td>South East Europe</td>
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<td>SEPA</td>
<td>Serbian Environmental Protection Agency</td>
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<td>UNEA</td>
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2. Background

Pollution is a well-known phenomenon and represents a universal challenge that does not respect national boundaries, threatens natural resources, wildlife and plants and can devastate entire ecosystems, having tremendous impacts on human health and endangering the achievement of the sustainable development goals.

*Environmental rule of law provides an essential platform underpinning the four pillars of sustainable development: economic, social, environmental, and peace. Without environmental rule of law, development cannot be sustainable. With environmental rule of law, well-designed laws are implemented by capable government institutions that are held accountable by an informed and engaged public lead to a culture of compliance that embraces environmental and social values*.¹

UNEP’s 2017 background report *Towards a Pollution-Free Planet*² identified the challenges and gaps while encouraging a synergetic mix of actions and a whole system, multi-beneficial policymaking approach that builds directly on existing internationally agreed environmental goals. It suggests a framework for actions on pollution, proposing targeted interventions based on risk assessments and scientific evidence of impacts and system-wide transformations to shift the economy toward greater resource efficiency and equity, circularity and sustainable consumption and production, and improved ecosystem resilience to support cleaner and more sustainable development.

The UN Environment Assembly (*UNEA*) is the world’s highest-level decision-making body on the environment. It has the universal membership of all 193 UN Member States and the full involvement of UN organizations, specialized agencies, inter-governmental organizations, civil society and the private sector. In bringing together these varied communities, the Assembly provides a ground-breaking platform for leadership on global environmental policy.

The Third Environmental Assembly (*UNEA 3*) was held in Nairobi, Kenya in December 2017 under the overarching theme of pollution: “Towards a Pollution-Free Planet”. UNEA 3 has delivered

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several urgent commitments to end pollution of air, land, waterways, seas and oceans, and to manage safely our chemicals and waste. By December 2017, 405 Voluntary Commitments were submitted from governments, civil society and business as part of UNEP’s #BeatPollution campaign and a total of 69 governments, 97 civil society organization and 23 businesses provided details of their current and future actions for tackling pollution.

The Western Balkans represent one of the most polluted regions of Europe, facing several environmental challenges such as pollution of air, freshwater and soil, pollution from waste and chemicals and pollution from wastewater discharges. In the coming years, all Western Balkan countries will have the chance to move forward on their respective European paths, by addressing vital reforms and complete political, economic and social transformation. Among others, to progress further on the European path, the Western Balkan countries need to comply with the EU environmental acquis i.e. to open the negotiations on Chapter 27 on Environment and Climate Change, which has not materialized to date for some of the countries.

In order to boost the impact of UNEP’s activities addressing pollution issues in the region, the South East European Platform to beat Pollution (SEEPP) was established in 2019 with the support of the Italian Ministry for Ecological Transition (Former Ministry of the Environment, Land and Sea). The purpose of the Platform is to:

- Facilitate the creation of innovative multi-stakeholder partnerships dealing with pollution control;
- Foster sub-regional cooperation and project/programme development in the fields of environmental protection and sustainable development, with a specific focus on pollution prevention, reduction and monitoring;
- Support the exchange of information on initiatives and best practices and catalyse action;

During the meeting on “The establishment of the South East European Platform to beat Pollution (SEEPP)” held in Vienna on 24 – 25 of June 2019 the members of the Platform, representing several South East European countries, confirmed the need to develop actions and strategies to beat pollution at regional level, in order to protect environment and human health, and they identified as sector priorities:

- Environment and Health; and
- Establishment and reinforcement of the Environmental Rule of law.
3. Objectives of the event

This webinar focused on the implementation and enforcement of the polluter pays principle, with specific reference to the application of the environmental liability in EU and Western Balkan Countries. It aimed at discussing potential solutions by bringing experts and local stakeholders together.

The main outcomes are the following:

• To present studies and cases about the application of the polluter pays principle in the Region;
• To share enforcing experiences and constraints with stakeholders from different countries, experts and international organizations;
• To describe the updated EU legal framework and policies regulating and promoting the PPP within the frame of the Green agenda for Western Balkans;
• To re-launch the South East Europe Pollution Platform (SEEPP), addressing the Rule of Law as one of the regional priorities;
• To establish a base for a synthesis paper on the topic, mapping out issues and providing a set of guidelines for the way forward.

The agenda of the event is available as Annex 1 to this report.

The event was attended by no. seventy-one (71) participants from International and Regional Organizations, representatives from the institutions / decision makers, public health, and environment experts from EU and Western Balkan Countries and relevant Civil Society Organizations.

A detailed list of participants is available as Annex 2 to this report.
4. Summary of the event

The programme of the event was structured around three main sessions focusing on the presentation of case studies related to the application of the Polluter Pays Principle (PPP) in the Region, the EU best practices for the enforcement of the PPP, with a view to the Green Agenda for the Western Balkans.

An inclusive participatory approach was applied, time for questions and discussions was allowed throughout all sessions.

The speakers:

- **Harald Egerer** Head of Vienna Office - Secretariat of the Carpathian Convention, UN Environment Programme could not attend the event and was substituted by **Sonja Gebert**, UNEP - GEF Coordination Specialist - Vienna Programme Office, Secretariat of the Carpathian Convention

- **Paolo Angelini** Head of delegation to the alpine Convention, and coordinator for environmental international cooperation with Eastern Countries, Asia and China, Italian Ministry for Ecological Transition

- **Elena Stefanoni** UNEP – Environmental governance expert - Vienna Programme Office, Secretariat of the Carpathian Convention

- **Slavko Bogdanovic**: Professor at Business Academy in Novi Sad, Environmental Law expert

- **Suzana Andonova**: National Project Coordinator at POPs Unit/Ministry of Environment and Physical Planning

- **Slavjanka Pejchinoska Andonova**: Environmental Consultant at "EcoMosaic"Ltd. Skopje

- **Miljenka Kliček**: Environmental Inspector under IPPC/IED Directives - Regional Environmental Inspection Service, Regional Office Varaždin, State Inspectorate of the Republic of Croatia

- **Francesco Andreotti**: Senior Environmental Technologist – Italian National Institute for Environmental protection and Research (ISPRA), Area for Environmental Damage Ascertaining, Assessment and Restoration under Environmental Liability Directive

- **Riccardo Quaggiato**: Environmental Expert - Italian Regional Agency for Environmental Protection and Prevention of Veneto Region (ARPA Veneto).
4.1 Item 1 and 2: Introduction and presentation of the Agenda and the Pollution Platform

A brief introduction was provided by Sonja Gebert and Paolo Angelini, about the respective and joint cooperation activities in the Region, with a specific focus on the importance of the environmental rule of law to create a solid foundation for environmental governance that protects rights and enforces fundamental obligations, and the role of the Pollution Platform as an overall framework, aiming at supporting target countries in identifying and prioritizing transboundary pollution challenges, improving regional dialogue and fostering the creation of innovative partnerships, building on UNEP’s past and current pollution prevention efforts in Western Balkans.

Among IMET and UNEP related activities, it was also mentioned the Environmental Rights Initiative, an assessment on environmental defenders in the Western Balkans with Justice and Environment as implementing partner, which is going to start soon.

A brief overview of the outcomes of the first event of the Platform on Environment and Health, which took place in June 2021 was also provided, in particular:

- the importance of Expanding Knowledge to fill the gaps in risk assessment as an essential tool to measure the impact of environmental factors on human health, to support an evidence-based decision-making process.
- The importance of Inter-sectoral and inter-country cooperation and engagement and transboundary coordination was also pointed as crucial for the definition and adoption of effective measures to address pollution issues in the region.
4.2 Item 3: The polluter pays principle as overarching principle of environmental responsibility

*Environmental rule of law and environmental governance*\(^3\)

Elena Stefanoni provided an overview on the meaning of the Environmental rule of Law as a combination of the rule of law requirements and the environmental objectives:

Rule of law means that all persons, institutions, entities, public and private, including the State, are accountable to laws, and that laws are consistent with fundamental rights, inclusively promulgated, and effectively implemented and enforced.

In combination with the Environmental needs/objectives, aiming at protecting environment to support human life and society, as well as life on the planet, it results in the Environmental rule of law:

Environmental rule of law holds all entities equally accountable to publicly promulgated laws that are consistent with international norms and standards, that is implemented by the executive power which is not exceeding its mandate and that the enforcement system is in place and operational as such the Environmental rule of law is key to achieve the Sustainable Development Goals.

Environmental rule of law creates a foundation for environmental governance that protects rights and enforces fundamental obligations.

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ERL and effective environmental governance play an essential role in reducing violations of the environmental laws, as well as the risk to undermine the sustainable development and the implementation of environmental goals and objectives.

Basis of environmental governance are:

- Transparency: meaning active dissemination of environmental information (not simply responding upon request)
- Effectiveness and efficiency
- Public participation: it means encouraging public participation and providing data to ensure an informed participation to the decision making process from the side of the greater public.
- Access to justice (as a focus in the wider Rule of Law dimension), meaning to have in place a system of effective remedies, which can be granted by the courts.
- Compliance assurance and accountability: information to businesses on how to comply with environmental obligations, and to the public about inspection, reporting and follow-up to cases of non-compliance is also very important.

Effective environmental governance systems also hold polluters accountable for compliance with environmental requirements and for remediating environmental damage.

The Polluter Pays Principle (PPP)\(^4\)

The Organisation for Economic Co-operation and Development (OECD) first introduced the Polluter Pays Principle (PPP) in 1972.

It stated that the polluter should bear the expenses of carrying out the pollution prevention and control measures introduced by public authorities, to ensure that the environment is in an acceptable state.

\(^4\) Principle 16: National authorities should endeavour to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment.

Article 191(2) of the 2007 Treaty on the Functioning of the European Union (TFEU) states that: “Union policy on the environment (…) shall be based on the precautionary principle and on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source and that the polluter should pay”. 
By applying it, polluters are incentivized to avoid environmental damage and are held responsible for the pollution that they cause. It is also the polluter, and not the taxpayer, who covers the costs created by pollution, through the “internalisation” of “negative environmental externalities”.

In 1992 the Rio Declaration included the PPP as one of the 27 guiding principles for future sustainable development. Since 1987 the principle has also been enshrined in the Treaty of the European Communities and in numerous national legislations world-wide.

Article 191 of the Treaty on the Functioning of EU states that EU policy shall be based on precautionary principle, preventive actions and on PPP. The Polluter Pays Principle is a key tool for delivering Europe’s environmental objectives in an efficient and fair manner.

The European Commission is responsible for drafting environmental legislation that are based on the PPP, while Member States are responsible for transposing, applying and enforcing EU environmental directives and regulations.

Since its first appearance in 1972, the PPP is today understood in a much broader sense, not only covering pollution prevention and control measures but also covering liability, e.g. costs for the remediation of damage to the environment, (OECD 1989 and 1992).

The preventive function of the PPP is based on the assumption that the polluter will reduce pollution as soon as the costs which he or she has to bear are higher than the benefits anticipated from continuing pollution. As the costs for precautionary measures also have to be paid by the potential polluter, he or she has an incentive to reduce risks and invest in appropriate risk management measures. Finally, the PPP has a curative function, which means that the polluter has to bear the clean-up costs for damage already occurred.

Also, the application of PPP has been extended in recent years from pollution control at the source towards control of product impacts during their whole life cycle (extended producer responsibility).
The instruments that could be used to implement PPP are:

**Command and control**: it includes licensing procedures and prohibitions, emission limit values (ELVs), administrative orders. It aims at addressing pollution at source by setting environmental standards, pollution control and monitoring systems to reduce risks, prohibiting certain activities and reducing the emissions of certain pollutants.

**Market based instruments**: to achieve environmental objectives in a flexible manner. Financial incentives or disincentives are used to influence the polluters’ behavior by incorporating environmental costs and benefits into the budgets of households and enterprises.

**Voluntary agreements**: can encourage less polluting products and companies by adhering to certifications/registrations such as ISO 14001, EMAS, ECOLABEL. Moreover, consumer preferences might be an important incentive.

Market based instruments are well suited to improve internalization of environmental costs, but command and control law is still of high relevance in particular to implement the preventive aspects of PPP.

Finally, the involvement of the stakeholders and civil society is extremely important to implement the PPP in the whole decision making process.

The legislation regulates preventive and remedial measures aimed at achieving the defined environmental objectives, and in the application of this process the involvement of the stakeholders and civil society is essential and it implies that relevant data and information are regularly shared to ensure that the involvement and contribution of the stakeholders to the process is effective.

For this reason, the sectorial legislation regulating preventive and remediation measures is complemented with rules defining the participation of the public to the whole decision making process.

In particular, the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, or Aarhus Convention, and its Protocol on Pollutant Release and Transfer Registers (PRTRs) empower people with the rights to access information, participate in decision-making and seek justice in environmental matters (regulated in EU through Directives 2003/4/EC on public access to environmental information and 2003/35/EC on...
public participation, as well as through Regulation (EC) No 166/2006 concerning the establishment of a European Pollutant Release and Transfer Register).

During the Eight meeting of the Working Group of the Parties to the Protocol hold in Geneva, 16-18 December 2020, the outcomes of the survey on the experiences in implementing the Protocol on Pollutant Release and Transfer Registers were reported.

It was confirmed that he PRTR is the adequate tool to implement the PPP and it is considered an effective source of data for calculating pollution fees and charges:

(a) collect data needed for calculating charges;
(b) to compare data with data declared for the general tax on polluting activities;
(c) calculate the fee for polluting activities for air and water pollution.

Focusing on the implementation of the PPP the special report of the EU Court of Auditors, titled: Inconsistent application across EU environmental policies and actions, made an assessment of:

• whether the PPP was well applied in four EU environmental policy areas: industrial pollution, waste, water, and soil.
• whether the Commission’s actions related to the Environmental Liability Directive for preventing and remediating environmental damage from occupational activities brought results.
• whether the Commission and Member States protected the EU budget from being used to bear expenses that polluters should have paid.

Main findings of the assessment are:

• PPP is reflected and applied to varying degrees in the different EU environmental policies and its coverage about its application was incomplete.
• With regards to environmental liability, the key weaknesses remains, in particular the unclear key concepts and definitions and the absence of financial security in cases of insolvency it remains an issue.
• The EU budget is sometimes used to fund clean-up actions, that should under the Polluter Pays Principle have been borne by polluters.

Recommendations to the Commission are:

• To assess the scope for strengthening the integration of the Polluter Pays Principle into environmental legislation;
• To consider reinforcing the application of the Environmental Liability Directive; and
• To protect EU funds from being used to finance projects that should be funded by the polluter.

The Study in particular scrutinised 42 environmental remediation projects dedicated to restoring the environment worth €180 million from the Cohesion Policy Funds and LIFE, in several EU Countries, over the 2014-2020 period. These projects were selected as they were funding decontamination caused by human-made pollution.

In implementing these projects the EU guidelines on using public money for environmental protection were adopted, which specify that the conditions under which such investment is possible in relation to the PPP are:

• For reducing pollution from industrial emissions, public funding is permitted when the investment is intended to exceed EU standards or increase environmental protection in the absence of any such standard. Public funding is also permitted to prepare for future EU standards;
• For cleaning contaminated sites, public funding is permitted when the polluter has not been identified or cannot be held legally liable for financing the remediation;
• Public funding for waste management projects may not be used to allow an operator generating waste, to be relieved of the cost of its treatment.

The highest percentage of projects and funds referred to the cleaning up of orphan sites. Twenty of the 42 projects that were examined relate to orphan pollution (with a budget of €62.1 million). In these cases, the PPP could not be applied and public funds had been used.

Orphan pollution is pollution that took place in the past and where the PPP cannot be applied because the polluter is either unknown, no longer exists, or cannot be made liable. The most significant sources of orphan pollution are former industrial activities, which contaminated soil with metals and other dangerous substances.
EU funds were also used when national authorities failed to enforce environmental legislation and make the polluters pay.

Eight projects were identified in a EU MS that received €27.2 million of EU funds to clean pollution that occurred when EU environmental legislation was already in force.

The operators responsible for landfill sites for municipal waste did not comply with the environmental legislation in force. The public authorities responsible for overseeing these sites did not oblige these operators to clean up their pollution. This use of EU funding does not respect the PPP.

Four of such remediation projects, worth €33 million, where an operator, identified as the party responsible for the pollution, went bankrupt. As a result, public money had to be used to decontaminate soil and water. This does not respect the PPP.

Where operators do not have sufficient financial security, they might not be able to cover the cost of remediating the pollution they caused.

Lack of financial security to cover environmental liability increases the risk that costs are borne by taxpayers.

The following main conclusions and discussion points were presented / proposed:

- Environmental Rule of Law and an effective environmental governance play an essential role in reducing violations of laws and risks to undermine the sustainable development and the implementation of environmental goals and objectives
- The costs shall stay as much as possible with the polluter and avoided to be transferred to the taxpayer, limiting as much as possible the State intervention
- Internalisation of environmental costs to implement the PPP
- Establishment of a mandatory financial security system for environmental risks for operators
- The role of the public is essential for the implementation of the PPP
- The ecological transition is a great opportunity to internalise costs, invest in prevention limiting as much as possible pollution and adopt financial security instruments to cover environmental costs.
4.3 Item 4: The importance of the rule of law at national and international level in addressing transboundary pollution

Slavko Bogdanovic presented the importance to comply with the requirements of the rule of law at international, EU and national level for the protection of Transboundary Waters in the Western Balkans.

The presentation was stressing the importance to respect the Constitutional division of powers in the development of the national legislation (legislative, executive, judiciary).

The process of approximation to the EU legislation should be gradual in order to be sustainable. Compliance with the constitutional provisions is essential to develop a solid and robust legal framework and for the implementation of the Polluter Pays Principle.

Legislation has to be structured taking into account the constitutional division of power among parliamentary and executive branches, i. e. fully respecting the rule of law principle.

Being regulated by legislation laid down in such a way, controlling pollution shall be imposed by environmental permits, authorisations, consents, concessions, etc. Sole declaration of recognizing Polluter Pays Principle is not effective enough.

Implementation of EIA in a transboundary context has been regulated at international, EU and national levels.

The Environmental Impact Assessment Study (in accordance with EU EIA requirements) provides all the information necessary to identify / prevent / reduce the impacts of a project on the environment.

National legislation is in principle in line with the international and EU requirements. However, transposition of EU legislation in breaching of the constitutional division of powers, might put at risk the EIA mechanism for the prevention and protection of environment from pollution.

The Multilateral Agreement BUCHAREST AGREEMENT - “SMALL ESPOO” among the countries of South-Eastern Europe for implementation of the Convention on Environmental Impact Assessment in a Transboundary Context was signed in Bucharest 2007. Signatories are: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, Montenegro, Romania, Serbia and North Macedonia.
According to available data (from 2018), four countries still did not ratify the Agreement. The aim of the Agreement has been declared to provide a common EIA procedure concerning major projects between SSE countries that may have an adverse transboundary environmental impact, as well as to provide smooth implementation of the Espoo Convention, especially by conducting joint EIA.

On the contrary, according to critics, the “Small Espoo”, contains a serious potential for suspending, both national and international legal regimes established for ensuring an EIA procedure, specifically in terms of informing and consulting public and public participation.

In certain transboundary cases (e.g. hydropower development projects, nuclear power plants and pipelines) such suspension would assume suspension (and breaching) already established human rights connected to environment, and thus of the particular concern of public and potential source of quarrels.

Conclusions of were the following:

The main problems in implementing the polluter pays principle in WBs are:

- Inadequate environmental permitting system in place:
  - not established fully in accordance with the rule of law, i.e. non-compliance with the constitutional division of powers (mainly executive power adopting legislation without a / exceeding the specific mandate from the legislative power, in the case of EIA and permit system the executive power is regulating through administartive acts aspects which should be regulated by the Parliament through a law);
  - this may indicate inadequate or incorrect transposition of the EU acquis requirements;
  - permits do not reflect accurately the findings of the related EIA studies;
- Inadequate, or lack, of implementation and enforcement of (potentially) good environmental permitting system;
- Introduction of a legal possibility for suspension of any EIA procedure (both at national or transboundary levels) through the “Small Espoo” if it enters into power;
- Further comparative research is needed.
4.4 Item 5a: The development / application of the environmental liability legislation in NMK: The remediation of OHIS contaminated site

Suzana Andonova presented the application of the polluter pays principle / environmental liability legislation to the OHIS contaminated site through the implementation of the Project “Removal of technical and economic barriers to initiating the clean-up activities for alpha-HCH, beta-HCH and lindane contaminated sites at OHIS” funded by GEF.

OHIS was one of Macedonia's largest industrial producers manufacturing a range of chemical products for all over Balkans. Currently, following the bankruptcy OHIS is privately owned, excluding the land that is heavily contaminated and it is State owned.

The long-term project objective is to have the OHIS contaminated site free from HCH waste and other hazardous contaminants for future industrial use.

The main reason is protection of the human health and the environment from the contaminants adverse effect by reducing and/or eliminating the releases and exposure through remediation of the HCH contaminated sites.

The main outcome of the project will be: enhanced national policy, institutional and technical capacities for management of contaminated sites by establishing financially and technically sustainable mechanism for securing continuation of the remedial activities of the HCH contaminated site in a safe manner.
The project is addressing several legal, institutional and technical gaps identified:

- Legal gaps:
  - Lack of regulation of soil protection or contaminated sites management;
  - Lack of technical guidelines for practical management of contaminated sites;
  - No threshold levels, maximum allowable concentrations (MACs) for POPs/HCH in different media;

- Institutional gaps
  - Insufficient institutional capacity for contaminated site management
  - Lack of financial mechanism for contaminated site remediation
  - Lack of human resources and knowledge on contaminated sites management issues

- Technical gaps
  - Insufficient analytical and research capacities
  - No secure storage facility for POPs/HCH containing waste in place
  - No facilities for environmentally sound disposal of HCH waste

- Awareness and knowledge gaps
  - Low level of public participation and awareness on the POPs associated risks and dangers

The following main conclusions and discussion points were presented / proposed:

**Principles for funding**

- The polluter pays principles - should be applied where feasible. Consequently, regarding the liability for past pollution the State should be liable for cleaning up pollution;
- The principle of earmarking - Environmental revenues from various pollution and environmental taxes, user fees etc. should be spent on environment (including clean up of contaminated sites);
- The principle of concentration of funding sources - Ideally, all earmarked environmental funds and donor assistance funding should be concentrated in one Fund that will distribute the funds in an efficient way and at relatively low operating costs.

**Conditions for establishing a funding mechanism**
• The legal framework for environmental liabilities for past pollution;
• The status of ownership in the privatisation process;
• The existing system of environmental financing;
• Experience with the operation of the Environmental Funds;
• Potential sources of revenue from pollution taxes and environmental fees;
• Potential sources of revenue from privatisation of State owned companies;
• Potential sources of funding from bilateral donors, international organisation and the EU;
• The existing human capacity for preparation and clean up of contaminated sites.
4.5 Item 5b: Risk assessment procedures to prevent environmental damage and improve environmental performances at a mining site

Slavjanka Pejchinovska Andonova presented a case study on the application of the Environmental liabilities risk assessment at a mining site in North Macedonia. The case study is a best practice in the region in terms of prevention of environmental damage.

In 2018, an Environmental Liability Risk Assessment was performed for the first time at copper mining site in North Macedonia in accordance with:

- national environmental legislation,
- international standards for risk assessment and management,
- guidelines with methodologies for environmental liability risk assessment and financial instruments for covering risk associated costs.

The Environmental liabilities risk assessment was developed to support the operator:

- to assess the potential impact of an incident and the related application of the environmental liability provisions for the potential damage deriving from the incident, and
- to identify the most suitable financial instrument to cover incidental damage.

Here are the main outcomes of the assessment:

- N. 69 risks were identified at the mining site and risk assessment matrix was developed
- Costs for the adoption of preventive measures amounted to 700,000 – 1,000,000 EUR.
- The financial guarantee selected by the operator is the Financial Bank Guarantee on the value of preventive costs for remediation if any incident / environmental damage happened. To cover at least the three of the highest risks identified;
The following conclusions and discussion points were presented / proposed:

- Strengthening the capacities of the regulators and operators about the importance of environmental liability risk assessment (benefits for the environment and social aspects, but also for the operators of the installations);
- Delivery of continuous trainings for all stakeholders involved (regulators, env. inspectors, financial institutions, operators and technical staff in the installations, consulting companies, consulting financial companies, etc.);
- Development of Guidance for Environmental liability risk assessment, criteria for determination of environmental damage, financial security instruments to be applied, etc.;
- We all need good examples from other countries, lessons learned to be shared among us, international team of experts to work on common cases and other activities & more international projects;
- Legal amendments if there is a need for efficient and smooth implementation of Environmental liability regulation to ensure environmental protection.
4.6 Item 6: Land contamination by illegal dumping of waste

Miljenka Kliček presented a case study of enforcement of the polluter pays principle, going through:

- The Croatian legal framework;
- The installation / the polluter;
- The findings of the routine inspection
- The inspection enforcement
  - Application of the administrative measures
  - Criminal investigation.

The environmental liability legislation is transposed into the Croatian legal framework, as well as the Polluter pays principle.

The screening in the concerned case was done by the environmental protection inspector, according to his findings during on-site inspection in a metal processing company. These findings were complemented by an investigation on the land use and the potential existence of protected species and/or natural habitats on or near the contaminated area.

Significant land contamination was found. According to inspector’s decision, operator was obliged to remove all the waste and contaminated soil and deliver it to a licenced company. All expenses of sampling and analysis of waste and contaminated soil, as well as removing the waste and soil by authorised company were paid by the operator.

In the criminal procedure, the District Attorney's Office has indicted the operator for endangering the environment with waste.

The indictment was upheld in court. The final judgment was rendered. The operator was found guilty and fined. The operator's responsible person was punished with 8 months in prison, which was replaced by probation.

The described case was not considered as environmental liability case, but the polluter pays principle was implemented and enforced through the application of other relevant environmental legislation

Main conclusions:
• The Environmental Liability Directive is a general, cross-cutting environmental instrument, applying not only to one environmental subject-area but to several.
• The clear decision about the existence of the environmental damage was very difficult to deliver.
• Although the ELD directive is transposed into national legislation, there is a lot of space for improvement of the practical knowledge, skills and competences among all stakeholders.
4.7 Item 7: Implementation, enforcement of Environmental Liability

Francesco Andreotti environmental expert at the Italian Institute for Environmental Protection and Research - ISPRA), in the Area for Environmental damage Ascertainment, Assessment and Restoration under the Environmental Liability Directive, presented:

- EU MSs experience on ELD enforcement
- IMPEL CAED project, on the criteria for the assessment of the environmental damage, main outputs, methodology and practical tools (Report 2019-2020, Practical Guide and Practical Tables 2020-2021, Training and capacity building activities 2021-2022)\(^7\)
- Future implementation of ELD, namely actions envisaged by the EU to improve the current and future implementation and enforcement of the Environmental Liability Directive in MSs

In 2019 the IMPEL Network set up a project named “CAED - Criteria for the Assessment of the Environmental Damage” in order to help Member States and specifically their competent authorities in improving their determination of the environmental damage and imminent threat of same.

The CAED project has taken guidance on key terms and definitions of Environmental Damage under the Environmental Liability Directive (2004/35/CE) as a springboard and it focusses on the technical-administrative procedures and methods necessary to determine the environmental damage caused by environmental incidents, non-compliances, offences and criminal actions.

The CAED project concerns the environmental damage to the natural resources protected by the ELD, namely: protected species and natural habitats (included in Habitat and Birds Directives), waters (under Water Framework and Marine Strategy Directives) and land. In addition, the project includes areas protected by national legislation (such as protected areas, national and regional parks, wetlands) and international conventions (RAMSAR).

\(^7\) Project on the Criteria for the Assessment of the Environmental Damage under ELD (CAED project) https://www.impel.eu/projects/criteria-for-the-assessment-of-the-environmental-damage-caed/
Moreover, the CAED project concerns environmental damage under ELD, which is assessed as "significant" according to the criteria defined in the Directive and further clarified in the ELD Guidelines on the definition of environmental damage published in the EU COM Notice C(2021) 1860 final on 24 March 2021.

Finally, the CAED project has been included in the ELD Multi-Annual Rolling Work Programme (MARWP) 2021-2024 of the EU COM as one of the actions for training and capacity building.

In regard to the EU MSs experience on ELD enforcement, the CAED project produced a Report in 2019-2020 which includes a collection of 32 case studies of ‘ELD cases’ and ‘non-ELD cases’ across Member States and which identified common and different approaches for ELD implementation and enforcement from a regulatory, practical and technological point of view. Moreover, the Report illustrated how the “clues” and the “evidence” of environmental damage and threats of damage were detected, identified and evaluated in each case study.

Moreover, a broader analysis in the CAED Report highlighted that there are still significant differences between Member States regarding the way they assess environmental damages that mainly depend either in their implementation (especially in the parts of monitoring and evaluations) of the Habitat Directive, Birds Directive, Water Framework Directive, and in the existence, or not, of a national law for the protection of land. In order to accompany their national transposition of ELD legislation and to facilitate and rule the enforcement of ELD in their territory, nine Member States have adopted technical and/or legal guidance documents.

Furthermore, the analysis of the 32 case-studies and the existing legal guidance documents allowed identifying: best practices, shortcomings, lessons learned, rooms for improvement and training needs to make environmental damage prevention and remediation more effective.

Some Key findings and lessons learnt identified in the 1st report were:

- Initial investigation - The prompt collection of evidence relevant to the ELD, particularly on intensity and extent, as well as duration of the source of damage and of its impact to natural resources concerned, is key to decision making and ultimately a successful determination.
- Sound Evidence Base - A sound evidence base is needed to make ELD determinations. In some cases, the evidence is unequivocal. However, in other cases there is a need for up to date databases, for example of baseline condition, along with prompt collection of evidence at the time of an event.
- Availability of procedures/guidelines - Competent authorities can experience difficulties in applying the ELD significance tests. Procedures, standards and reference values are important to allow competent authorities to assess and determine ELD cases on a consistent basis.
• Lack of precedent - ELD is still relatively new and, because it applies to serious cases which happen rarely, there is a lack of expertise, competence and practical knowledge amongst stakeholders, including the courts.

• Importance of routine inspections - Routine inspections play an important role in identifying potential ELD cases and near misses. These can be used to perform pollution prevention actions that can ensure ELD incidents are prevented. Inspections can also develop good working relationships with the operator which should help secure prompt notice from an operator of potential damage.

• Collaboration of public bodies - The expertise to determine an ELD case can be spread across several organisations. Achieving a high degree of collaboration through coordination of multi-disciplinary experts is essential.

• Communications with operator - ELD cases proceed most successfully when there is a good level of co-operation with the operator and where the operator notify the ELD case. One jurisdiction provided an IT platform to make it easy for operators to notify.

Moreover, the main difficulties in implementing the ELD result in the definition and measurement of "significant adverse effects" that determine environmental damage (although it must be underlined that the recently published EU COM Notice C(2021) 1860 final gave a relevant contribution in clarifying the definition of “environmental damage”). However, at EU and national level, it was found that there is still a lack of corresponding technical criteria, thresholds and tools for the environmental damage assessment that makes difficult to reach an accurate assessment and an effective remediation of environmental damage.

Concerning the training needs, the project collected a wide demand of training needs based on practical cases and practical experience sharing, as an expression of the need of identifying technical and procedural similarities of approaches and solutions to problems, even if adapted to different jurisdictions.

A concurrent involvement of different national and local authorities to the training was also suggested. All inspectors involved in site visits should be trained on screening for potential or suspect ELD cases to ensure that any such cases are investigated adequately upon discovery.

Moreover, operator’s and public awareness is needed to be increased, to enhance their involvement in identifying and notifying damages and imminent threat of same but also, as regards to the operators, to determine the damage on the request of the competent authority.

To help filling some gaps, CAED project produced so far also practical tools for the assessment, such as: practical tables of indicators for the identification of potential cases of environmental damage, supportive flowcharts giving guidance for the determination of the clues of the environmental damage, case studies with the application of the practical tables.
At the end of the presentation, a few important elements of the Resolution of the EU Parliament of 20 May 2021 on the liability of companies for environmental damage were highlighted:

- the calls on the Commission for the ELD to be revised as soon as possible and to be transformed into a fully harmonised regulation; Resolution stresses the need to update and align the ELD with other pieces of EU legislation designed to protect the environment, including the Environmental Crime Directive; it emphasises that differences in the implementation and application of EU rules for the liability of companies for environmental damage are not providing a level playing field for EU industry at present, which is distorting the proper functioning of the EU’s internal market;
- the calls on the Commission to assess the introduction of a mandatory financial security system (covering insurance, bank guarantees, company pools, securities and bonds or funds) with a maximum threshold per case, aiming to prevent taxpayers from having to bear the costs resulting from remediation of environmental damage; in addition, the calls on the Commission, to develop a harmonised EU methodology for calculating the maximum liability threshold, taking into account the activity and the impact on the environment; the EU Parliament also stresses the need to ensure that financial compensation can be obtained, even in the event of insolvency of the operator responsible;
- for the same reason above, Commission is asked to assess the introduction of a secondary liability regime, namely parental and chain liability for damage caused to human health and the environment;
- finally, the Commission should examine if it is necessary and possible to extend the scope of the ELD to align it with other EU-legislation and to have a holistic approach in avoiding long and short-term damage to environment, human health and air quality.

The following conclusions and discussion points were presented/proposed:

- Strengthening the capacities of competent authorities, inspectors as well as operators on screening and assessing ELD cases to ensure that any of such are identified quickly and investigated and repaired adequately upon discovery;
- Delivery of trainings to all stakeholders involved in the environmental liability sector (such as competent authorities, environmental inspectors, operators, environmental damage insurance providers, consulting companies, prosecutors, police officers, judges);
- the CAED report highlighted the crucial role of operators and inspectors (of IPPC-IED, EIA, SEVESO Directives) in the success of the whole process of prevention and remediation of the environmental damage. Moreover, since communication, cooperation and collaboration among all stakeholders are a fundamental part for the success of the environmental liability enforcement, also organisational and procedural issues must be addressed (also for cases of transboundary damage) and training to strengthen the organisational aspects of the environmental liability system should be delivered;
- there is a strong need of international practical experience sharing (best practices, gaps and lessons learned) on ELD cases among practitioners;
• there is a strong need to promote and develop a financial security system and instruments to cover environmental damage remediation (also under ELD), even in case of insolvency, bankrupt, etc. of the occupational activities.

• last but not least, new emerging issues have to be addressed, related to damage to the environment and human health (not necessarily to environmental liability): such as the reduction of risks of environmental damage caused by extreme meteorological events caused by Climate Change on occupational activities
4.8 Item 8: Promoting the Green Transition in the Western Balkans

Riccardo Quaggiato, an environmental expert at the Regional Agency for Environmental Protection and Prevention of the Veneto, presented a comparative analysis of the programs that the European Union has defined to promote the green transition. In particular, the expert presented:

- The objectives and strategies for decarbonization, put in place by the EU Commission;
- The comparison between CBAM and ETS to promote green investments through financial mechanisms based on the Polluter Pays Principle. A brief description of their scope, implementation mechanism and timing;
- The potential environmental and economic effects of the introduction of the CBAM in the Western Balkans, foreseeing a significant decrease of real incomes in case of missed investments in environmental protection;
- Green transition as opportunity to consolidate business in the EU market, through the implementation of the Green Agenda for Western Balkans and in particular 3 of its pillars: decarbonization, circular economy and decrease of industrial pollution;
- Based on the specific situation of industry in the Western Balkans, a brief analysis of how the Green Agenda can provide the opportunity to:
  o Facilitate the accession into the Emissions Trading Scheme;
  o Increase market opportunities through innovative solutions;
  o Generating local competitive advantages anticipating the compliance with EU environmental standards.
- Short example comparing how a green investment in the field of environmental protection can provide higher advantages than adopting a solution that ensure only the compliance with environmental standards.

Figure 7 – A Green Agenda for the Western Balkans. Source: EU Commission
5. **Regional road map to address the implementation of the Polluter Pays Principle**

The webinar highlighted the main following gaps / criticisms:

- All the WB6 are in the process of transposing the EU environmental acquis, the process should be gradual and it shall comply with the constitutional provisions of the Countries, and in particular the principle of the division of power shall apply in order to create a solid and sustainable environmental legal framework.

- This above mentioned would be important in the definition of the ownership of polluted sites and related environmental liability. In the past years EU and Member States allocated a substantial quantity of funds for the remediation of contaminated sites, most of them were orphan sites for which it was impossible or extremely difficult to identify the “polluter”. Besides, most of the cases happened before the 2004 when the environmental liability legislation was enacted.

- Currently EU is substantially investing in preventing environmental damage and it will reluctantly fund the remediation of damages, which are consequence of the violation of the PPP.

- Enforcement system should be in place and fines and penalties should be adequate to prevent / discourage law violations and possible consequences on the environment and public health.

- Particular attention should be paid to the legal tools regulating and facilitating the public participation and involvement of the stakeholders and general public (for instance, applying the “Request for action” provisions under art. 12 of ELD), as well as the EIA procedures and the environmental permitting system in general (permit as a tool to regulate the sustainable use of the environmental resources within the framework of strategies and plans developed in accordance with the environmental acquis).

- The development of a solid legal system and an effective public participation support the correct implementation and enforcement of the environmental legislation and moreover,
contribute to create a very useful “Network system of alert on suspect cases on environmental damage”.

- Environmental legislation to be applicable needs to be complemented with technical regulation and knowledge, particularly the application of the Polluter Pays Principle and the environmental liability legislation requires the definition of clear guidelines and standards for the assessment and remediation of environmental damage, the damage risk assessment and management and, finally, the calculation of the amount of financial security instruments.

- Trainings addressing regulators, operators and enforcement bodies (such as inspectors, police officers, prosecutors) are necessary, especially regarding the damage prevention and remediation methodologies and procedures. Public bodies and private operators will all benefit from the correct implementation of the PPP and environmental liability.

- It was stressed the lack of clear (and binding) criteria for the determination of environmental damage and remediation and the lack of adequate financial security instruments.

- It would be extremely important to establish a financial security system at regional level

- The support of donors would be essential to support the whole process.

The purpose of this chapter is to map out the national and regional priorities for action based on discussions during the event and to translate them into challenges as part of a regional road map for the implementation of the Polluter Pays Principle in the Western Balkan Countries.

The following table is describing the proposed road map highlighting the main issues / actions identified and potential responses:
Expanding knowledge: filling gaps in knowledge and methodologies for law making, risk assessment and management based on objective evidence to determine the environmental damage and the financial mechanisms

<table>
<thead>
<tr>
<th>Issue / gap</th>
<th>Action Area</th>
<th>Challenge(s)</th>
<th>Outcomes</th>
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</thead>
<tbody>
<tr>
<td>Weak Legal framework</td>
<td>Supporting the law making process to comply with the constitutional requirements</td>
<td>Lack of adequate financial security instruments for damage remediation</td>
<td>Strengthening the law making process with reference to the environmental legislation and the financial security system</td>
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<tr>
<td>Significance gaps with reference to the development of technical regulation</td>
<td>Risk assessment of the impact of damage factors on the environment and human health</td>
<td>Contribute / develop risk assessment methods and procedures for damage prevention, management and remediation</td>
<td>The knowledge of the relevant stakeholders regarding the technical regulations and guidelines necessary for the application of PPP and environmental liability is improved</td>
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<td>Rules and procedures for the determination of financial security instruments</td>
<td>Contribute / develop environmental damage assessment guidelines (with integrations and connections of public health assessment methods)</td>
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<td>Permitting and BAT application</td>
<td>Contribute / develop methods for the calculation of the amount of financial security instruments</td>
<td>Support / Input in developing a financial security market in the Region</td>
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<td>Training sessions to the interested parties (covering drafting, implementing and enforcing laws)</td>
<td>Application of the BAT for preventing or minimising emissions and reducing impacts on the environment, in issuing environmental permits</td>
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<td></td>
<td>Possible areas for common activities in transferring of knowledge and capacity building:</td>
<td>Capacity building of the administrative and judicial enforcement systems enhanced for environmental damage prevention and remediation</td>
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<td>• Disseminate training materials, including best practices, to stakeholders</td>
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<td>• Enhance capacity of the administrative system to address PPP and enforce environmental liability</td>
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Expanding knowledge: filling gaps in knowledge and methodologies for law making, risk assessment and management based on objective evidence to determine the environmental damage and the financial mechanisms

<table>
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<tr>
<th>Issue / gap</th>
<th>Action Area</th>
<th>Challenge(s)</th>
<th>Outcomes</th>
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</table>
| Lack of knowledge of the relevant stakeholders on the implementation of the PPP and potential consequences of non compliance | Awareness raising | • Training of competent authorities, inspectors, police officers, as well as operators, in the prevention of damage (risk assessment of damage and imminent threat of damage to the environment and human health) in order to intervene promptly and effectively to avoid damage.  
• Training of prosecutors in damage remediation methodologies.  
• Training of competent authorities and operators in the calculation of the amount of financial security instruments | Awareness raising regarding the damage prevention and the application of the PPP enhanced |
### PPP application and Green Agenda for the Western Balkans

<table>
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<tr>
<th>Issue / gap</th>
<th>Action Area</th>
<th>Challenge(s)</th>
<th>Outcomes</th>
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</table>
| Several gaps in implementing incentives | Technological gaps | ○ Determination of viable technologies to achieve the objectives of the Green Agenda for Western Balkans  
○ Support to innovative solution for decarbonisation and circular economy | Studies on the environmental and economic impact of Best Available Techniques on different type of industries;  
Sectoral guidance on the identification of viable technologic upgrades for decarbonization and lowering of industrial emissions |
| Environmental gaps | | ○ Assessment of the potential effects of Green Transition on environment and human health | Assessment of the potential effects of Green Transition on environment and human health |
| Economic gaps | | ○ Harmonize the implementation of the Just Transition mechanism for the Green Agenda  
○ Identify Regional actions/projects for the preparation of financial tools supporting the Green Transition (credit and blended funds) | Dissemination of information and material on the funding mechanism of Just Transition  
Support in the identification of funding initiatives for Green Investments |
| Social gaps | | ○ Enhance the awareness and engagement of public and operators about the goals and actions of the Green Agenda on industrial pollution | Communication campaign including focus groups, surveys and dissemination of informative material |
## Inter-country cooperation and engagement and transboundary coordination

<table>
<thead>
<tr>
<th>Issue / gap</th>
<th>Action Area</th>
<th>Challenge(s)</th>
<th>Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lack of capacity to engage an effective inter-country and international cooperation and engagement</td>
<td>National policy and regulatory frameworks</td>
<td>o Identify gaps at regional / national level</td>
<td>Increased capacity and resilience of the inter-country and international cooperation and engagement</td>
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<td>MEAs</td>
<td>o Develop common projects, tools and policies (technical tools and guidelines, integrated policies) as appropriate</td>
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<td>o Strengthen core capacities in the implementation of the MEAS, with specific reference to PPP and environmental liability rules</td>
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<td>o Develop and enhance mechanisms to facilitate the transboundary exchange of information, cooperation and common procedures to address transboundary pollution and inter-country damages</td>
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<td>o Development of a regional database listing the incidents having a transboundary environmental and health impact.</td>
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6. Annexes

6.1 Agenda of the event

<table>
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<tr>
<th>Agenda of the event</th>
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<td><strong>Title</strong></td>
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| **Objective** | • To present studies and cases about the application of the polluter pays principle in the Region;  
• To share enforcing experiences and constraints with stakeholders from different countries, experts and international organizations;  
• To describe the updated EU legal framework and policies regulating and promoting the PPP within the frame of the Green agenda for Western Balkans;  
• To re-launch the South East Europe Pollution Platform (SEEPP), addressing the Rule of Law as one of the regional priorities;  
• To establish a base for a synthesis paper on the topic, mapping out issues and providing a set of guidelines for the way forward. |
| **Location** | On-line event |
| **Date** | 05 October 2021 |
| **Duration** | From 10:00 to 12:15 |
| **Participants** | International organizations, SEEPP members, NGOs, business associations, environmental specialists, inspectors, enforcement bodies. |
| **Time** | **Item** | **Speaker** | **Description** |
| 10:00-10:05 | Introduction to the meeting | S. Gebert | Brief introduction to the meeting UNEP in the Region |
| 10:05-10:10 | Environmental rights | UNEP Video | The Right to a Safe, Clean, Healthy and Sustainable Environment |
| 10:10-10:15 | The Italian | P. Angelini | Brief overview on the Italian cooperation in the |

8 UNEP - GEF Coordination Specialist - Vienna Programme Office, Secretariat of the Carpathian Convention

# Agenda of the event

<table>
<thead>
<tr>
<th>Time</th>
<th>Topic</th>
<th>Presenter</th>
<th>Details</th>
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<tbody>
<tr>
<td>10:15-10:25</td>
<td>The Polluter Pays Principle (PPP): The polluter pays principle as overarching principle of environmental responsibility</td>
<td>E. Stefanoni</td>
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<tr>
<td>10:25-10:35</td>
<td>Transboundary pollution in the Region: The importance of the rule of law at national and international level in addressing transboundary pollution</td>
<td>S. Bogdanovic</td>
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<tr>
<td>10:35-10:45</td>
<td>Discussion: All participants</td>
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| 10:45-11:05 | The environmental liability in North Macedonia: The development / application of the environmental liability legislation in NMK:  
- The remediation of OHis contaminated site  
- Risk assessment procedures to prevent environmental damage and improve environmental performances at a mining site | S. Andonova            | S. Pejchinovska Andonova                                                                 |
| 11:05-11:15 | Enforcement of PPP: Land contamination by illegal dumping of waste | M. Kliček             |                                                                 |
| 11:15-11:25 | Discussion: All participants                                                                 |                         |                                                                 |
| 11:25-11:45 | Implementation, enforcement of:  
- MSs experience on ELD enforcement  
- IMPEL CAED project | F. Andreotti          |                                                                 |

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10 Italian Ministry for Ecological Transition - Head of delegation of the Alpine Convention, Coordinator for environmental cooperation with Eastern Countries, Asia and China

11 UNEP – Environmental governance expert

12 Professor at Business Academy in Novi Sad, Environmental Law expert

13 National Project Coordinator at POPs Unit/Ministry of Environment and Physical Planning

14 Environmental Consultant at "EcoMosaic" Ltd. Skopje

15 Regional Environmental Inspection Service, Regional Office Varaždin, State Inspectorate of the Republic of Croatia

16 Italian institute for environmental protection and research, Sector Environmental damage and restoration [https://www.isprambiente.gov.it/en](https://www.isprambiente.gov.it/en)
<table>
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<tr>
<th>Time</th>
<th>Session</th>
<th>Presenter(s)</th>
<th>Notes</th>
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<tbody>
<tr>
<td>11:45-11:55</td>
<td>Environmental Liability</td>
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<td>• Future implementation of ELD</td>
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<td></td>
<td>Promoting the Green Transition in the Western Balkans: CBAM(^{18}) and Green Agenda</td>
<td>R. Quaggiato(^{19})</td>
<td>• CBAM and ETS to promote green investments</td>
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<td>• Green transition as opportunity to consolidate business in the EU market</td>
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<tr>
<td>11:55-12:05</td>
<td>Discussion</td>
<td>All participants</td>
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<tr>
<td>12:05-12:15</td>
<td>Conclusions</td>
<td>E. Stefanoni</td>
<td>Main conclusions and next steps</td>
</tr>
</tbody>
</table>

\(^{17}\) Project on the Criteria for the Assessment of the Environmental Damage under ELD (CAED project) [https://www.impel.eu/projects/criteria-for-the-assessment-of-the-environmental-damage-caed/](https://www.impel.eu/projects/criteria-for-the-assessment-of-the-environmental-damage-caed/)

\(^{18}\) Carbon Border Adjustment Mechanism

\(^{19}\) Regional Agency for Environmental Protection and Prevention of the Veneto
### 6.2 List of participants

<table>
<thead>
<tr>
<th>Name</th>
<th>Institution</th>
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<tbody>
<tr>
<td>Klodiana Marika</td>
<td>Ministry of Environment and Tourism</td>
</tr>
<tr>
<td>Elvana Ramaj</td>
<td>Ministry of Environment and Tourism</td>
</tr>
<tr>
<td>Gezim Dapi</td>
<td>Municipality of Tirana</td>
</tr>
<tr>
<td>Aida Vilic Svraka</td>
<td>Institute of Public Health FBiH</td>
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<tr>
<td>Ranka Radic</td>
<td>Republic Hydrometeorological Service of Republika Srpska</td>
</tr>
<tr>
<td>Maja Colovic Daul</td>
<td>Dekonta BiH d.o.o.,</td>
</tr>
<tr>
<td>CROATIA</td>
<td></td>
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<tr>
<td>Miljenka Klicek</td>
<td>Regional Environmental Inspection Service, Regional Office Varaždin, State Inspectorate of the Rep. of Croatia</td>
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<tr>
<td>GREECE</td>
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<tr>
<td>Annie Angelopoulou</td>
<td>Expert</td>
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<tr>
<td>Dimitris Tsotsos</td>
<td>Expert</td>
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<tr>
<td>ITALY</td>
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<tr>
<td>Paolo Angelini</td>
<td>Italian Ministry for Ecological Transition</td>
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<tr>
<td>Luca Demicheli</td>
<td>Italian National Institute for the Environmental Protection and Research</td>
</tr>
<tr>
<td>Tatsiana Hubina</td>
<td>CSI Piemonte</td>
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<tr>
<td>Desirée Bua</td>
<td>CSI Piemonte</td>
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<tr>
<td>Silvia Rapicetta</td>
<td>Italian Ministry for Ecological Transition</td>
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<tr>
<td>Francesco Andreotti</td>
<td>Italian National Institute for the Environmental Protection and Research</td>
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<tr>
<td>Riccardo Quaggiato</td>
<td>Veneto Region Environmental Protection Agency / Faculty of Technology and Metallurgy of the University of Belgrade</td>
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<tr>
<td>Roberto Ferrari</td>
<td>Pool Ambiente - Insurance</td>
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<tr>
<td>Lisa Casali</td>
<td>Pool Ambiente - Insurance</td>
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<td>MONTENEGRO</td>
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<tr>
<td>Gordana Djukanovic</td>
<td>Environmental Protection Agency</td>
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<tr>
<td>Brankica Cmilijanovic</td>
<td>Ministry of ecology, spatial planning and urbanism</td>
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<tr>
<td>NORTH MACEDONIA</td>
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<tr>
<td>Ljupka Dimovska Zajkov</td>
<td>Ministry of Environment and Physical Planning</td>
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<tr>
<td>Suzana A. Monevska</td>
<td>Hydrometerological institute</td>
</tr>
<tr>
<td>Name</td>
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<tr>
<td>Slavjanka Andonova</td>
<td>Ekomozaic</td>
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<tr>
<td>Suzana Andonova</td>
<td>MoEPP</td>
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<tr>
<td>Stevkov Aleksandra</td>
<td>N. Macedonia HMS</td>
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<tr>
<td>Darko Blinov</td>
<td>State Environmental Inspectorate</td>
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<tr>
<td><strong>SERBIA</strong></td>
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<tr>
<td>Svetlana Duvnjak</td>
<td>NIS Gazprom Neft</td>
</tr>
<tr>
<td>Stanka Leskovac</td>
<td>NIS j.s.c. Novi Sad</td>
</tr>
<tr>
<td>Iva Đinđić Ćosić</td>
<td>Elektromreza Srbije</td>
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<tr>
<td>Natasa Rajkovic</td>
<td>Legal expert</td>
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<td>Sima Zivulovic</td>
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