



UfU Unabhängiges Institut
für Umweltfragen



„Entwicklung von Bürgerrechten im Umweltschutz in Kroatien am Beispiel der Abfallwirtschaft“

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“Development of Citizens Rights in Environmental Protection in Croatia exemplified on Waste Management”

Final Report

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1. Introduction into political framework for implementation of the project

The project to be assessed in this report can be classified in the political environment as follows: Croatia is in the accession negotiations with the European Union, the countries main emphasis in environmental protection is to build up national horizontal legislation and comply with the *acquis communautaire* already composed in this field. Waste management is in this regard considered the most challenging environmental topic to be dealt with and beyond that the most pressing environmental issue. Croatia has ratified the Aarhus Convention and enacted special regulations to comply with the conventions standards. Recent developments e.g. the development of regional waste management strategies and centres, show a strong need for building up capacities of environmental NGOs in waste management and public participation and especially for linking those subjects and enabling civil society to participate in local and regional processes related to waste management issues.

1.1 Accession to the European Union

Croatia is in the middle of the accession process: three chapters of the 32 negotiation-chapters have been provisionally closed already – for 18 chapters benchmarks have been set, to reach subsequent improvement by Croatia. The chapter 27 Environment for negotiations on the environmental *acquis* has recently been opened. It has been one of the last chapters to be decided upon the preparedness of Croatia to open negotiations by the council in April 2007. One benchmark was set to be met by Croatia before opening negotiations. Croatia met the benchmark and was able to present it's negotiation Position to the EU on 11th July 2008¹.

The 2007 Progress Report of Croatia states good progress in Chapter 27. Especially horizontal legislation has been adopted. The legal framework still lacks integration of environmental policy in other sectors and administrative capacities especially at the local level. Although other environmental topics and the state of environmental media e.g. air, water etc. have been evaluated rather conservatively, for waste management good progress was also stated in the detailed topic description. Beside a significant amount of adopted legislation, enacting a regulation on transboundary waste transport and the national waste management plan were the most prominent achievement of Croatia in this field. The development of regional waste management centres and remediation and closure of illegal and old landfills were stated as the most important ongoing activities². According to the dimension and importance of the topic in the environmental *acquis* and the constant assessment of national and international administrative bodies as well as non governmental

¹ <http://www.eu-pregovori.hr/files/Progress%20in%20EU-Croatia-accession-negotiations-2008-08-26.pdf>

² European Commission 2007: Croatia 2007 Progress Report, COM(2007) 663 final; SEC(2007) 1431

organisations, that waste is the most pressing issue in environmental protection in Croatia, this evaluation seems to be significant.

1.2 Ratification of the Aarhus Convention

Croatia has ratified the Aarhus Convention by 27th March 2007³. The corresponding law on Access to environmental information, Public Participation and Access to Justice in environmental matters was enacted in the framework of an amendment to the environmental protection act (EPA) in October 2007. This law sets the minimal standards for citizens rights in environmental protection in Croatia. Firstly there is expressed a principle of access to environmental informations and public participation under Article 16 of the EPA. Secondly the detailed provisions are layed out under chapter IX “Public Information, Participation of the Public and Public Concerned and Access to Justice in Relation to environmental Matters in Article 132 to 149⁴. The transposition of the Aarhus Convention in the Environmental Protection Act is mainly compliant with the convention itself, because the regulations in this act state quite general principles. Compared to the legal situation before the ratification of the Aarhus-Convention, a positive turn can be stated.

Still the practical application is not satisfying yet – as in many countries the ratification of the Aarhus Convention only starts a process towards an open and transparent administration of environmental information and projects related to the environment.

Positive examples for the transposition concern the following passages of the Environmental information act: Information on emissions which are regularly excluded by protection of company secrets are even wider available in Croatia than in many Convention parties – as also documents which are protected to guarantee the confidentiality of the administrative procedures shall be published when emissions or releases into the environment are concerned. No special registration for environmental NGOs is needed for instigating a court procedure – a general registration as an NGO and the statutory aim to protect the environment is sufficient, as is two years of activity in the region where the court procedure is held. An NGO does not have to claim the impairment of it’s rights, or subjective rights of third parties – it is granted a legal interest to file a lawsuit without that provisions. This positive regulations have been achieved through the lobbying of Zelena Akcija when commenting on the draft law.

The main shortcomings of the transposition remain as follows: The interpretation of the term public authority remains indefinete. The aim of the Aarhus convention was also to make information held by private entities which fulfill a public service in relation to the environment publicly available and thus avoid a shift into civil law – the croatian transposition does not

³ http://www.unece.org/env/pp/ctreaty_files/ctreaty_2007_03_27.htm

⁴ <http://www.mzopu.hr/doc/Environmental%20Protection%20Act%20OG%20110-07%20ENG.pdf>

give ground for such an interpretation. Article 134 on Request and Deadline for Providing Environmental Information lacks a clear instruction how to request environmental information. Further the provisions do not contain an appeal to forward the request or help the answering person to formulate his or her question.

Public Participation was regulated by a special ordinance (regulation) in June 2008. The opinion reflected here is lead by the standards layed out in the EPA. For Public Participation procedures the way how the public is informed about a procedure stays in discretion of the administration – there is no obligatory way of publishing this information. It is to be done in “an appropriate manner” – but this manner can differ from case to case and from region to region – which can prevent the public and environmental NGOs from effective participation. In practise it is well known as “pro forma” participation when the administrative bodies contact only specialised NGOs to get an opinion⁵. Further, the minimum deadline for the public participation is chosen for 30 days – which can be very little given the small institutional capacities of NGOs. Concerning access to justice the following can be stated: A real barrier to go to court for environmental NGOs is the provisions contained in Article 148 – which states that companies or other legal or natural persons have the right to request compensation for their losses during a period of a court procedure. Omissions of the administration which cause an environmental damage are not included in the regulation of the EPA, they have to be sued according to administrative law.

As stated before this rather general provisions and regulations in the EPA and the influence the NGOs had in the drafting process encouraged them – still this regulations had to be underferd with specific regulations for example on Puplic Participation in permit procedures, EIA or SEA procedures. These regulations have much more practical relevance then the law providing guidelines contained in the EPA. With issuing the specific regulations the government stepped back from the principles –not all plans and programmes have been included into the procedural regulations. Also the public participation while drafting the law stepped back from the Aarhus principles: In February it was announced that for the regulation a public debate would be organised by the Ministry. After on 15th May the drafts were available on the Website of the Environmental Ministry, on 20th May only 8 organisations received an invitation to a consultation on 26th May – the public was excluded and the deadline of thirty days for comments was disregarded. On 30th May the government adopted all three regulations. Zelena Akcijas concerns were only punctual regarded.

In practice the public participation provisions are mainly not followed – what means that the transposition of the Convention to be found in EPA is compliant, but the practical application or implementation is unsatisfying. Due to the observation by environmental NGOs public

⁵ Regional Environmental Centre (REC) 2006: p. 12

http://www.rec.org/rec/introduction/countryoffices/croatia_environment_profile_jan_2006.pdf;

participation procedures are not systematically published, or published without giving a deadline for comments, to avoid complying to the period of 30 days. They are carried out with differing timelines and rules of procedures and with uncertain impacts of the results.

Croatia was one out of 6 countries not presenting a national implementation report to the third meeting of the parties to the Aarhus Convention taking place June 13th-18th 2008 in Riga⁶. The role of the country inside convention bodies is considered little. No intervention of Croatian officials in the plenary was noted by NGOs.

This project mainly aimed at following the process of the transposition and assembling first information about the practical implementation and application. Especially Zelena Akcija followed the drafting process of the EPA and the specific regulations following. As described above the engagement for a progressive EPA was fruitful, as some provisions (e.g. the registration need for NGOs before filing a law suit). Thus the project enabled the environmental organisations to look into the concrete provisions, to build up competencies to use the instruments and document first practical experiences with these instruments. Through the exchange between regional croatian NGOS, Zelena Akcija and UfU valuable best practise experiences could be exchanged.

1.3 Waste management

Ranked the most pressing environmental topic by many national and international bodies⁷, as well as by environmental NGOs in a roundtable discussion in November 2005, waste management in Croatia took important developments in the past two years. The Croatian Environmental Agency and some independent sources say that this developments mainly origin in the issuing of strategic documents, as the National Waste Management Strategy in 2005 and the Waste Management Plan (WMP) issued in late 2007⁸⁹. The main principle of this plan is the county wise approach of handling waste and the constitution of waste management centres in the Croatian regions. The NGOs evaluate positively that the WMP defined more ambitious and binding targets for recycling than the WM Strategy and that except the Zagreb incinerator no other incinerator is planned for the period until 2015. Negatively was remarked that the WMP lacks a clear approach to reach recycling targets and that the prevention measures are underdeveloped. The separate collection of

⁶ <http://www.unece.org/env/pp/mop3/mop3.docII.htm#NIRs>

⁷ NEAP 2002 :144

⁸ Croatian Environmental Protection Agency 2006: State of the environment Report – Highlights 2007: <http://www.azo.hr/Default.aspx?art=1444&sec=527>

⁹ Schneider, Daniel R. 2008: Sustainable Environmental Management in Croatia – Waste management and Climate Change In: Frano Barbir; Sergio Ulgiati (Hrsg.): Sustainable Energy Production and Consumption, Springer Verlag, Dordrecht

biodegradable and kitchen waste as well as composting is not foreseen in the WMP, what also is criticized by NGOs.

The regional WMPs follow the national WMP step by step till the end of 2008. The decisions about the technology for the regional waste management centres were taken already – they can be found in the Environmental Protection Operational Programme. NGOs criticize, that this in many regions meant that the second step was taken before the first, because decisions for a technology in the waste management centres were taken before an independent assessment of amount, structure and composition of the waste itself. Public participation in the drafting of the regional waste management strategies was in the regions where this process was already finished (Karlovacka Zupanija; Splitsko-Dalmatinskoje Zupanija) not carried out – according to a research of Zelena Akcija also the participation of the public in EIA procedures for planting of the waste management centres was mainly absent or inadequate¹⁰.

Still, it can be stated that waste management has improved in Croatia in last years: as described above – the legislation on waste issues has been widely revised and extended, the problem of legal and illegal landfills is dealt with, charges for waste disposal have been introduced and the separation of waste is introduced in some regions.

1.4 Administrative Capacity

The role of the administrative bodies responsible for enforcement of environmental law is rather discouraging – mainly this bodies are understaffed, lack interest and motivation to consider aspects voiced by the members of the public or NGOs. Sometimes more idealistic employees of administrative bodies are constrained by authoritative supervisors. The experience and expertise NGOs bring into procedures when admitted for participation is until now only in special cases appreciated by decision makers. The contacts between NGOs and administrative bodies depend more or less on existing private contacts. Croatia stands at the beginning of a process where transparent decisionmaking and providing information for the public become normality instead of an exception. This process can be influenced with both more concrete procedural regulations, which at the same time shouldn't be overcomplex for enforcement. On the other hand side the education of citizens about their rights leads to a critical mass of people aware. That in our mind can force administrative bodies on different levels and in different circumstances to the observance of the Aarhus rights. This will be a challenge for Croatia also in relation to application for EU infrastructure funds, because as long as the basic procedural rights are not observed, the funding through this funds will be hard to secure.

¹⁰ Zelena Akcija: Overview over establishment of waste management centres: See ANNEX

2. Assessment of project activities

2.1 Aims and targets of the project

To recall the aims of the project named in the project proposal they are listed in the following:

- Long term: Development of cooperational structures between governmental decision-making institutions and environmental NGOs through participation of environmental NGOs and appreciation of env. NGOs as carrier of environmental knowledge.
- Public Awareness raising activities for the rights guaranteed under the Aarhus Convention
- Critical Assessment and Accompaniment of the use of the new legal instruments
- Advanced training of croatian NGOs on technical and legal questions of Waste management, waste processing and approvment of plants
- Training of Multipliers and thus capacity building and strengthening of existing capacities
- Development of a german-croatian Waste Network
- Exchange of experiences between german and croatian NGOs
- Exchange of Know how on project management and seminar methods – to learn from each other

As appropriate measures to reach those aims, in the proposal were appointed two seminars, small scale projects and a german-croatian network as well as the collection of case studies.

After the first seminar and with the Midterm-Report of the project goals and aims were refined as follows: the main focus in the cooperation with the regional NGOs was layed on the accompaniment of the regional Waste management plans and the establishment of regional Waste management centres, as this were the most pressing issues after the fist Seminar and it made sense to combine the important issues on the political agenda with the aims of fostering public participation and thus support regional NGOs in their work.

2.2 Project activities

In the following all project activities carried out, will be described in detail, assessed according to their success and their contribution to the above named aims.

2.2.1 Kick off Meeting

For the Kick off Meeting two representatives of Zelena Akcija travelled to Germany – Tomislav Tomasevic, president and Zeljka Leljak, lawyer of the organisation met for two days with employees of UfU in Berlin. The first day was used to refine project planning, renew the topics to be prepared for the seminar and find solutions for project management. The second day we met with representatives of the environmental agency (UBA). Zelena Akcija had the chance of presenting its organisation to the new donors and project details and management were discussed with the responsible persons in UBA.

In the evening a meeting with BUND, the German section of Friends of the Earth took place, which was used to get in contact with volunteers working on waste topics and a project manager for Implementation of Aarhus rights in Germany. Fast we got into detailed discussion comparing the implementation of citizens rights in environmental protection and basic conditions for citizens actions in waste management.

To get in touch with the German partner for waste management topics – Prof. Dr. Susanne Rotter from Technical University was not possible due to holiday season, in which the meeting had to take place.

The Kick off Meeting was useful to get to know the partners better, find solutions for project management and define targets and topics more detailed then described in the application forms. Next to this rather administrative tasks the Kick off Meeting was used to start a lively discussion about the covered topics waste management and Aarhus implementation, which carried on the whole duration of the project, as the development of those topics is still an ongoing issue.

For details please see the minutes written after the Kick off Meeting. (ANNEX I)

2.2.2 1st Seminar

The first seminar was scheduled for 22nd -24th November 2007. 20 people participated in it coming from different regions of Croatia (Zadar, Knin, Cakovec, Krapina, Dubrava) and also from Zagreb. The seminar was meant for giving an introduction into the waste topic and the citizens rights in environmental protection. For waste the focus was chosen after consultation of the Croatian partners as follows: Firstly to find a common language Prof. Dr. Susanne Rotter introduced definitions of waste and criteria for categorizing it. Further she focused on the Waste management principles and how to introduce them. As treatment possibilities Landfilling, waste incinerators and mechanical-biological-pre-treatment was dealt with in combination with the environmental impact on air, water and atmosphere of those technologies. The minimum Standards in the EU were further elaborated and the most important directives explained. Also the first steps into waste management planning were taken when introducing responsibilities of administrative and private bodies.

The Aarhus-Convention was presented with history and the three pillars and inherent instruments. The implementation was described in the EU and Germany in Croatia, were similarities and possible non-compliances were discussed. Also the PRTR-Protocol was introduced. The main emphasis lay on the discussion of the new rights with the participants, were it was firstly a topic, in which processes this new rights are applicable and how to foster their practical implementation. Case studies from Germany and Croatia (Waste incinerators Zella-Mehlis and Zagreb) were used to illustrate the use of such processes and to get a

perspective on the decisions were to engage in conflict or in cooperative discourse. Further the provisions on access to justice were elaborated.

After the seminar it was concluded, that the participation of the public in the elaboration of county wise waste management plans would be a great opportunity to test, how public participation is really implemented and foreseen. Also it would be a great chance, if the local and regional waste management plans would be more progressive than the national plan.

2.2.3 Small Scale Projects

At the first seminar participants were invited to suggest projects combining the topics waste management and the use of Aarhus-Convention-Rights. Short presentations were held on the seminar and assessed and scored by all participants. UfU and Zelena Akcija gave hints for the practical implementation and asked all presenting NGOs to hand in short written proposals. After two weeks time the project managers assembled all information and discussed the proposals in a conference call. Marks were given to score different criteria according to a scheme agreed upon before. The criteria evaluated were known to the participants in the competition as the following:

Criteria
How is Aarhus Convention used as a tool?
Is the project focussed on a local/regional need?
Is the objective and approach clear?
Are other Stakeholders involved?
Is the budget clear and realistic?
Has the organisation the capacity to organise that project?

When the criteria was met very good we gave 2 points, when we found the proposal okay concerning the criteria we awarded 1 point, and when we found no evidence for the criteria in the proposal, we gave zero points. The decision on the points were found in agreement with Zelena Akcija. Added were the sum of points that were awarded through the participants on the seminar – deciding was the end sum.

Criteria/Project	Zadar	DUM	Knin	Tihana	Eko 2000
How is Aarhus Convention used as a tool?	1	1	1	2	2
Is the project focussed on a local/regional need?	1	2	2	2	2 for the waste plan, othe contents not clear
Is the objective and approach clear?	2	2	2	1	1 In the budget are named a lot of other activities – not

					described in project – and for the mini waste plan is only very global budget given
Are Stakeholders involved?	2	1	2	2	1
Is the budget clear and realistic?	1	0	1	1	0 negative balance
Has the organisation the capacity to organise that project?	2	2	2	2	2
Sum	9	10	10	10	8
Voting Participants	5	6	8	2	5
End-Sum	14	14	18	12	13

From this assessment three projects were chosen and granted financial support for implementation. On a trip to Croatia in April 2008 Franziska Mischek visited all Small-Scale-Projects to monitor implementation and where needed give hints for conclusion. The state of the projects was different in the three towns, still, with the progress made we were satisfied. After presentation on the final seminar in May 2008 two of the projects were completed, one was close to completion. The expectations we had concerning the outcomes were in the end widely exceeded.

In the following these projects will be described.

Eko-Zadar: Waste separation brochure and online portal for exchange of used products

Eko-Zadar proposed a project mainly based on public information. The project aimed on both: the reduction of waste and the sorting of waste. For the reduction of waste the activists installed a web portal for the exchange of used stuff in their town. So that people in need of the articles could collect them from the old owners. See also: <http://www.ekozadar.org/index.php?section=exchange> (only Croatian). The Web-Portal is a section of the Homepage of Eko-Zadar. And although the actual number of proposed subjects is only one (information of August 8th) – during the last month approximately 15 subjects have found new owners on the web. Four times the ecological association Eko-Zadar was on the radio presenting it's new service.

The other part of the project was implemented with the help of the local waste management facility – the firm "Cistoca" d.o.o.. A leaflet about sorting of waste was written by Eko-Zadar and distributed to all 27.000 households of the town. In parallel a Public tribune (roundtable) was organised where regional waste issues in town were discussed with representatives of

the Zupanija, of the town Zadar and of the entity Cistoca d.o.o and Eko-Zadar. See also: <http://www.ekozadar.org/index.php?section=recycle> (only Croatian) The brochure is now planned to be reprinted and distributed in 5 other towns of the Zupanija.

Annex II: brochure waste separation; Press clipping

Ekoloska Udruga Krka-Knin: Introduction of sorting for batteries and education

The Ecological Association of Knin proposed the establishment of containers for the separate collection of batteries to us. This project was carried out as an addition to a project granted by UNDP which so far had coordinated the separate collection of paper, glass and plastics. With the grant from UBA the organisation was able to install 11 containers for batteries which are located in several buildings of the town administration, the communal services, in schools and shops and in the ecological association. The collection is contracted with the corporation CIAN from Split. The collection is free of charge for the organisation.

Parallel to this action focused on batteries educational workshops for waste separation were held in Kindergarden and elementary schools and 3 cleaning actions with the kids in the nature and on one school ground were carried out. Further educational brochures about waste separation and the different fractions of waste for citizens (target group: adults) were designed, printed 500 times and distributed.

Annex III: Press clipping, Brochure waste separation and pictures of activities

Dubravaska Udruga mladih (DUM): Education for waste separation in Dubrava city school

Dubrava is located near the site for the planned incinerator for Zagreb region. Citizens in town are highly motivated to contribute to waste separation and thus to the reduction of waste for incineration. Separate collection is introduced in the town Dubrava. The Organisation Dubravaska Udruga mladih (DUM) found, that it lacked education on the new containers in the local school. So DUM proposed an environmental education project on separation of waste to us. The idea was to accustom the pupils with the colours of the different waste fractions with the help of a basket ball court on the school yard. The basketball court is coloured in the colours of the waste fractions which are separated. Bins are located closely to the court. The opening of the court yard – was a combined basket ball tournament and environmental education workshop. The colouring and the intention behind it was explained to pupils. On this event approximately 70 kids and some parents took part. Unfortunately the day of the opening was a stormy, rainy day so the event had to take place inside. So pictures of the court were made on another occasion.

ANNEX IV: Pictures

Overall - Assessment

Reflecting the Small-Scale Projects we want to stress, that this kind of grants are a very effective manner to strengthen smaller local and regional NGOs in Croatia. The grants were used in an appropriate way and only for funding of substantial costs and beyond that a lot of voluntary work was needed to fulfil the projects described in the applications. On the trip to all Small-Scale Projects funded, we also got an impression how hard it is for the smaller NGOs to exist, as no institutional funding is available, EU-grants are mainly not available, as the administrative barriers to this grants are too high and on a small grants basis a lot of the energy is taken up to administer these grants. Still we were impressed by the engagement of the NGOs and the creativity of project ideas which are developed in that sphere.

The definition of projects was the hardest task for the partners UfU and Zelena Akcija because all suggested projects were overcomplex, not feasible in the suggested timeline and with the budget of 1500 Euro under financed. We had to argue with the organisations to break the idea down to an idea which seemed more feasible and still contained the main idea of the project outline send to us. In our minds this was already one step into capacity building, as during the consultations we pointed out, which points we think are essential for a good project proposal and advised the NGOS how to conceptualize a realistic project.

In a retro perspective we also recall, that it was not an easy task for the NGOs to combine waste management and the use of citizens rights for the environment. Only one project proposal was made to us, which had one focus on public monitoring of waste management planning in the city of Zagreb, but we could not grant the funding to the proposing NGO for formal reasons (unclear project activities and budget). So the funded projects were carried out mainly in the overlapping of the topics waste management and public relations/ environmental education. As fostering environmental education is also one aim of the Aarhus Convention, we were hoping for multiplier effects following the seminars – publishing Aarhus-Convention rights in the Croatian NGOs.

The NGOs participating in the competition voiced, that they found such small grants very useful – as mentioned before it is for smaller NGOs one of the little possibilities to raise money for their purposes. The limited project frame (concerning time and money) made a lot sense to them, because they were working more goal-oriented and success was visible very fast. The presidents of the organisations also stressed that the framework allowed it, that the project was trusted to a volunteer, caring of it autonomous. But they also mentioned, that the handling of such grants (competition, contracting and reporting) must be held as easy as possible, as they see their volunteer working time bound with administrative task, what could hinder their engagement for the topic itself.

2.2.4 2nd Seminar

The second seminar took place also in Zagreb on 30th and 31st May in the presence of 22 participants.

The focus of the second seminar was chosen due to new legislative framework, which was important for waste management planning. An ordinance for Strategic Environmental Assessment was issued and we found it useful to discuss possible ways of public participation with the participants from the regions.

For waste management the focus shifted from legislation and technology to waste management planning and local waste management systems. As applied for after the midterm report we had the time to have one day for the following contents:

Waste management plans, their aims, instruments and implementation and the calculation of a waste management scenario were the main points taken care of by Florian Groß, scientific assistant of Prof. Dr. Susanne Rotter who was absent for capacity reasons. Marijan Galovic contributed with an up to date research about the waste management plans in the regions of Croatia, which was completed by the participants news from the regions. One case study was presented of district Neuss where waste management planning was carried out with the method of mediation.

The main emphasis of the Public participation part of the seminar was the introduction of the SEA-Procedures and the newly established ordinance which was only issued before the seminar. That followed a practical training in which the phases of the procedure were tried out on different topics in participants groups. Also the news on the implementation of the Aarhus Convention were dealt with.

The topics of the seminar attracted other persons then on the first seminar. Except the holders of the grants the participants all differed. We found it sad, that we didn't find the right date to reach more of the participants from the first seminar – we could have gone further with other topics in that case, but in the way it took place more people could be reached in total through the seminars.

The project presentations of the small scale projects followed the contents on waste and public participation. The organisations granted funding presented their results and pictures. Further the seminar was evaluated and the further need for training queried.

2.2.5 Case studies

Case studies in the project proposal were defined as one possibility to foster active participation of the participants of the seminars. So they were elaborated together with the participants after the seminars to learn from their experiences with public participation and / or waste management planning in Croatia. The case studies describe either participation

processes, or processes in waste management in the regions. The case studies are currently in layout process and will be available on the internet site of Zelena Akcija and UfU soon.

ANNEX V: Case studies

2.2.6 International Cooperation

Aim of the project was also to build up a network between Croatian and German Waste experts inside the NGOs. This aim was followed firstly on the Kick off meeting, when contacts between Zelena Akcija and BUND – waste experts have been established, further contacts to German partners in the GAIA network were arranged.

The presence of Prof. Dr. Susanne Rotter on the first seminar and her research assistant Florian Groß on the second seminar also brought contacts to third parties to the participants of the seminar. Both offered to answer questions coming up after the seminar or arrange contacts to third parties.

In retro perspective we think that mainly language barriers of the participants hindered them to use also our offer to bring them in touch with waste experts from NGOs in Germany. Waste experts from smaller NGOs as well as on the German and the Croatian side are not able to communicate over the complex topic of waste in English. For the success of the seminar it was crucial to have translation into Croatian language. The participants from smaller NGOs further did not have the wish to interact on the international level with waste experts. For them it was important to have a supra-regional contact person to address questions concerning regional topics. This interregional supervision was given by Marijan Galovic in the Zelena Akcija office.

The benefit from the international cooperation was used by Zelena Akcija though: On an internship in Prague for studying packaging ordinances and comparing them with the Croatian ordinance, Marijan Galovic took a study trip to Dresden where we had established contacts to the Waste management faculty of the Technical University. We visited an incineration plant for study purposes and discussed further waste treatment technologies as the mechanic biological treatment. Further we visited a recycling yard in Dresden, where electronic waste was treated.

While editing a position paper for Zelena Akcija Marijan Galovic used the established contacts with Friends of the Earths Germanies speaker of the waste research group Hartmut Hoffmann.

Outside this project Marijan Galovic participated in a row of international events and made contacts on the international level – e.g. on a consultation concerning the amendment of the European Waste Framework Directive in February 2008 in Brussels and on a Zero Waste Symposium in Capannorri in April 2008.

2.2.7 Interregional Cooperation

As elaborated above interregional cooperation was taken care of by Marijan Galovic. He held the contact to regional waste experts, who are gathered in a special Mailing list for exchange of information. Individual consultations were possible via phone and in special occasions, Marijan Galovic also visited regional groups. For example he was in contact with waste activists from Zelena Istra (Pula), SUNCE (Splitsko- Dalmatinskoje Zupanija) and Ekološka Udruga Krka-Knin (Knin). And the cooperation on waste with the regional organisations is continuing after the duration of the project. As stated before the important time for intervening in the waste management in the regions is now, because until the end of the year all counties should have established their regional waste management plans.

Marijan Galovic further is monitoring all the national legislative processes in his capacity as campaigner for waste issues. In this capacity he also was in contact with the administrative bodies on the national level – his experiences are mainly laid out in the case study concerning the National Waste Management Plan.

2.2.8 Cooperation with administrative bodies

Contacts to administrative bodies in the regions were on the one hand side established in two of the small scale projects, because the administrative bodies were in some way integrated in the projects. In Zadar the regional administration participated in public tribunals and roundtable discussions, in Knin one of the containers was located in the city hall. Concerning these contacts nothing generalized can be said – it mainly depends on the persons inheriting positions. For example in Zadar the cooperation with the Zupanija (county) is very good and supportive for the environmental organisation, but the contact with the city of Zadar is not as encouraging. In Knin it mainly depends on the topic of interaction – on waste it is a good cooperation because the town administration sees the benefits it has from the actions the organisation is making, concerning roadside vegetation and public participation procedures it is still underdeveloped.

On the other hand side we encouraged participants on the seminars to get in contact with the administrative bodies, to find out about the status of the regional waste management plans and get involved in the public participation procedure. The outcomes of those dialogues were mainly frustrating for the organisations, as the duty to conduct participation procedures concerning the management plans was not accepted (see Case studies). Explicit experiences were made in Karlovačka Zupanija where the duty to carry out a public participation procedure on the Waste Management Plan was not accepted and in the Splitsko-Dalmatinskoje Zupanija where no reaction on the request of the NGO to be invited was recorded.

2.3 Results / Conclusions

This section is written to find conclusions to the above named aims of the project and to evaluate the project according to other criteria like covered topics, transferability of knowledge gained and project management.

Firstly it can be assessed that all activities described in the work plan included in the application form were carried out. What concerns the global aims of the project it was from the beginning very obvious that this project could only be one step in the development of cooperational structures between governmental decision makers and environmental NGOs. And the success towards this aim can be hardly assessed. The smaller and regional environmental NGOs in Croatia mainly are founded because of non agreement with governmental decisions, omissions and obvious environmental grievance. And the logical form of voicing this disagreement is opposition and the appearance as a pressure group. Still trainings and advancing the environmental knowledge inside this NGOs is helping them to be taken seriously in discussions and debate. Combined with their knowledge of local and regional specialities this makes them valuable partners of the administration. And the other side of the coin is that environmental NGOs have to know of their rights – where they by the law are guaranteed to participate and how this procedures should be organised. Only then this arguments can be used in another form and in another quality than in opposition. Which does not mean, that citizens and environmental organisations should abandon the option of conflict and public demonstration of their disagreement – but rather use it as a second form of argument. We are also sure that the project contributed to the quality of arguments in that direction, that knowledge and belief systems were challenged – for example it was not so easy for Prof. Dr. Rotter to answer the question whether waste incineration is good or bad. She embedded her answer into a set of questions which should be answered before deciding for or against a technology, such as: the possible reduction of waste for disposal, the maximum price of waste management fees to be paid by citizens and so on.

Public Awareness for the rights of the Aarhus Convention was raised in the two seminars with multipliers from various regional NGOs participating who took this knowledge to their regions. Also with Zeljka Leljak they had one Croatian lawyer at hand, who gave them support in legal terms, specialised on their rights guaranteed by ratification of the Aarhus Convention and implementation into the Croatian legal system. The critical assessment of the rights was carried out before the first seminar and carried on for the second, as the rules of procedure for SEA procedure were only completed before the second seminar. As the practical application of the Aarhus Convention rights are still not assessed very well – this is an ongoing task and an option for continuation of the project.

The intended German-Croatian Waste Network is unfortunately only established punctual. Marijan Galovic – who is part of an european wide network on waste issues now has also

german contact persons and in his capacity of waste campaigner of Zelena Akcija will be forwarding the gained experiences to the regional activists if needed. But as described above interregional exchange is much more needed and can be facilitated much easier than an international network working on waste. Nevertheless we think, that we have taken appropriate measures to reach this aim and had to adjust our project to the realistic needs in this point.

The project management will be assessed independently – but in advance shall be mentioned that in organising and carrying out the seminars we fastly found agreement over management and methods and that learning of each others experiences was a

2.3.1 Transferability of knowledge

The knowledge which was shared on waste management seems to be not transferable on other topics. Here the specialisation of environmental activists was more the focus of the project than to build up kind of a generally applicable toolkit. The specialisation given in facts and numbers about waste generation, waste treatment technologies and management facilities is crucial for the environmental NGOs to take part in political discourses and be an accepted partner in regional debate about waste topics. But through exchange of regional experiences in waste management planning and with several technology solutions could be transferred to other regions.

Concerning Public participation the transferability is absolutely given. The topics of the seminar did not stop in general remarks about the laws on public participation (implementation of the Aarhus Convention) but directly dealt with Participation in Environmental Impact Assessment and Strategic Environmental Assessment. The knowledge of public participation rights in these procedures can be generally used in all relevant permit procedures for plants, projects and programmes.

Participants on the seminar have widened their toolkit of environmental activism – they know about their civil environmental rights and have an impression from the discussion with other participants in which situations these rights can be useful. In this regard it is for sure that it is applied in practice also for other topics. Examples we have heard of were “Aarhus-rights” have been applied through participants of the seminar are: the regional waste management plans In Karlovacka Zupanija, Splitsko-Dalmatinskoje Zupanija, and for an information request in the City of Zadar.

Practically these citizens and organisations are supported by Zelena Akcija lawyer Zeljka Leljak – who is beyond the time of the joint project addressable for questions concerning the use of citizens rights in environmental law.

Other topics evolving, due to the adaptation to the *acquis communautaire* of the EU are: the amendmend of the Law on Water and the transposition of the IPPC-directive. In both cases public participation is an issue.

2.3.2 Project management

The project management was taken care of in share at UfU and Zelena Akcija. In UfU Franziska Mischek was responsible for all project related tasks except accountancy. Before the first seminar she was backed up by her colleague Dorothee Dick, as the workload to be fulfilled preparing the Kick-off-Meeting and the first Seminar was above average. In Zelena Akcija Marijan Galovic was responsible for the waste issues and Zeljka Leljak for the Public Participation topics. Accountancy and seminar organisation was taken care of by Daniela Jovanova.

All project activities were finished in time. The budget had to be revised after the mid term report – due to a miscalculation for the first seminar. But the backed up capacities for the project managers and the extended time frame for the second seminar were successful measures to be taken.

We didn't reach all aims completely, but we had to adjust our activities to the real needs in Croatia. For example we failed to establish a vivid German-Croatian waste network, but we overthought that approach and more focused on interregional cooperation, which is in our mind more effective for the support of regional environmental NGOs than international cooperation.

2.3.3 Cooperation between UfU and Zelena Akcija

In an evaluation dialogue between Zelena Akcija and UfU we recapitulated that the project based cooperation was successful and trustful. The cooperation via internet and telephone was very easy and after getting to know each other on a stable basis. Zelena Akcija was always very fast to respond to questions and demands, agreement on conceptualisation of seminars and the project competition were found easily and uncomplicated.

3. Future perspectives

As elaborated above both partners agree, that the cooperation was fruitful and effective. Both sides also intend to work together in the future. How future cooperation could be organized will be discussed underneath.

3.1 Topics

The topics waste management and public participation remain important issues for the years to come – in the negotiation process for the accession into the European Union the chapter on Environment has just been opened and waste will be the major point in the negotiations, despite all advancements. To further follow that process and use knowledge we gained with

this project could be one option for further cooperation with NGOs in Croatia. The same is true for public participation. The rights are legally implemented – but the practical application is a different matter. To strengthen Zelena Akcijas capacity as the organisation in Croatia to engage for citizens rights for the environment could be one aim, more can be done publishing the instruments of the Aarhus convention to the public and especially regional NGOs.

Nearly all environmental NGOs in Croatia make environmental education projects. The educators rarely have a special education for making environmental education. The Trainings for new methods of environmental education methods would definitely attract lots of participants and be effective in a lot of projects already been carried out on a voluntary bases. This topic can be easily combined with another competition for small scale grants – which as elaborated above we see as a very important option to strengthen capacities in the regional NGOs.

Concerning the legal basis of environmental protection in Croatia also kind of a case study-project on Environmental Impact Assessment and Strategic Environmental Assessment could be interesting, as there is only little positive examples for carried out EIA studies with public participation as foreseen and none is known for SEA as this field is very new. It could be an aim to contact administrative bodies on a regional level and suggest to take care of training of the public to participate in that concrete plan or project.