

Advisory Assistance Programme of the German Federal Environment Ministry for Environmental Protection in the Countries of Central and Eastern Europe, the Caucasus and Central Asia

Final report template

General project information

Project title “Germany’s experience in implementing EU legislation: NATURA 2000 – management and financing”

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Beneficiaries of project activities: Ministry of Environment and Water, Bulgaria

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Practical Guidance (paper copy, in Bulgarian) – separate edition

CD-Rom (project products information) – separate edition

2. Project environment/context (Situation at project start, relevance to environmental policies, importance for target country, demand in target country), max. 1 page

Bulgaria joined the EU in 2007 with the last EU enlargement and the full implementation of the Nature *aquis* is still a challenge. The EU Habitats Directive (92/43/EEC) was amended in 2006 to include new species and habitats in the Annexes for the accession of Bulgaria and Romania (Directive 2006/105/EC of 20.11.2006).

In the area of biodiversity conservation, the legal requirements of Directive 79/409/EEC on the protection of wild birds and Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, regulating the establishment, the deterioration prevention measures and the management of Natura 2000 ecological network, have been transposed into Bulgarian legislation through the Biological Diversity Act, adopted by the Parliament in 2002, further amended and supplemented later on. But Bulgarian authorities are facing the challenge to effectively implement these requirements.

Until 2008, the efforts of the relevant administrations have been almost entirely focused on meeting the pre-accession obligations and in particular the reparation of the national list of proposed Natura 2000 sites, and full transposition of the legal requirements of the Directives into the national legislation. For that reason, most of the projects financed by national and international sources as well as the seminars and the workshops carried out until then addressed mainly the problems related to the establishment of Natura 2000 network.

Since 1993, Germany and Bulgaria have been cooperating under a bilateral agreement in the environmental sector with regular high level meetings. In summer 2006, resulting from a meeting with the Bulgarian Ministry and the German Ministry of Environment, a first project idea was launched to transfer German knowledge in the implementation of Natura 2000, together with a series of other requests of environmental projects. The project was shaped into a full project proposal in close cooperation with the German Federal Agency for Nature Conservation (BfN) and the Bulgarian Ministry of Environment and Water (MoEW) in 2007 and 2008, fitting together and closing gaps in other projects like EU-Twinning. Finally, a call for tenders was made in March 2009 and the project could start in summer 2009.

The project was implemented to meet Bulgaria's needs for training of the nature conservation administration and to enhance the effectiveness of the implementation of Natura 2000, and the regulations of the Habitats Directive. A major point was the use of the foreign experience related to the practical implementation of Natura 2000 and to make this knowledge available in Bulgaria and adapt it to the Bulgarian needs.

The scientific coordination of the project was done by the Federal Agency for Nature Conservation (BfN, Dr. Axel Ssymank). The Bulgarian counterpart was the Ministry of Environment and Water (Assya Doneva). The organization implementing the project was Green Balkans (Simeon Marin).

3. Project goals (Expected results, purpose of the advising assistance)

The overall objective of this project was to assist/facilitate competent authorities in the Republic of Bulgaria in the enforcement and implementation of Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, and in particular in the planning, management and financing through EU Cohesion/Structural Funds of the National Natura 2000 Network – by passing on the experience of Germany in the above mentioned fields.

The specific objectives of this project were as follows:

Contributing to the development and the strengthening of the administrative capacity at national and regional levels for Natura 2000 site management and implementation of measures to prevent the deterioration of target habitats and species in line with Art. 6 as well as to preserve landscape features essential for migration, dispersal and genetic exchange of plant and animal populations and species in relation to the ecological coherence of the Natura 2000 network;

Contributing to the preparation of the relevant administrations to meet their obligations under the requirements for reporting on Natura 2000 Network to the European Commission;

Strengthening the administrative capacity for financing Natura 2000 Network under LIFE+ program, EU Cohesion and Structural Funds, by presenting the EU member states' experience in this particular field and providing training for the relevant administrations' staff.

4. Course of project implementation (Activities carried out, broken down to different project measures and results)

Activity 0. Management of the project activities

0.1 Preparations: Bulgarian project team meetings

After the project approval, initial meetings of the Bulgarian parties (MoEW and Green Balkans) took place in June 2009 for preliminary planning of activities. During the project implementation reasonable changes in the project team were discussed and proposed to UBA for approval. Remarkable understanding from BfN and UBA officials dealing with the project resulted in a very smooth project flow.

0.2 Coordination of activities

An overall coordination of all project activities was done by Green Balkans' team, with main input from Simeon Marin and Borislav Borisov.

0.3 Control of proper (timely) implementation

In order to secure the project implementation according to the preliminary schedule lots of efforts were put to arrange the dates of the seminars in a way to satisfy MoEW and their regional Inspectorates and to fit Dr. Ssymank's (BfN) busy schedule.

0.4 Communication with German counterparts

Very close coordination with UBA and BfN was achieved as required for the successful implementation of the project activities.

During the project implementation some important adjustments and improvements of the project activities were made: BfN agreed to provide their high qualified members as lecturers to the seminars; participation of Nature Park Directorate's staff in the seminars was allowed and secured by UBA, and budget re-allocation between 2009/2010 was made to improve project implementation.

0.5 Communication with Bulgarian stakeholders

The project required work and communication with the following target groups: Employees of the Ministry of Environment and Water at national and regional level:

- "National Nature Protection Service" Directorate
- Executive Environment Agency
- "Preventive Services" Directorate
- "Environmental Cohesion Policy" Directorate
- Regional Inspectorates of Environment and Water
- National Parks' Directorates

Employees of the Executive Forest Agency at national and regional level

Employees of the Ministry of Agriculture and Food

Employees of the Ministry of Regional Development and Public Works;

Representatives of the scientific community (Bulgarian Academy of Sciences, Sofia University, Shumen University)

Environmental NGOs (Foundation for Environment and Agriculture, BALKANI Wildlife Society, BSPB, WWF Bulgaria, Bulgarian Biodiversity Foundation, The Association of Parks in Bulgaria, Green Balkans).

A large amount of time was spent in communication with the Bulgarian institutions organizing the participation of their staff that was targeted by the training events. Great efforts were made to secure participation of Bulgarian trainees due to their busy schedules. Regular communication with ongoing Twinning project BG/2007/IB/EN/06 was provided by the Project Coordinator. More time was needed to disseminate materials and provide consultations for the participants in the seminars.

0.6 Scheduling training events, etc.

The seminar dates and the participation of target groups were negotiated in close cooperation and mutual understanding between MoEW, BfN and Green Balkans.

0.7 Project Group Meetings

Meetings of BfN, MoEW and Green Balkans representatives to discuss the project course and make key decisions took place as follows: kick-off meeting (02.07.2009, Sofia, Bulgaria), 1st PGM (17.09.2009, Sofia, Bulgaria), 2nd PGM (13.10.2009, Sofia, Bulgaria), 3rd PGM (29.04.2010, Bonn, Germany) and 4th PGM (30.07.2010, Sofia, Bulgaria).

0.8 Project web page maintenance

A project web page, divided in project activities, was established in the beginning of the project and regularly maintained. At the end of the project, as advised by Dr. Ssymank (BfN), the webpage was reorganized around the main themes, concerning practical Natura 2000 implementation. The webpage will continue to work and maintained by Green Balkans.

http://www.greenbalkans.org/natura2000/german_project/

0.9 Accountancy

Financial management and accountancy, including invoice preparation, was completed by Zlatka Nikolova and Irina Kirova.

0.10 Reports drafting

In total, 4 midterm reports were presented. Report drafting involved the following members of Green Balkans: Simeon Marin, Tanya Georgieva Schnell, and Krasimira Demerdzhieva.

0.11 Final report preparation

Completed by Simeon Marin

0.12 Organization and logistics of the seminars

Four seminars, each lasting 1-3 days, were carried out as follows: Seminar Activity 3.3 (18.09.09, Sofia), Seminars Activity 3.2 (9 – 10.11.2009 in Sofia and 11- 12.11.2009 in Varna), Seminar Activity 3.4 (14-16.10.2009, Sofia) and Seminar Activity 3.1 (28 – 29.07.2010, Sofia).

The organization and logistics of the seminars involved the following members of the Green Balkans: Dobromir Dobrinov, Nely Arabadzhieva, and Irina Kirova.

Securing German lecturers, arranging the scope of their presentations in a way to avoid overlapping, and getting the presentations in advance to secure their translation, was very intense work. In terms of communication with lecturers, Tanya Georgieva Schnell and Nely Arabadzhieva made a major contribution.

0.13 Organization and logistics of the Study trip in Germany

Organization of a Study Trip to Germany for Representatives of the Bulgarian Nature Conservation Administration. The programme was developed in accordance with MoEW needs, following BfN advices, and with substantial input from Dr. Ssymank in the selection and preparation of host organisations.

The organization and logistics of the Study trip in Germany involved the following members of the Green Balkans: Tanya Georgieva Schnell and Nely Arabadzhieva

Activity 1. Elaboration (Design) of training programs for experts of the target administrations regarding:

1.1 Implementation of the legal requirements of Article 6 of Dir. 92/43/EEC (habitats) – management of Natura 2000 site, development of management plans, and implementation of appropriate impact assessments of the investment projects, plans and programs with hints for the administrations. Examples of Commission opinions and EU Court of Justice judgments;

1.2 Improvement of the ecological coherence of Natura 2000 network – protection of landscape features essential for migrations, distribution, and exchange of genetic material in animal and plant populations;

1.3 Reporting to the EC on Natura 2000 Network – explanation of all needed reports with hints for the administrations;

1.4 Financing of Natura 2000 Network through LIFE+ program – main principles and conditions;

1.5 Financing of Natura 2000 Network through the Cohesion and the Structural Funds of the EU – planning, preparation and implementation of projects, activities and expenditures acceptable for financing;

Analysis to identify and update the exact training needs of the target groups at the start of the project was carried out. It was prepared within the scope of the project

themes and identified the needs of training materials – guidelines, best practice examples, etc. On the basis of this analysis, ToRs for lecturers for Activity 3 were elaborated.

Presentations on all these themes were prepared and translated for the target Bulgarian institutions. The total amount of pages translated (200 pp) exceeds the number of pages envisaged in the ToR (150).

All presentations prepared under this activity were uploaded on the project web page accordingly.

Activity 2. Elaboration of practical guidance on the implementation of Art. 6 (3) and (4) of the Habitats Directive

2.1 Preparation and publication of practical guidance on the implementation of Art. 6 (3) and (4) of the Habitats Directive, based on the German experience in that area and taking into account the specifics of the Bulgarian legislation.

2.2 Translation and publication of relevant documents by decision of the Scientific Consultant, including German guidelines on the target subjects, examples of good practices etc.

2.3 Distribution of materials - most of the materials will be disseminated through the series of seminars as well as through the administrative network of the MoEW.

On the basis of analyses of Bulgaria's needs and interviews with the project's target groups, a long list of German practices, manuals, guidelines, methodologies, instructions, articles etc. were identified – a long list of materials to be translated. Presentations of different documents were made to the representatives of National Nature Protection Service , MoEW; each material was subject to detailed discussions. During the whole process, the project team was closely guided by Dr.Ssymank from BfN, who made the final decision on the documents approved to be translated into Bulgarian.

Literature from 30 different editions (guidelines, publications, etc.), exceeding 1,000 pages selected according to Bulgaria's needs was translated and edited. The Bulgarian version of editions was prepared in PDF format. The Project related German parties were properly referred.

The Bulgarian translation and publishing was done with the consent of the authors and publishers of the original publications.

The main products of this Activity, as well as of the project, are:

- PRACTICAL GUIDANCE ON THE IMPLEMENTATION OF NATURA 2000 APPROPRIATE ASSESSMENT IN BULGARIA - German experience and EU law. Implementation of Art. 6(3) and 6(4) of Directive 92/43/EEC transposed in Art.31-34a of the Bulgarian Biodiversity Act.

This publication is based on the German and EU experience, taking into account the specifics of the Bulgarian conditions. This edition contains legal and theoretical basics and examples from the practice. The paper body contains main topics, essential for the general understanding and the framework of the Guidance. The full version of the translated original guidelines and articles is presented as Annexes to the Guidance. The Guidance (paper edition, A5 format, 127 pp.) was issued in 1000 copies.

- CD-Rom, which contains, in addition to the above mentioned PRACTICAL GUIDANCE (in PDF format), other guidelines, multimedia presentations, court cases and examples of the wider practical implementation of Natura 2000 – management of sites and habitats, mapping, reporting to the European Commission, ecological coherence, financing, etc., which could be used separately. The CD-Rom was issued in 1000 copies.

The effect of the dissemination of training materials (Guidance and CD-Rom), however, extends over a much wider range of Bulgarian administration experts, not only from MoEW, but also from other related services, such as forest, municipal, water, fishery, rural development and public works. Being uploaded on the project's web page, they are made publicly available.

Activity 3. Implementation of the elaborated training programs and presentation of the German experience

3.1 Organization and carrying out of a two-day seminar on the implementation of appropriate impact assessment of investment projects, plans and programs under Article 6 of the Habitats Directive and the preservation of the ecological coherence of Natura 2000 network for representatives of the state administration involved in the assessment implementation – experts from the Ministry of Environment and Water (MoEW), Directorates "Prevention Activities" and "National Nature Protection Service" (NNPS) and their corresponding structures within the Regional Inspectorates of Environment and Water (RIoEW).

3.2 Organization and carrying out of two two-day workshops (two locations – Sofia and Varna) on the implementation of appropriate impact assessment of investment projects, plans and programs under Article 6 of the Habitats Directive and the preservation of the ecological coherence of Natura 2000 network for registered experts under the EIA (Environmental Impact Assessment) legislation, representatives of the scientific institutions and major universities, non-governmental organizations.

3.3 Organization and carrying out of a one-day seminar on conservation status, monitoring and reporting to the European Commission on Natura 2000 Network – explanation of all needed reports with hints for the administrations. Participants/Experts from MoEW, RIEW, the Executive Environmental Agency, scientific institutions and environmental NGOs were invited to this seminar.

3.4 Organization and carrying out of a three-day workshop on Natura 2000 site management, management plans development and financing of Natura 2000 Network and its management - principles and terms of financing under LIFE+ program, the EU Cohesion and Structural Funds; planning, preparation and implementation of project proposals; identification of activities and expenditures acceptable for financing. This workshop involved participants/experts from the beneficiary institutions under the Bulgarian Operational Programme "Environment", namely: MoEW, RIEW, National Park Directorates, and Nature Park Directorates.

On September 18th, 2009, a seminar under **Activity 3.3** on the theme "Conservation status, monitoring and reporting on Art. 17 of Directive 92/43/EEC" was carried out.

The seminar took place in the building of the Executive Environmental Agency (EEA) in Sofia. The seminar involved more than 30 representatives of EEA, MOEW, the Regional Inspectorates of Environment and Water, scientific institutions, NGO activists, and environmentalists.

The seminar under **Activity 3.4** on "Management and Financing of Natura 2000 network" took place on October 14th-16th, 2009 in the Accord hotel in Sofia. More than 50 representatives of the Ministry of Environment and Water (MoEW), Ministry of Agriculture and Food, Executive Environmental Agency (EEA), Regional Inspectorates of Environment and Water (RIEW), National Park Directorates, Nature Park Directorates, scientific institutions, environmental NGOs etc. took part in the seminar.

The seminars under **Activity 3.2** on “Implementation of Appropriate Assessment for Investment Projects, Plans and Programs under Article 6 of the Habitats Directive (92/43/EEC)” were held on November 9th and 10th in Sofia and on November 11th and 12th in Varna. In Sofia the seminar took place in the Central Forum Hotel and in Varna in the Aqua Hotel. More than 50 participants were trained in Sofia and more than 20 in Varna. The trainees were independent experts in AA and EIA, experts from the scientific community and NGOs working in the same area.

The seminar under **Activity 3.1** on “Implementation of appropriate impact Assessment of the investment projects, plans and programs under Article 6 of the Habitats Directive” took place on July 28th and 29th, 2010 in the Central Forum hotel in Sofia. More than 50 representatives of the Ministry of Environment and Water (MoEW) and other interested parties took part in the seminar. MoEW experts represented Nature Protection and Preventive Control Units - departments in charge of the practical implementation of Natura 2000 appropriate assessment in Bulgaria. In addition, responsible experts from the Ministry of Agriculture and Food, Ministry of Transportation, Ministry of Economics and Bulgarian Academy of Science also took part in the seminar.

In the beginning of the seminar, as a token gesture, Dr. Axel Ssymank from BfN handed over all German materials (manuals, methodological references, etc.) related to the management and protection of Natura 2000, translated under the project, to the Bulgarian Ministry of Environment and Water.

The seminars involved highly experienced experts in Natura 2000 implementation from Federal (BfN) and provincial Nature Conservation Authorities in Germany and Austria, habitat and species mapping and monitoring experts, as well as experts in the field of Natura 2000 site management.

Activity 4. Presentation of examples of best practices in the project target areas and organization of study visits for experts of the target institutions

A study visit was organized and implemented (25th of April to 1st of May 2010) for experts from the “National Nature Protection Service” Directorate (MoEW) to the relevant German institutions involved in the implementation of various Natura 2000 issues. The trip was supplemented by practical training sessions on site within selected Natura 2000 sites and protected areas.

As a result of this project activity, 4 experts from MoEW were trained on Natura 2000 implementation based on the German experience. The Bulgarian experts gained very valuable German expertise and collected a huge amount of practical materials of interest for implementation in Bulgaria.

5. Project results

Literature from 30 different editions (guidelines, publications, etc.), exceeding 1,000 pages, was identified, selected according to the Bulgarian needs, translated, and edited.

High-level experts of considerable practical experience from Germany and Austria were involved as lecturers, delivering a total of 35 presentations.

More than 200 participants were trained during four seminars, each lasting 1-3 days, carried out in Sofia and Varna and treating main topics of Natura 2000 implementation. The seminars involved: Bulgarian State experts in charge of biodiversity and preventive control, freelance experts dealing with Appropriate Assessment Reports and/or Environmental Impact Assessment Reports, experts from scientific institutions and NGOs, experts on Natura 2000 implementation from Federal (BfN) and provincial Nature Conservation Authorities in Germany and Austria, habitat and species mapping and monitoring experts, as well as experts in the field of Natura 2000 site management.

A study tour to Germany was organized for four experts of the National Nature Protection Service of the Ministry of Environment and Water.

The main products of the project are: Practical Guidance on the implementation of Art. 6(3) and 6(4) of Directive 92/43/EEC and CD-Rom containing other guidelines, multimedia presentations, court cases and examples of the wider practical implementation of Natura 2000 – management of sites and habitats, mapping, reporting to the European Commission, ecological coherence, financing, etc., which could be used separately.

6. Provisions/measures to secure a long-term effectiveness of the project (Which measures/structures provide for a long-term effect of the project after its finalisation?)

The effect of the dissemination of training materials (Guidance and CD-Rom) however, extends over a much wider range of Bulgarian administration experts, not only from MoEW, but also from other related services such as forest, municipal, water, fishery, rural development, public works etc.

Being uploaded on the project's web page (http://www.greenbalkans.org/natura2000/german_project/), they are made publicly available.

7. Evaluation of project by the recipient of the grant/contractor (Experiences and difficulties)

Late clarification of the problem related to the reimbursement of travel/accommodation costs of the participants from Regional Inspectorates of Environment and Water resulted in low attendance at the first seminar (3.3). This issue was solved with an Annex signed to the Contract. In addition, MoEW themselves sent the invitation for the second seminar that resulted in a more sizeable presence of the administration.

Finding good simultaneous interpreters, especially from German, remains a big challenge in Bulgaria. Therefore, the lecturers of seminars agreed to use English

as a working language of the seminar. This allowed the Project Manager – Mr Simeon Marin, to follow the translation and to secure proper terms usage. Nevertheless, seminar 3.4 was held in German. Thanks to the Project Assistant – Ms Tanya Georgieva-Schnell, who followed the translation, proper usage of terms was secured.

To avoid losses due to simultaneous interpretation, presentations were translated in advance and presented in Bulgarian, while lecturers agreed to follow the original text on a paper copy. This method was harder for the lecturers but much easier for the trainees. Moreover, copies of the presentations in Bulgarian were disseminated to the participants in advance. All these efforts gave very good results and increased the understanding of details tremendously. Of course, the lecturers were so kind to accept this approach; on the other hand, the translators spent nights working to finalise the Bulgarian versions.

Inclusion of editing after the 1st translation proved to be very useful. Only in such way relative unity of all texts was possible. This was the only way to tackle problems with specific terms, especially in German, due to presence of only few experts (graduated in biology/ecology in Germany) available in Bulgaria.

Any foreign experience and documents need thorough adaptation to the Bulgarian circumstances to make them work. Administration differences between Bulgaria and Germany also make some procedures difficult to understand. This, however, applies for any other State.

8. Evaluation of project by the addressee of the advising assistance

– by Assya Doneva (Bulgarian MoEW, NNPS Directorate, Natura 2000 Unit)

(Evaluation of the project's implementation, the project's results and of the long-term effectiveness, e.g. additional activities of local actors)

Green Balkans, in their capacity of an organization implementing the project, secured the best possible communication and logistics.

The project activities flow was kept according to the project schedule. The logistics of the seminars was at high level. The quality of translation/interpretation during seminars was at good level with valuable interruptions by Green Balkans – for more detailed explanation of the specific terms. All themes discussed at the seminars/workshops were very well targeted according to the needs of Bulgarian administration which lead to very extensive and fruitful discussions. Very positive comments from all target groups were received after each event.

The logistics of the Study visit in Germany was also at a very high level. The shown examples during the study visit were also very precisely targeted and the discussions were very useful. We are grateful to our hosts for the opportunity to continue our discussions with them on the issues we were interested in, even beyond the formally organized meetings.

Green Balkans showed significant flexibility regarding amount of documentation to be translated demanded by MoEW.

UBA and BfN showed professional understanding and ability to solve administrative problems.

The costs related to the participation of the representatives of the Bulgarian state

institutions in the project seminars, which were initially planned as a contribution of the Ministry of Environment and Water, but turned out to be reduced because of financial difficulties, were kindly covered with a resolution of UBA.

Thanks to BfN decision, highly experienced experts – officials of the BfN, took part as lecturers in the workshops.

Thanks to Dr. Axel Ssymank (BfN), extremely professional experts lectured in Bulgaria, and publications of particular significance were selected to be translated into Bulgarian.

The significant amount of translated documents and the guidelines developed under the project will help the administration to better understand EU nature protection legislation and are offering a long-term direct assistance for its implementation. Some of these documents have already been proven to be very useful to the central administration in view of some changes made in Bulgarian legislation.

9. Annexes (e.g. materials like handbooks, programmes, presentations, participant's lists, reports, data, pictures, etc.)

Practical Guidance (paper copy, in Bulgarian) – separate edition

CD-Rom (project products information) – separate edition

Prepared by:

Simeon Marin, Green Balkans.
04.11.2010.