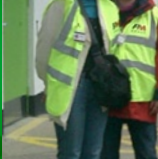




# PHARE Project

Enhanced Environmental  
Inspection for Enforcement of the  
New Environmental Legislation in Croatia



## Foreword



**Josipa Blažević-Perušić**

State Secretary;  
Ministry of Environmental Protection,  
Physical Planning and Construction

The PHARE 2005 Project “Enhanced Environmental Inspection for Enforcement of the New Environmental Legislation” has been designed with a view to enhance the administrative capacities of the environmental protection system through the improvement of procedures and coordination role of environmental inspection in circumstances of full membership of the Republic of Croatia in the EU, as well as by modernization of IT and other equipment required for its operation and permanent education.

In addition to environmental inspection in MEPPPC as the main beneficiary, participating in the Project are representatives of inspections of other competent bodies that are signatories of the Agreement on Cooperation between Inspection Services in the Field of Environment, and also representatives of the industry sector, state and judicial bodies, regional and local government and self-government, as well as the civil society. Cooperation of all those bodies has been a unique opportunity for familiarization with the implementation of the new environmental legislation and for development of a common approach to environmental protection within the scope of their own activities and authorities. The outcome of the work of the Project Team, the Project Implementation Unit and Working Groups are a number of manuals and guidance documents for the work of the inspection.

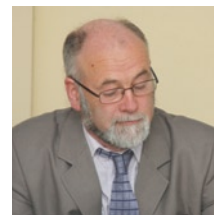
Development of the IT system for inspection management and reporting is a significant Project outcome, enabling to all inspection control stakeholders a more efficient management and use of data and information, while facilitating a timely public access.

Two years of experience in Project activities have enhanced personal and common self-confidence and reliance on the level of competence for promoting enforcement of the demanding environmental legislation.

I would like to thank all for their partnership, to the Project team for their understanding, and to the industry sector for the opportunity to use their sites and facilities for practical implementation of the Project.

May I also use the opportunity to extend thanks to the European Commission for its financial support, and to CODEF, CFCA and EUD for assistance in the preparation and monitoring of the implementation of the Project.

I trust in knowledge and good cooperation as a pledge of successful environmental protection activities.



**Jack O'Keeffe**

Team Leader of PHARE Project

We are approaching the completion of a major project in the strengthening of the Environmental Inspection Activities and in the provision of IT systems to support the inspection activities in the MEPPPC. The project has involved not only the Inspection Directorate but also the State Bodies involved in inspection and the stakeholders represented by the Chambers of Economy in a wide range of Industrial sectors.

The relationship between the industrial stakeholders and the Inspection authorities is to undergo a major change in line with EU IMPEL principles, a change toward a consultative approach to environmental Protection away from pure enforcement and it has been a pleasure for us to be part of the first stages of this realignment. During the course of the project we have met all the environmental inspectors and other bodies apart from the MEP-PC who are involved in inspection. We appreciate the participation of the officials in our very extensive programme and we especially appreciate the Industrial Operator who opened their doors to facilitate our training events on the industrial site.

The Project software development activity and activity in the implementation of new procedures in the case of incidents and for co-ordinated inspection also took extensive time and commitment from the personnel – these outputs were developed in partnership between the consultants and the stakeholders and could not have been finalised without this commitment.

As is often the case – we find that participants in the training are staying in contact with the trainers – this is very satisfying from our side

# PHARE Project to enhance Environmental Inspection in Croatia

As in case with other countries aspiring to join the European Union (EU) Republic of Croatia must align its national laws, institutions and procedures in order to give effect to the entire body of EU law (*Acquis Communautaire*).

Republic of Croatia systematically started the alignment process in 2001 by issuing the first annual National Programme for Integration into the EU. The environment was brought into the process in 2004.

The Ministry of Environmental Protection, Physical Planning and Construction (MEPPPC) is the central authority for environmental management and protection including duties related to environmental inspection. The MEPPPC is responsible for the implementation of the air quality, waste management, industrial pollution control, risk management sectors and a number of general – horizontal components of the EU environmental acquis. It is responsible for co-ordination of inspections relating to the field of environment in its entirety in light of the new Environmental Legislation.

In order to assist the MEPPPC to implement the recently approximated Environmental Legislation, the European Union, under the Croatia National Phare 2005 Programme, provided funding for this Technical Assistance project.

The goal of the project was to ensure that the MEPPPC could meet the enhanced environmental inspection needs and to assist the Directorate of Inspection, as the responsible body within the MEPPPC, in training the Environmental Inspectors in relation to the new Environmental Legislation.

This Project is funded from EU PHARE 2005 Programme and its value is EUR 1.468 million. Project Implementation commenced in January 2008 and finished in November 2009. Parallel supply contracts have provided a range of IT, Communications and video conferencing equipment to support efficient environmental protection inspection



The Project had five specific objectives:

1. Development of proposal for enhancement of inspection structure to the requirements set out under the New Environmental Legislation;
2. Develop system for continuous education of Inspectors in the future (Train the trainer);
3. Train inspectors (environmental protection inspectors and other line inspectors involved in environmental protection inspection and educate other related participants on their responsibilities regarding environmental protection);
4. Establish and support Pilot Team in order to define ways of cooperation and proceeding in cases of environmental protection; and
5. Develop an enhanced reporting system for the improvement of informing public which will be functional and available to inspectors for using it after the end of the project

## Development of proposal for enhancement of inspection structure to the requirements set out under the New Environmental Legislation

According to the Terms of Reference of the Project, the Project Team had to develop a proposal for the enhancement of the inspection structure within the Directorate of Inspection in order to be able to better address the challenges posed by the New Environmental Legislation.

The first step in this process involved examining the situation as it existed at present within the environmental protection and other relevant divisions. This was done in order to gain a thorough understanding of the situation at present and to make sure that the recommendations made regarding the structure would be appropriate and achievable.

Next the Project Team had to develop standards for Environmental Protection and other relevant inspection bodies. This involved the development of Standard Operating Procedures which should be followed when carrying out inspections. These standards are outlined in various reports developed during the Project Implementation.

Finally, and once the trainings which took place under this project were complete, the Project Team took the findings from the analyses and the trainings and finalised a Proposal for the strengthening of the Environmental Protection Inspection Structure in the context of EU Norms and the new obligations under the EU Laws has been drafted for consideration by the State Secretary.

Co-Ordination of the inspection activities is fundamental and specific to Control of large installations in Croatia. The Ministry have an agreement with State Bodies involved in Environmental Inspections to support co-ordination of inspection activities, these are

- Ministry of Environmental Protection, Physical Planning and Construction
- Ministry of Culture
- Ministry of Sea, Transport and Infrastructure
- Ministry of Agriculture, Fishery and Rural Development
- Ministry of Regional Development, Forestry and Water Management)
- Ministry of the Interior
- Ministry of Health and Social Welfare
- State Inspectorate

Thanks to the participation of these signatory Bodies – the guidelines for the implementation of Co-ordinated inspection was developed and agreed.

## Develop system for continuous education of Inspectors in the future (Train the trainer)

This activity involved the training of future trainers who will, in the future utilise the skills gained during the Project. The result is that there are now 15 Inspectors who are capable to take the role of trainers and continue the delivery of training to colleagues and other parties and ensure the sustainability of the Project Outputs in the future.

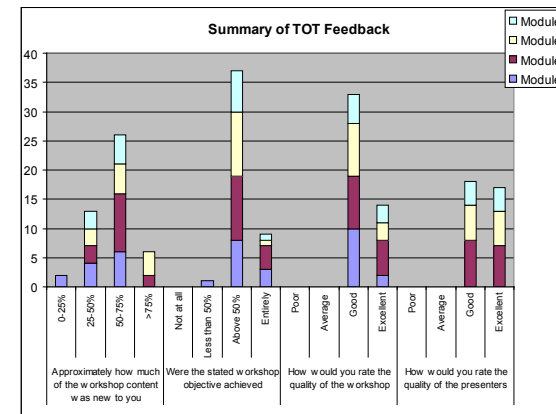
The Project trained Inspectors on how to be trainers, then detailed training in relation to procedures and good practice already developed internationally, especially in the EU and other Member States relating to Environmental Inspection.

The Training incorporated the following:

- 5 x 5 day training Modules all held in Zagreb;
- 2 x 4 day Study Tour (one to Ireland and one to Finland)

The Study Tours to Ireland and Finland incorporated presentations by the relevant authorities and industries in these countries. Nine industrial sites were visited and both the authorities and the operators outlined responsibilities which they presently meet and which the Croatian companies and Inspectors will have to meet in the future under the new Environmental legislation.

Below is a graph outlining some of the feedback received in relation to the quality of the workshops



Below are some comments received in relation to this activity.

*“Special congratulations to all presenters because of quality of presentations, preparation of materials and good knowledge of topic/subject (almost all questions were answered)”*

*“Very demanding training, well organized with excellent presenters. All participants had great benefits from the training for the future work.”*

## Train environmental inspectors and other line inspectors involved in environmental protection and educate other related stakeholders



This activity was very demanding and involved having to, as with the Training of Trainers, having to identify the needs of the proposed attendees.

It involved presenting in 4 cities: Zagreb, Split, Osijek and Rijeka to a variety of Inspectors from the Directorate of Inspection and other bodies involved in environmental protection inspection, the Chamber of Economy, NGOs and other interested parties from the public and state bodies.

In order to make the training more relevant to each individual group the Project Team split it into groups of Inspectors and then all other stakeholders.

Training the Environmental Inspectors involved the following:

- 3 Modules of Training delivered in each of the following locations: Rijeka, Split, Zagreb and Osijek;
- 8 Site Visits, 2 in each of the locations mentioned above, to industrial installations which will have, in the future, to be IPPC and Seveso II compliant.

The main aim of this training was to ensure that all Inspectors involved in Environmental Inspection were trained in new environmental legislation which has been harmonised with the requirements of the European Union. This involved training 86 Inspectors in total with participants from the following State Bodies who are involved in the co-ordinated Inspection Activity:

- 59 from the Directorate of Inspection, MEPPPC;
- 1 from the Ministry of Culture;
- 4 from the Ministry of Sea, Transport and Infrastructure;
- 8 from the Ministry of Regional Development, Forestry and Water Management;
- 1 from Ministry of Agriculture, Fisheries and Rural Development
- 4 From the Ministry of Interior;
- 4 from the Ministry of Health and Social Welfare;
- 2 from the City of Zagreb Sanitary Inspection;
- 3 from the State Inspectorate;

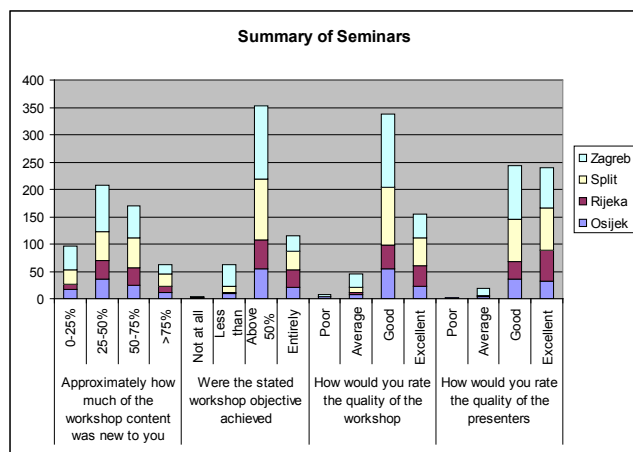
Below shows some of the comments received from the participants.

- Lectures were excellent and very interesting*
- The subjects were of great help for the future supervisions by inspectors*
- Everybody's doing their best, well prepared and providing extra information*
- Technically well organized, quality of accommodation excellent, location as well*
- It's necessary to have this kind of workshops periodically*
- Topics educative and interesting – it was showed how things are done in Croatia*
- Presentations were great, the meeting room was good, accommodation was excellent, topics on presentations were interesting and workshops were extremely great for participating in the workshop and education during lectures*
- The presentation of new subjects were mostly good, professional and interesting, and very useful.*
- All modules of training for inspectors which we had were of big use for future work of inspectors*

Regarding educating Industry, NGOs and other parties interested or concerned with Environmental Protection. This training involved the following:

- 8 Modules of Training to the “third and fourth target groups” delivered in each of the following locations Rijeka, Osijek and Split and Zagreb.

The main aim of this training was to ensure that concerned parties were made aware of the affect which the implementation of new Environmental legislation may have on their responsibilities in relation to it and the rights which this legislation affords them. Over the course of all the seminars (32 in total) the Project Team presented to over 1000 representatives of the various bodies outlined above. Unfortunately however, despite the Project Team’s best efforts, NGO attendance was poor in most places with the exception of Osijek. Like all other trainings the Project Team asked attendees to evaluate the courses. The results are outlined below



In total, out of the total 539 responses:

- 43.5% (234) stated that over 50% of the content was new to them.
- 87% believed that above 50% of the stated workshop objectives were achieved.
- 91% of responses received over the course of the 31 seminars (492) believed that the quality of the workshops were good to excellent.
- 89% stated that the quality of the Experts were good to excellent. Of this nearly half of that 89% stated that the quality of Experts involved was excellent.

The Project Team believes that this is a resounding vote of confidence in the Training Programmes and the methods of delivery of the Training in general.

The results of the assessments completed by the participants speak for themselves and indicate the Training Programme was very successful.

Finally one of the Experts, Mr. Steve Waring with over 20 years experience in delivery of training programmes in accession countries stated that the overall training programme delivered by the project team was the most ambitious and successful on which he had ever participated.

The Project Team believe that with the training and supporting materials provided that the Directorate for Inspection and other bodies involved in Environmental Inspection are now well placed to meet the demands placed on them by the New Environmental Legislation which has been transposed into Croatian Legislation.



## Establish and support Pilot Team / Technical Advisory Group in order to define ways of cooperation and proceeding in cases of environmental protection

The Project Team, with the assistance of the Beneficiary established a Pilot Team / Technical Advisory Group (TAG) which is made up of representatives from the following state bodies:

- Ministry of Environmental Protection, Physical Planning and Construction;
- Ministry of the Interior;
- Ministry of Finance;
- Ministry of the Sea, Transport and Infrastructure;
- State Prosecutors office;
- National Rescue and Protection Directorate;
- Misdemeanour Court of Zagreb;
- Misdemeanour Court of Zadar;
- Croatian Institute of Toxicology;
- Croatian Association of Court Experts.

The aim of this TAG was to define ways in which all of the bodies involved in any way relating to incidents which involve environmental damage – either from reacting to their existence to preparing a case for court prosecution and even further to evaluating compensation from the identified polluter and to cooperate to ensure the successful remediation of the damage caused.

The team met a total of 8 times and in order to ensure that the Team clearly understood their roles provided training to this group alone.

The main Training Objectives were to ensure that Pilot Team members had a good understanding of:

- The Relevant EU Legislation and its impact once transposed into Croatian Legislation;
- Good practice in EU Member states of Incident Investigation and enforcement.
- Training in assessing costs of environmental liability, case studies of accidents in Croatia, legal skills and prosecution procedures.

The training was initiated in order to support the future work of the Pilot Team in the capacity of a Technical Advisory Group. It involved developing the skills of members and definition and agreement of operating procedures, protocols and norms for the Group including a series of recommendations for future cooperation between all involved bodies.

The result of the training was that all regulatory bodies involved in incidents which resulted in environmental damage understand their role in the:

- Reaction to an incident,
- Investigation of the incident, and
- Understand how to successfully prepare the case for potential prosecution of the responsible parties.

The Project Team believe that by establishment of this Technical Advisory Group, the meetings which have taken place and the training which has been delivered should result in the bodies represented on the TAG being better placed to address any incident which results in Environmental Damage, right through from the reporting stage to preparing a case to be delivered in court and remediation and compensation being achieved.



## Develop an enhanced reporting system for the improvement of informing public which will be functional and available to inspectors for using it after the end of the project

The Project Team developed an IT system and Inspectors will be able to utilise this system and will receive training in its use before the Project ends.

The development took place with the close assistance and direction from the Beneficiary in the form of a Development Monitoring Group which met frequently with the Development Team in order to assess progress and ensure that the system when complete would address their needs and meet their expectations.

In order to assist with the utilisation of the System the Project Team developed a User Manual and planning for training to be delivered are in the final stages of preparation. This Training is scheduled to take place at a later stage in order to ensure that the end users have had a chance to practice with the new system in order that the training will be focused and effective. A training plan is currently in development and will be issued in the coming weeks.

In order to ensure that all Inspectors were made aware of the new system being implemented, the State Secretary generously requested that the Project Team give a short presentation at the Inspectors Annual General Meeting.

The Project Team believe that the development and adaption of this system will result in the Directorate of Inspection having to utilise less time and effort in meeting the reporting requirements.



## Final Project Results

The training and IT aspects of this technical assistance project – in conjunction with the Supply Component – have supported the MEPPPC's overall strategy of preparation of the inspection function for implementation of the new legislation and the harmonisation of Environmental Protection practice in Croatia with European Norms.

The IT system in particular, positions the Croatian inspection ahead of most member states as regards the access to Environmental information related to inspection.



This Brochure was prepared under the PHARE Project EuropeAid/123226/D/SER/HR entitled "Enhanced Environmental Inspection for Enforcement of the New Environmental Legislation in Croatia" which is funded by the European Union and implemented by the Contractor PM Group, Ireland and SYKE, Finland.

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