

Guidelines for the Coordinated Transfer of EU Legislation in the Field of Climate Change

Evaluation Report

December 2014

The **Guidelines for the Coordinated Transfer of EU Legislation in the Field of Climate Change** were compiled by the European Academy of Bozen/Bolzano (EURAC), Italy, as an output of Activity 4.1 of the project Low Carbon South East Europe (LOCSEE) (SEE/D/0166/2.4/X). The LOCSEE project is co-funded by the South East Europe Transnational Cooperation Programme.

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The **Evaluation Report on the Guidelines for the Coordinated Transfer of EU Legislation in the Field of Climate Change** was compiled by the European Academy of Bozen/Bolzano (EURAC), Italy, as an output of Activity 4.3 of LOCSEE.

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1. INTRODUCTION

An in-depth assessment of the Guidelines for the Coordinated Transfer of EU Legislation in the Field of Climate Change (Legislation Guidelines) is important for a better understanding of the results and improvements brought about by project activities from the perspective of its ambitious objectives — that is, to strengthen the capacity and knowledge of public authorities and other institutions dealing with climate change impacts in SEE countries and to develop a systematic cross-sectoral approach to low-carbon policies, which will contribute to the reduction of greenhouse gas (GHG) emissions on the path to a low-carbon SEE region.

The evaluation of the Legislation Guidelines was carried out through an ad hoc questionnaire, which can be found at the end of Annex I. The aim of the questionnaire was to find out whether the content and structure of the Legislation Guidelines is clear and understandable for stakeholders; and how effective and useful they are for improving understanding of low-carbon policies and for the practical activities of public servants and other stakeholders in the field. The questionnaire was distributed to the main stakeholders participating in the national working groups in LOCSEE partner countries, either by email or through on-line platforms supporting LOCSEE project activities.

It should be noted that the same questionnaire was also used for the evaluation of another LOCSEE deliverable, the Step-by-Step Manual on Developing Low-Carbon Policies.

2. SCOPE, MISSION AND TARGET STAKEHOLDERS

The Legislation Guidelines provide an extensive overview of EU legislation in the field of low-carbon policies, concentrating in particular on the legislative provisions contained in the Climate and Energy Package 2020. They are divided into two sections. In the first section, a series of factsheets on current EU legislation and legislative proposals are presented, covering all relevant policy sectors, including EU Emissions Trading Scheme (EU ETS) implementing legislation; the development of carbon capture and storage (CCS) technologies to trap and store CO₂ emitted by power stations and other major industrial installations; binding targets to reduce CO₂ emissions from cars, vans and the aviation sector; ozone layer protection and fluorinated gases; land use, land-use change and forestry (LULUCF) etc. The factsheets briefly present the content, implementation deadlines and specific references of EU legislative acts in this field. At the end of the first section, a collection of relevant EU strategic documents in the short and long term are included, together with a bibliography and jurisprudence cases. The second section explores legislative synergies based on the numerous cross-references contained in the

acts analysed in the first section. It also offers recommendations for more coherent and efficient implementation at national level.

The Legislation Guidelines aim to facilitate understanding of existing EU climate change-related legal instruments, in particular on the part of IPA beneficiary countries, by providing a comprehensive overview of the main obligations, institutional framework, objectives and quantitative and qualitative targets, and identifying interconnections between different legislative acts so as to allow their coherent and effective implementation in the LOCSEE partner countries.

Although the legislative overview and guidelines on its implementation offered by the publication is primarily addressed to public administrations and policy makers in IPA countries, who have to align their legislation with the *acquis communautaire* in the field of climate action, it may also be extremely helpful for governmental bodies and agencies in EU countries who are now establishing and revising their low-carbon strategies from a mid- to long-term perspective. The structure and content of the Legislation Guidelines have been developed so as to be easily used by other stakeholders as well, such as enterprises, NGOs, research institutions, etc., who are involved in research or practical activities in the field of climate mitigation and adaptation policies.

3. EVALUATION METHODOLOGY

3.1. Content of the evaluation questionnaire

As mentioned above, a questionnaire was prepared and distributed among the LOCSEE project partners in order to find out whether the content and structure of the Legislation Guidelines were appreciated by the stakeholders to whom it was addressed.

The questionnaire is divided into three sections, each focusing on a specific aspect. The first section aimed to find out whether the structure of the Legislation Guidelines is clear and understandable and if the information on various items can be found easily. The second section concentrates on the content of the guidelines, and, more specifically, on how complete, clear and understandable it is. The third section focuses on the effectiveness of the guidelines — that is, whether the information provided is useful for stakeholders' everyday activities and tasks and whether they help to improve knowledge in field of low-carbon policies and legislation. The closing questions are related to possible improvements, personal impressions and additional comments.

A four-point answer scale was used for most questions. This methodology was chosen in order to obtain accurate answers as far as possible, thus not allowing respondents to select a middle or neutral point. The only open questions are the three that appear at the end of the third section in order to obtain respondents' impressions on the limits and most interesting/useful elements, as well as their additional comments. Finally, at the end of each section, a space was provided for suggestions on possible improvements to the Legislation Guidelines.

3.2. Administration of the questionnaire

The questionnaire was sent by lead partner EURAC to all project partners, who, in turn, distributed it to stakeholders using a variety of communication channels: mailing lists, the Regional Policy Network Online Collaboration Platform related to the LOCSEE project, and the national working group meetings that took place in all project countries between May and September 2014.

3.3. Results of the evaluation

3.3.1. Methodological notes for data analysis





The methodology used to analyse the results of the survey was based on a simplified/standardised evaluation score. Firstly, as shown in Table 1, in order to obtain a common evaluation scale the different answer options for the questions related to the structure, content and effectiveness of the document were allocated the following scores:

Table 1

Question number				5, 6, 8 e 9	7	10 e 11
Evaluation score	1	evaluation criteria		very much	Exhaustive	A lot
	2			quite	Rather complete	Quite a lot
	3			not very	Not compete	A little
	4			not at all	Scarce	Not at all

To allow for a more detailed analysis of the data, a score was assigned to each closed answer from 1 (“positive”) to 4 (“negative”). An average of these scores was used to group the results in four different score ranges in order to be able to create the corresponding standardised evaluation criteria as summarised in Table 2.

Table 2

Question number				10 e 11	standardized evaluation criteria
scores range	1- 1,99	Pie-charts colours		A lot	very positive evaluation
	2-2,99			Quite a lot	positive evaluation
	3- 3,99			A little	quite positive evaluation
	4			Not at all	negative evaluation

The evaluation results are shown in two different types of charts — bar charts and pie charts. Bar charts (histograms) reflect the general evaluation of the Legislation Guidelines (Charts 1 and 2), while pie charts represent the percentage of evaluations for every score range related to the structure (Chart 3), content (Chart 4) and effectiveness (Charts 5–7).

3.3.2. Overall evaluation

The general evaluation concerns the assessment of the Legislation Guidelines against a number of criteria. In this section, the assessment is presented based only on questionnaires that were completed in full (11 questionnaires from seven countries). For the purposes of this assessment, an average of the answers to Questions 5, 6, 7, 8, 9, 10 and 11 of the questionnaire (only closed answers) from every questionnaire was calculated, then the average of all questionnaire results was considered.

Regarding the general evaluation of the Legislation Guidelines, the document was very positively assessed, as scored under value '2' (Chart 1).

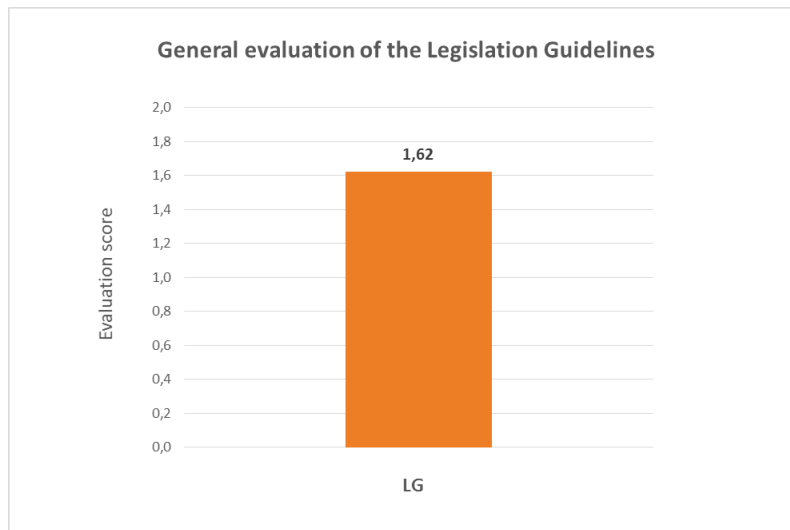


Chart 1 General evaluation of the Legislation Guidelines

Chart 2 presents a general evaluation of the Legislation Guidelines, distinguishing between the three main characteristics as foreseen by the questionnaire: structure (answers 5 and 6), contents (answers 7, 8 and 9) and effectiveness (answers 10 and 11). In this case, the calculation method is analogous to the one described above, but the answers were sorted by category.

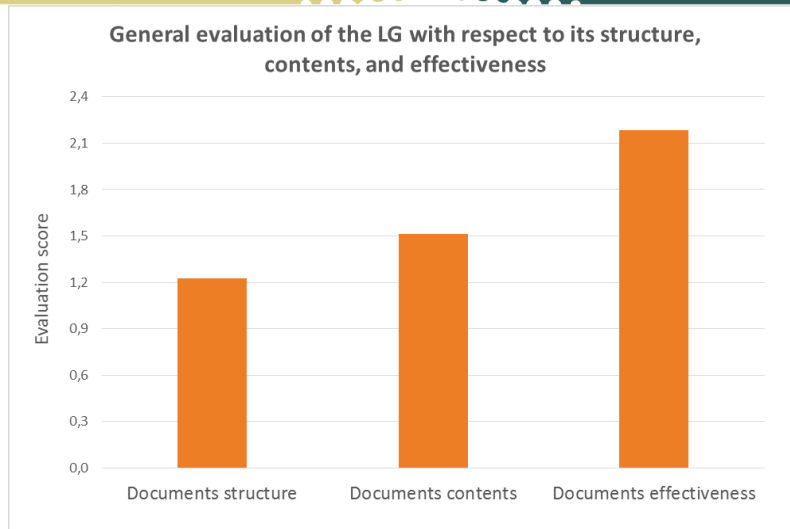


Chart 2 General evaluation of the Legislation Guidelines with respect to structure, content and effectiveness

Overall, as shown by Chart 2, the structure and content of the Legislation Guidelines were highly appreciated by respondents, while a less positive picture arises as far as its practical day-to-day use by respondents is concerned. This latter finding is of course affected by the specific nature of the day-to-day work carried out by respondents.

The assessment of the same characteristics of the Legislation Guidelines was then analysed in detail, taking into consideration the percentage obtained for every score range for each category (structure, content and effectiveness).

With respect to structure (Chart 3), the Legislation Guidelines obtained a very good score (91 percent “very positive” evaluations), while the level of general satisfaction among respondents with the organisation of information in the document appeared to be high.

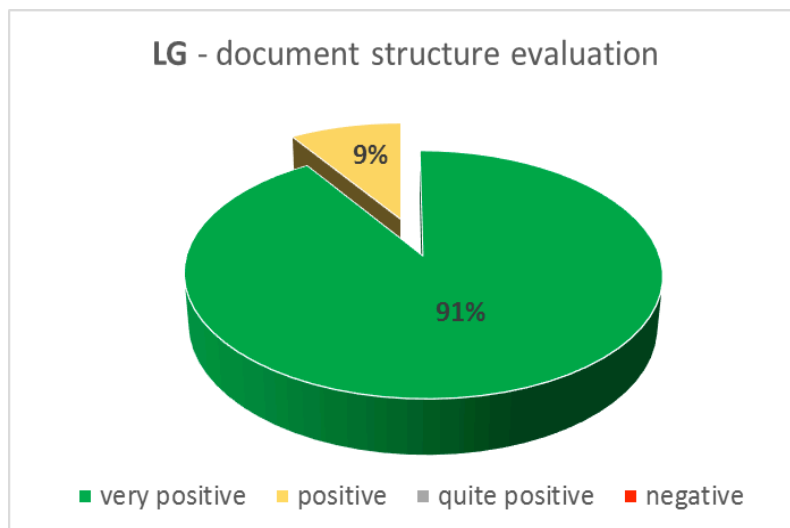


Chart 3 Evaluation of the structure of the Legislation Guidelines: Percentage of results in every score range

With regard to the evaluation of the content (Chart 4), 64 percent of the respondents gave a very positive evaluation.

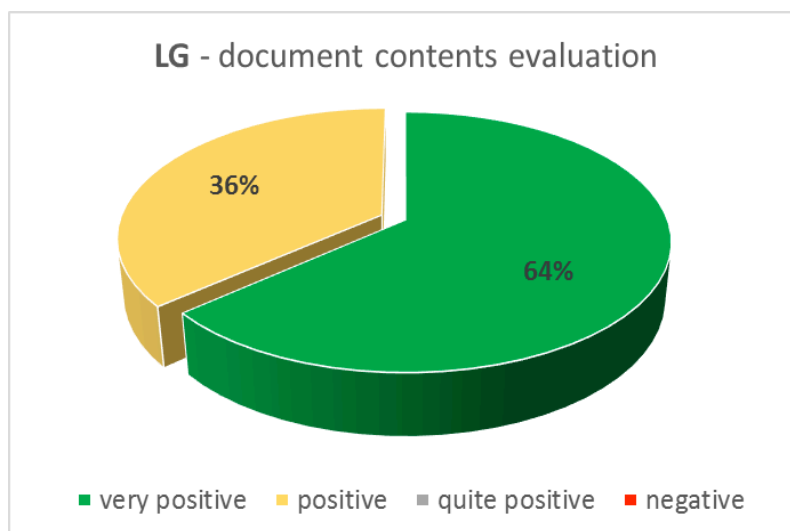


Chart 4 Evaluation of the content of the Legislation Guidelines: Percentage of results in every score range

As far as effectiveness is concerned (Chart 5), a remarkably high percentage of “very positive” and “positive” evaluations was registered for the Legislation Guidelines (82 percent).

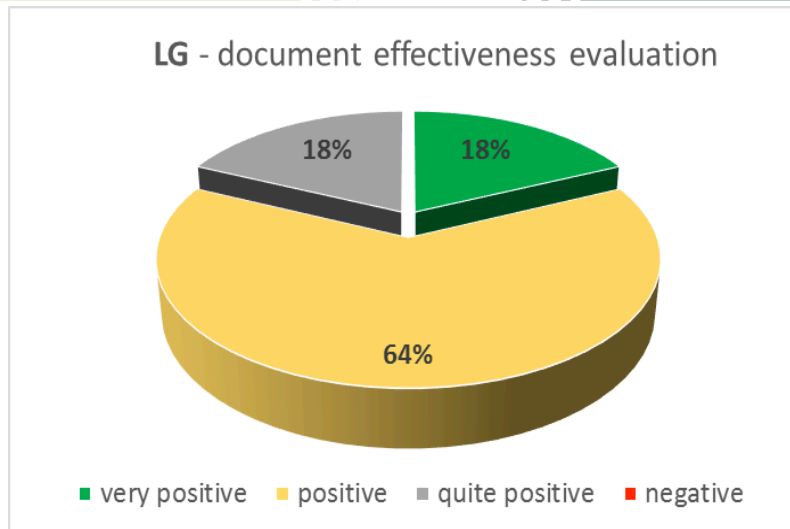


Chart 5 Evaluation of the effectiveness of the Legislation Guidelines: Percentage of results in every score range

In order to better understand the above results, some further analysis was carried out, distinguishing between answers to two different questions (Questions Q10 and Q11).

In response to Q10 (*Is the input provided by the document helpful for your ordinary activities/job/tasks?*), end users perceived as helpful for their ordinary activities/jobs/tasks the inputs provided by the Legislation Guidelines. For 55 percent of respondents (see Chart 6), the Legislation Guidelines represent a particularly useful source of information on low-carbon laws, while another 18 percent of respondents considered the document to be very useful.

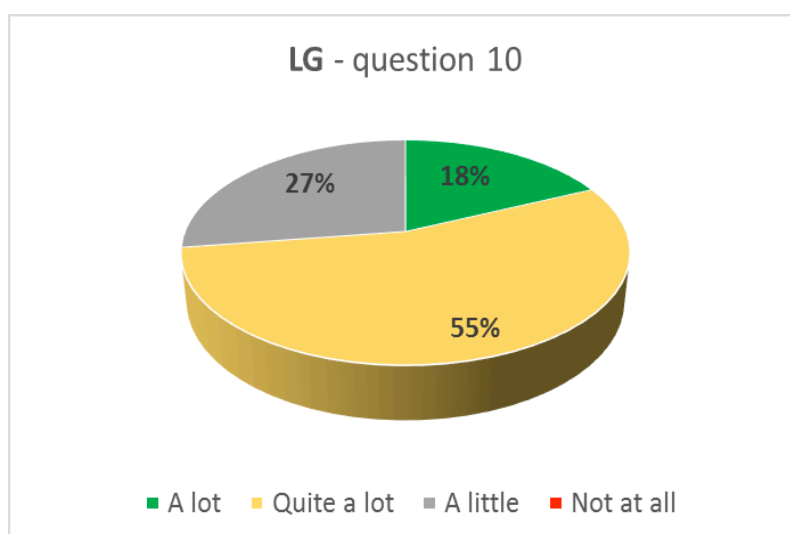


Chart 6 Answers to Question 10: Percentage for every score

In response to Q11, concerning the extent to which the knowledge of respondents in the field of low-carbon legislation was improved thanks to the document (Chart 7), a majority (73 percent) of respondents claimed to have learnt quite a lot from the document. The non-negligible 27 percent of respondents who claimed that the Legislation Guidelines helped them only a little can be explained by the fact that the guidelines aim to present a comprehensive overview of EU low-carbon legislation and regulation on which there is rather good (although not exhaustive) knowledge in EU member states (in contrast to EU candidate countries).

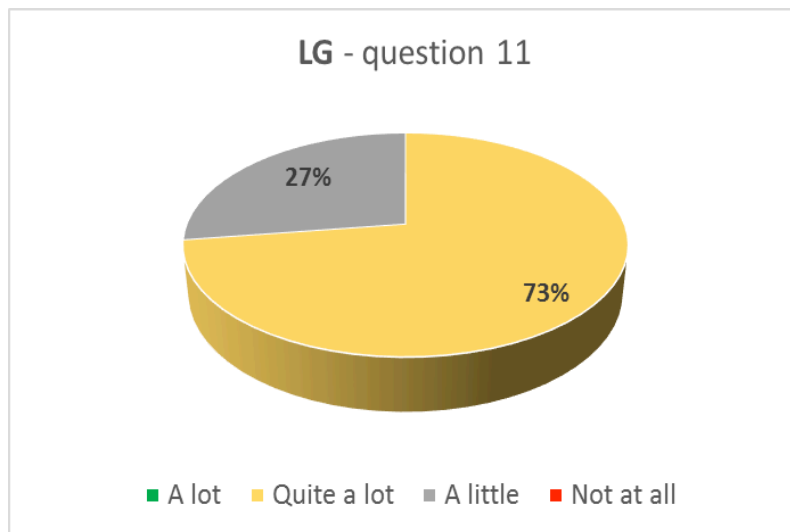


Chart 7 **Answers to Question 11: Percentage for every score**

3.3.3. Evaluation results sorted by country

Chart 8 shows that the differences in the assessment of the Legislation Guidelines by stakeholders from EU member states (Croatia, Italy, Greece, Hungary and Slovenia) and candidate countries (Albania, the former Yugoslav Republic of Macedonia and Serbia) are not very significant, despite the differences in progress in terms of their low-carbon legislation.

If sorted by country, the general evaluation score given by Croatian, Italian and Slovenian stakeholders is comparable to the evaluation given by Albanian, Macedonian and Serbian representatives, while for Hungary a lower level of satisfaction was registered — which, however, is still within a “positive” evaluation score.

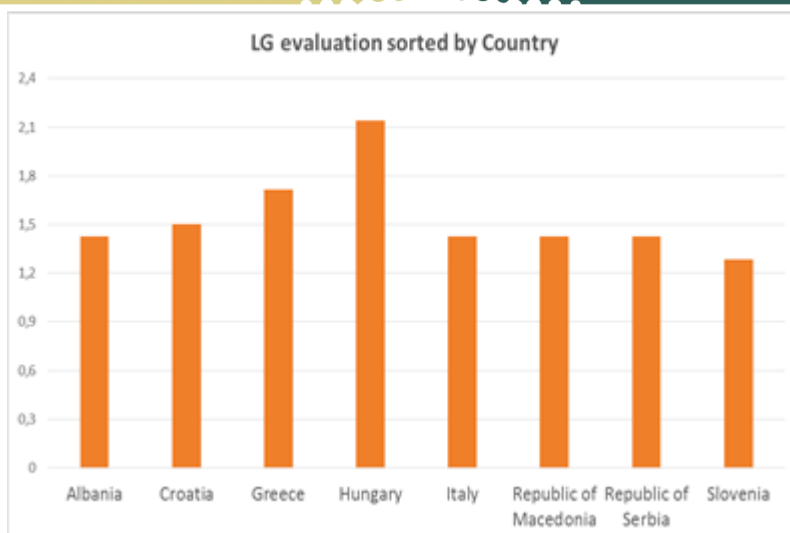


Chart 8 General evaluation of the Legislation Guidelines sorted by country

As Chart 8 shows, the most positive evaluation of the Legislation Guidelines was given by Slovenia, followed by the EU candidate countries (Serbia, Former Yugoslav Republic of Macedonia and Albania) and Italy. Although there are some differences between these four last countries in the partial assessment scores, the Legislation Guidelines obtained the same evaluation score (1.43) in all four countries. The least positive evaluation (2.14) of the Legislation Guidelines was given by Hungary. Overall, six out of the eight countries assigned a score of 1.5 or lower; this indicates that, in the perception of almost all stakeholders in the LOCSEE project countries, the Legislation Guidelines were relevant for improving their understanding of low-carbon legislation.

Taking into account that stakeholders who come from countries at different stages of advancement in terms of low-carbon legislation (e.g. Italy and FYR Macedonia) assign similar scores to the Legislation Guidelines, it seems logical to assume that evaluations of the document are influenced not only by progress in a country's low-carbon legislation but also by the technical knowledge and experience of each individual respondent. In fact, as the analysis below shows, when answers are sorted by the affiliation of respondents, the evaluation scores vary more widely between different categories.

3.3.4. Evaluations grouped by affiliation

The following main types of institutional affiliation were identified, based on the analysis of stakeholders involved in the survey: a) political bodies/ministries; b) research organisations; and c) consultancies.

Answers to the evaluation questionnaire were sorted by type of institutional affiliation. Chart 9 shows that the Legislation Guidelines were particularly appreciated by public

servants working in political and administrative bodies, as well as by experts working for consultancy companies operating in the field of low-carbon policies, while research institutions expressed a less positive opinion on it.

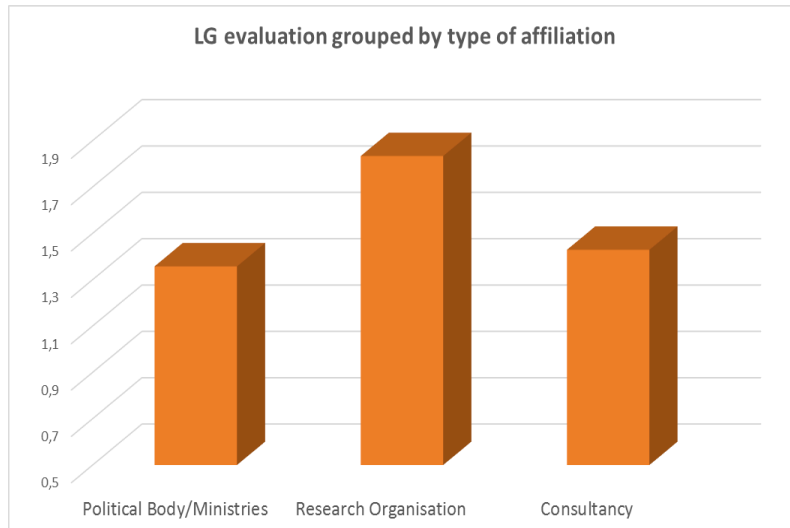


Chart 9 General evaluation of the Legislation Guidelines grouped by type of affiliation

Among the possible explanations for this result could be the fact that research institutions may have a higher level of specialised knowledge and expertise on different aspects of low-carbon legislation, or that their day-to-day work is not so much connected to the development of low-carbon laws. On the other hand, public administrations and consultancy companies have greater difficulties in acquiring updated and complex competencies in low-carbon law.

It is necessary to point out here that the evaluations of the document by all types of stakeholders remain within the scope of “very positive” (range 1–1.99).

3.3.5. Analysis of suggestions and comments

Suggestions for improvement and recommendations provided by respondents regarding the structure, content and effectiveness of the guidelines were reported and analysed (Table 3). The comments reported in Table 4 were collected from the answers to the open-ended questions (Q12–Q14), where respondents were asked to indicate both possible missing, and also the most useful, aspects, as well as to give additional comments on the guidelines not foreseen in the questionnaire.

Table 3 Suggestions for the improvement of the Legislation Guidelines

STRUCTURE	CONTENT	EFFECTIVENESS
<p>The classification of legal acts could be modified so that there is a separate and complete list of legislation related to the European Emissions Trading Scheme (EU ETS).</p>	<p>The Legislation Guidelines could have a table showing all the reporting deadlines that member states have to comply with in the next few years.</p>	<p>The inclusion of some examples would have been helpful.</p>
	<p>Legal acts that are only indirectly related to climate change (e.g. related to air pollution, ozone-depleting substances, etc.) could be omitted, as these are not to be included in acts related to so-called low-carbon policies.</p>	<p>Some examples of implementation would have helped. It would also have been helpful to include some infringement examples.</p>
		<p>The reason why our knowledge was not greatly improved was not that the guidelines were incomplete, but rather that we were already familiar with most of the legal acts presented.</p>

Table 4 **Comments on the Legislation Guidelines**

12) Aspects not covered by the document	It might also be interesting to have a brief outline of the state of the art of the implementation of the mentioned EU legislative documents in each member state, or a general overview at EU level. However, this is perhaps beyond the scope of the guidelines or is somehow investigated in Part II.
13) Aspects of the document you find particularly interesting/helpful	I think the list of legislative proposals grouped by sector is very helpful for those who want to have a general picture of the main EU legislative documents to be taken into account.
	Chapter 2 “List of legislative proposals” grouped by sector was also very helpful.
14) Additional comments on the document	I found small editorial errors in the first pages of the document that could be corrected. Please find my comments in the document.
	Both documents are a good basis, not only for candidate and potential candidate countries, but also for people interested in the topic.

Chapter 2 of the Legislation Guidelines, the list of legislative proposals grouped by sector, was considered to be particularly interesting and helpful. It introduces legislative proposals (regulations and directives) that are now subject to inter-institutional consultations in the EU and will thus soon bring new obligations for member states. On the other hand, suggestions for improvements to both the content and structure of the guidelines are related to the order and classification of the legislative acts included in the document. According to a number of comments, it would be useful also to include some concrete examples of implementation practices (successful and otherwise) together with the implementation deadlines (complied with and forthcoming) for regulations and directives that are dealt with in the document. In this respect, it should be noted that Section II of the guidelines includes some national implementation examples based on the voluntary contributions of partners. In addition, the implementation status of EU climate law at national level has been addressed in other outputs of the project — namely the State-of-the-Art Analysis and the national implementation plans. The former offers a general and concise overview of the implementation of the main EU climate instruments in all LOCSEE countries, while the latter have been developed in order to give a more precise account of the transposition and implementation status of EU climate law in each country.

4. CONCLUSIONS

The above evaluation of the Legislation Guidelines can be useful not only for assessing the quality of the document, but also for improving future actions within the framework of the European low-carbon agenda and the related national policies and laws.

The document was therefore appreciated by stakeholders and evaluation scores for a number of criteria vary between “very positive” and “positive”. Only a few aspects received a more critical assessment, but no negative feedback was given on the document. More specifically, the structure and content of the document were considered clear and easily understandable by end users involved in the survey, and the majority of stakeholders stated that the guidelines had substantially expanded their knowledge of low-carbon policies. The information and guidance provided by the document were also perceived as quite useful in the day-to-day activities of respondents. Greater appreciation of the document’s content and effectiveness was expressed by public servants and people working for consultancy companies operating in the low-carbon field, mainly from EU candidate countries. The structured summary of EU low-carbon legislation in force, and the detailed overview of legislative proposals that are currently under the decision-making procedure, were recognised as a relevant source of knowledge and information useful for understanding the development of low-carbon legislation.

The comprehensive positive evaluation of the document therefore confirms its relevance as a capacity-building tool in relation to low-carbon policies in the SEE countries covered by the LOCSEE project. From such a perspective, the suggestions and recommendations provided for its improvement can be useful when planning future activities at a macro-regional scale, while elements that were assessed as particularly relevant and useful can be considered as a valuable contribution by the project towards the strengthening of institutional and administrative capacities for green economy in the region.

Sources used in carrying out the evaluation

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- The South East Europe Transnational Cooperation Programme, <http://www.southeast-europe.net/hu/>

EVALUATION QUESTIONNAIRE

You are kindly invited to answer the questions below in order to evaluate the quality of the:

- a) Step-by-Step Manual
- b) Guidelines for the Coordinated Transfer of EU Legislation in the Field of Climate Change (Legislation Guidelines)

INSTRUCTIONS

The same question refers to both deliverables, but the documents should be evaluated separately by selecting one of the suggested options for each document. Please answer all the questions. Circle your response to each item. Your feedback is sincerely appreciated.

PERSONAL INFORMATION

1) Respondent affiliation

2) Job title

3) Years of experience in the low-carbon and climate change fields

4) Country

STRUCTURE

5) Do you consider the structure of the documents to be reasonable? (Circle your choice for both documents)

a) Step-by-Step Manual	Very much	Quite	Not very	Not at all
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Legislation Guidelines	Very much	Quite	Not very	Not at all
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6) Was it easy for you to find the desired information in the documents?

a) Step-by-Step Manual	Very much	Quite	Not very	Not at all
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Legislation Guidelines	Very much	Quite	Not very	Not at all
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please add any suggestions on how the structure of the documents could be improved.

CONTENTS

7) Do the documents provide a comprehensive framework for understanding the process for developing low-carbon policies (Step-by-Step Manual) and transposing/implementing legislation (Legislation Guidelines)?

a) Step-by-Step Manual	Exhaustive	Rather complete	Not complete	Scarce
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Legislation Guidelines	Exhaustive	Rather complete	Not complete	Scarce
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8) Is the methodological guidance provided by the documents clear?

a) Step-by-Step Manual	Very much	Quite	Not very	Not at all
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Legislation Guidelines	Very much	Quite	Not very	Not at all
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9) Is the content of the documents easily comprehensible?

a) Step-by-Step Manual	Very much <input type="checkbox"/>	Quite <input type="checkbox"/>	Not very <input type="checkbox"/>	Not at all <input type="checkbox"/>
b) Legislation Guidelines	Very much <input type="checkbox"/>	Quite <input type="checkbox"/>	Not very <input type="checkbox"/>	Not at all <input type="checkbox"/>

Please add any suggestions on how the content of the documents could be improved.

EFFECTIVENESS

10) Is the input provided by the documents helpful for your ordinary activities/job tasks?

a) Step-by-Step Manual	A lot <input type="checkbox"/>	Quite a lot <input type="checkbox"/>	A little <input type="checkbox"/>	Not at all <input type="checkbox"/>
b) Legislation Guidelines	A lot <input type="checkbox"/>	Quite a lot <input type="checkbox"/>	A little <input type="checkbox"/>	Not at all <input type="checkbox"/>

11) To what extent has your knowledge in field of low-carbon policies and legislation improved thanks to the documents?

a) Step-by-Step Manual	A lot <input type="checkbox"/>	Quite a lot <input type="checkbox"/>	A little <input type="checkbox"/>	Not at all <input type="checkbox"/>
b) Legislation Guidelines	A lot <input type="checkbox"/>	Quite a lot <input type="checkbox"/>	A little <input type="checkbox"/>	Not at all <input type="checkbox"/>

Please add any suggestions on how the effectiveness of the documents could be improved

12) Please indicate aspects that have not been covered by the documents.

a) Step-by-Step Manual

b) Legislation Guidelines

13) Please indicate aspects of the documents that you find particularly interesting/helpful.

a) Step-by-Step Manual

b) Legislation Guidelines

14) Do you have any additional comments on the documents and their use?

Thank you very much for your time and participation!