



# STAKEHOLDER

Newsletter N°1 of ECO, The Malta Ecological Foundation on EU Accession and the Environment

## Intro

STAKEHOLDER forms part of a project on EU enlargement and the environment that is being organised in all twelve applicant states, and is called "Towards Information, Integration and Implementation in EU Accession".

ECO, The Malta Ecological Foundation is co-ordinating the project in our Islands together with environmental NGOs. This newsletter is a medium by which different stakeholders in the accession process will be kept updated with the developments in the EU accession process that concern the environment.

As a stakeholder in this process, you play an important role in accession, and STAKEHOLDER aims to assist you by providing quality information about the consequences that accession has on the Maltese environment, particularly with regards to waste, water, energy, transport, agriculture, bio-diversity, structural funds and integration of environmental policies across sectors.

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## Towards Information, Integration and Implementation in EU Accession

### BACKGROUND TO THE PROJECT

In 1998, the European Union started its largest enlargement process since its existence, which is of unprecedented complexity. This is partly due to the fact that the countries that are involved have a much lower level of economic welfare than the current EU members. Furthermore, some of them are in a process of deep social and economic changes. The complexity has also increased due to the process the EU is going through itself. More and more areas of competence have moved from the national to the EU level, so the current accession countries need to undergo a deeper transformation than previous newcomers did.

These changes will have a profound effect on the citizens of the accession countries. Yet the awareness of these impacts is low among the general public and to date, there is very little knowledge and involvement of civil society in national and international debate on accession to the EU. Public participation and support is a necessary prerequisite to ensure that the enlargement process is successful.

The enlargement process is generating many questions and the environmental movement is among those who are raising them. Environmental NGOs believe that the adoption of the environmental *acquis communautaire* will have an overall positive impact on the environmental policies and practices in these countries. But we also see the risks of accession, such as increased pressure on natural areas, accelerated growth of transport, increased waste problems and intensification of agricultural practices. We are concerned that our governments may fail to develop decisive policies that bring all the EU challenges into a sustainable development policy.

The way enlargement is being steered will affect the perspectives for sustainable development in Europe. Taking into account the complexity of this process and its importance and in order to assure that this process contributes to sustainable development, environmental organisations from the candidate countries and the EU have started to work together to enhance public awareness and NGO consciousness of the EU.

This specific project aims to increase capacity of environmental NGOs in the accession countries to be involved in the process, to serve as a link to civil society and to co-operate with local, national and European authorities.

## OBJECTIVES OF THE PROJECT

- Raise the level of understanding of the EU and the enlargement process in the accession countries with special emphasis on environmental aspects.
- Facilitate and promote the influence of environmental organizations and the general public in the accession countries so that the accession process in Central and Eastern Europe/CEE promotes sustainable development in this region.
- Promote dialogue between environmental NGOs, other parts of society, public authorities and decision-makers with regard to the potential environmental and social impact of the accession
- Involve civil society in a process to find least costs options to reach the environmental *acquis communautaire*.
- Ensure the promotion of sustainable development principles in the negotiations for the accession.

This project is following three key principles for the EU environmental policies:

**Information** Dissemination of information about the EU and the enlargement process and its implications for sustainability

**Integration** Raising awareness on the need for environmental integration in all EU policy areas with regards to the enlargement process.

**Implementation** Monitoring the implementation of EU legislation in the course of the accession process and informing local authorities about EU legislation (being the future implementation bodies).



## Towards Information, Integration and Implementation in EU Accession

### MAIN ACTIVITIES OF THE PROJECT

#### Publications

In order to provide the NGOs with quality information, booklets have been published including relevant factual information about the history of the EU, its main political motives, its decision-making procedures, the *acquis communautaire* on environment, and the key policies of the EU, like agriculture, structural and cohesion funds, transport, energy, biodiversity and waste. Another two publications on EU water policy and EU policy integration are in the pipeline.

#### Roundtables

Several training courses, workshops and NGO roundtables will be organised intended to inform all interested environmental NGOs about the accession process and to help NGOs to get involved in political processes, exchange information and update their positions. These roundtables will result in national statements by the NGOs about the different themes listed above, the enlargement process and implementation of the environmental *acquis communautaire*.

#### At an International Level

Two meetings with the participation of experts from the 12 accession countries will take place. These aim to:

- foster an exchange of ideas and flow of information between NGOs from the accession countries and representatives of EU institutions
- deepen knowledge of NGO participants on the EU institutions
- brainstorm with Commission officials about least cost options for the adoption of the environmental *acquis communautaire*
- provide an internal NGO exchange on the enlargement process and experience in lobbying

## Web Page

The web page can already be visited at [www.czp.cuni.cz/enla/](http://www.czp.cuni.cz/enla/)

## Case Studies

Case studies on the implementation of EU legislation and its consequences on the environment will be carried out. These will give the possibility to compare and further discuss national strategies as well as evaluating least cost options for reaching the *acquis communautaire* on environment.

## Newsletter

A series of newsletters, of which this is the first, will be published and widely distributed to provide regular information to the various stakeholders involved in this process.

## Who are the project partners?

The NGOs from candidate countries who are responsible for the day-to-day project activities are:

1. Borrowed Nature Association from **Bulgaria**
2. Friends of the Earth from **Cyprus**
3. Society for Sustainable Living from **Czech Republic**
4. Estonian Green Movement-Friends of the Earth **Estonia**
5. National Society of Conservationists from **Hungary**
6. Environmental Protection Club - Friends of the Earth from **Latvia**
7. Lithuanian Green Movement - Friends of the Earth from **Lithuania**
8. ECO, The Malta Ecological Foundation from **Malta**
9. Institute for Sustainable Development from **Poland**
10. AIDROM from **Romania**
11. Environmental Training Programme/ETP from **Slovakia**
12. Umanotera from **Slovenia**

The Western partners are:

Friends of the Earth Europe, European Environmental Bureau and Milieukontakt Oost-Europa. These are assisting the NGOs in the accession countries by providing a constant flow of relevant information from the Commission, the European Parliament and other relevant European institutions.



## SURVEY RESULTS

### Purpose of the survey

Since one of the main aims of the EU ENLargement project is to equip the NGOs with quality information, the first step in the process was to assess the level of awareness among NGOs regarding the EU. The survey was conducted among Maltese environmental NGOs and looked into their knowledge, understanding and interest of the EU and its enlargement, as well as the impact that they believe this will have on Malta.

### Has EU accession been discussed in your organisation?

When asked whether the NGOs had discussed the environmental impact of eventual accession of Malta to the EU, all the NGOs who answered the survey stated that not only have they discussed it, but also that it is a priority for their organisation.

### What impact will accession have on the Maltese environment?

All participating NGOs agreed that the impact would be positive for the environment as a whole, both at a tangible level as well as the legislative dimension. They also think that it would improve air and water quality, biodiversity, waste problems, transport, energy and consumer rights.

With regards to trade, agriculture, nuclear safety and access to information, some NGOs think that the impact could be positive in some aspects and negative in others. The issue of genetically modified organisms is the one that NGOs know least about and are unsure of the impact that accession will have on GMOs.

"EU environmental standards are better than ours, hence we should expect an upgrading of our standards and discipline"  
(International Tree Foundation, Malta)


Regarding trade policy, the EU is too willing to give in to t wishes of big business at the expense of the environment.  
(Moviment aħall-Ambient. Friends of the Earth)

## Level of familiarity with EU environmental policy and institutions

Most NGOs admitted to having little or non-systematic knowledge on a large number of EU environmental policy areas. The answers to this question reflect the need for a project on ENLArgement, among Maltese NGOs, particularly because some organisations only know the basic principles about the EU institutions and their functioning.

## Level of knowledge on Malta's Accession Strategy

Only the basic principles on the environmental dimension of Malta's accession strategy, are known by Maltese NGOs participating in this study. Besides, the majority of organisations agree with some aspects of this strategy and disagree with others like hunting and packaging.

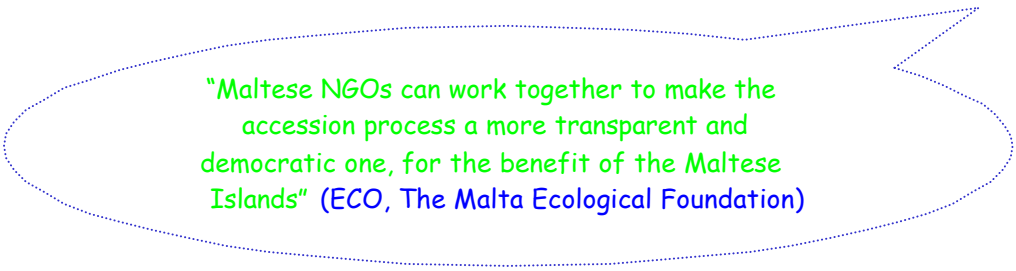


"Maltese legislation on the reuse of beverage packaging is more environmental friendly than EU legislation" (Moviment Graffiti)

Furthermore, when asked whether applicant countries can negotiate the conditions of accession so the eventual negative environmental impacts are mitigated, all NGOs agreed that they could in some cases.

## Interests and Needs of Maltese NGOs

All the NGOs believe that EU accession will positively affect the work of their organisations. However, they believe that they need more information on the specific legal norms that Malta has to adopt into its legal system and the environmental impacts of accession in general.



"Maltese NGOs can work together to make the accession process a more transparent and democratic one, for the benefit of the Maltese Islands" (ECO, The Malta Ecological Foundation)



## ECO's activities during 2000

### Sustainable Tourism

- Distribution of the educational drawing book titled "Rosina u l-Ghar Misterjuz" (Rosina and the Mysterious Cave) aimed at educating children on sustainable tourism.
- A story competition for children was organised in order to publish a booklet on sustainable tourism written by the children of Malta and Gozo themselves. This book will be edited and printed during 2001.
- Over 100,000 pamphlets including ecological tips on sustainable tourism were distributed to tourists in hotels.
- The campaign Ulixes 21: For Sustainable Tourism in the Mediterranean (MED Forum) was continued in Malta.

### The European Union

- ECO joined its European partners in requesting the Revision of the Amsterdam Treaty. Environmental NGOs requested four major revisions.
- The EU ENLargement campaign was launched this year - more information about this campaign can be found in this newsletter.
- Participation in the meetings organised by the Government, MEUSAC and the Malta EU Information Office for NGOs on the EU accession process
- ECO representative attended EEB training Course on the Water Framework Directive of the European Union in Sweden.
- ECO officials attended the consultative committees of Bulgaria, Poland, Rumania, and Turkey. These were organised by the European Economic and Social committee.
- An ECO official attended a conference on sustainable development within the European Union.
- After adopting it, ECO published the NGOs proposals for the year 2000 Intergovernmental conference which included four proposals to green the treaty.

### Lobbying and Law Enforcement

- ECO lobbied against the Verdala Golf Course; the Gozo Airstrip; the tuna penning fish farms; off-roading in the Maltese Islands; illegal quarries, buildings, dumping, roads and brick factories operating in the Island;
- ECO lobbied in favour of Med Forum's Malaga Declaration on Protected Species, the Conservation of Biodiversity and the Sustainable Development of the Mediterranean Sea; the air-monitoring programme in Malta; Med Forum's "Ratify the Barcelona Convention and its Protocols" campaign; the promotion of glass bottles instead of plastic ones;
- ECO continues its representation on the Planning Authority Consultative Group.



- ECO published its policy paper and comments on the Solid Waste Management Plan for Malta, jointly with Friends of the Earth. The paper dealt with sewage, municipal, construction, industrial, agricultural and other waste.
- Before the budget ECO asked for the application of the Polluter Pays Principle. The Year 2001 Budget included environmental measures such as the reduction of Value Added Tax on Alternative Sources of Energy.
- ECO formed a Think Tank of experts from various fields to assist it on specific matters.

### **Environmental Education**

- The third ECOLOGICAL GENERATION AWARD was organised and the winners were TV presenters Andrea Cassar and Moira Bonello, as well as environmentalists Andy and Julie Ann Grech and Dieudonee Farrugia. The ECO schools Award was won by the Carlo Diacono Gulia Junior Lyceum, Zejtun.
- Environmental talks were organised for students on holiday in the Summer months.
- ECO presented educational material to institutions and schools and participated in Festazghazagh 2000.
- The very popular Xummiemu (a hedgehog) stories were published on the children's magazine Saghtar on a monthly basis.
- The book L-Aventuri ta' Xummiemu which gathers the stories of this famous hedgehog was reprinted due to the success of the first edition.
- A campaign for the protection of frogs was organised within the theme Hallini Hieles aiming to achieve an awareness of the Legal Notice No.49 of 1993 that protects frogs. 734 participants sent drawings and the 20 prizes were distributed by the Minister for the Environment.
- As part of the MIO campaign, Mediterranean Action Day, ECO distributed and collected 5000 leaves including letters to the Minister for the Environment and a picture with an environmental theme. The Millennium Tree was built with reused materials and the leaves will be presented to the Minister in an activity to be held during January 2001.
- A drawing competition was organised to commemorate the World Oceans Day. Parliamentary Secretary Jesmond Mugliett presented the prizes to 14 winners out of the 914 participants.

### **International Activities and Miscellaneous**

- The Mediterranean Sea Campaign was organised by ECO for Lega Ambiente in Malta
- A Roundtable was held to prepare the Maltese final text for the EuroMediterranean Process Marseilles Summit. An ECO official attended the Forum Civil EuroMed for NGOs in Marseilles.
- Earth Day was commemorated through a series of environmental friendly proposals for households, businesses, schools and government departments.
- A tree planting session was organised on Arbor Day and the campaign to save Tropical Forests was continued.
- An ECO official attended the Mediterranean and IUCN World Conservation Congress, Jordan.
- ECO attended the European Environmental Bureau Annual General Meeting. During which ECO was elected on the EEB committee.
- ECO actively participated in the founding meeting of MARE.
- People for the Ethical Treatment of Animals (PETA) campaigns were organised in Malta, on animal rights and against the use of furs. A parliamentary proposal for animal rights legislation was supported.



## *European Commission's annual update on candidate countries' progress towards joining the EU*

**BULGARIA:** Some progress towards a functioning market economy, but not yet able to cope with competitive pressure and market forces in the medium term. Moving towards macroeconomic stability and good progress on privatization, especially banks. Needs to improve its judiciary and corruption remains ""a very serious problem".

**CZECH REPUBLIC:** Wins better marks than last year, when it was warned it was slipping behind other frontrunners. Economy has improved and it is doing better at adopting EU legislation.

**CYPRUS:** Wins high marks for its economy and on adopting EU laws. Report says there are encouraging signs that the island's Greek and Turkish factions are engaging in substantive discussion to end its division, dating back to 1974.

**ESTONIA:** Commission urges implementation of languages law to protect Russian-speaking minority. Should also do more to fight corruption and organized crime, including drug trafficking.

**HUNGARY:** Market economy should be able to cope with competitive pressure and market forces in the EU in the near term if pace of reforms continues. But slow progress towards price stability is a cause for concern. Corruption remains a problem and more needs to be done to help the Roma minority.

**LATVIA:** The Baltic state will be able to withstand competitive pressures and EU market forces in the medium term, once it has completed reforms. Needs to improve its application of EU laws and bolster its administrative structures. More could be done to implement EU law, especially on the environment and social policy.

**LITHUANIA:** Functioning market economy, with need to maintain fiscal discipline and keep current account deficit under control.

**MALTA:** The Island's economy is showing the first signs of stronger macroeconomic performance. It has made improved progress on adopting EU legislation.

**POLAND:** Further efforts needed to counter corruption and organized crime. Economic growth has been impressive, with encouraging pace of coal and defense privatization, but inflation remains high, the current account deficit has widened and steel privatization has been delayed. Showing some delays in agricultural restructuring. Urgent progress needed to reform public procurement and movement of persons.

**ROMANIA:** EU has serious concern over discrimination against Roma and wants more progress in demilitarizing police and fighting corruption. Romania does not yet have a functioning market economy, although economic growth has resumed and exports are rising. But there is a growing black market and ineffective supervision of financial services. Major structural reform of agriculture is required and there is need for more competent public administration.

**SLOVAKIA:** General reform process is being hindered by dissension in ruling coalition. Some, but insufficient, progress in fight against crime and corruption and judiciary needs to be more independent. More needs to be done to help minorities. Start of public utilities privatization and good progress in banking sector, but concerns over 2001 budget proposals.

**SLOVENIA:** Good overall progress, but public administration reform required and pace of denationalization is slow. Sound economy, but state-owned banks are still too dominant in the financial sector.

**TURKEY:** EU welcomes launch of debate on political reforms needed for Turkey to join the Union, but warns of slow pace of key institutional reforms. While death penalty is no longer carried out, torture is far from eradicated, prison conditions have not improved and freedom of expression is still regularly restricted. Considerable progress made on addressing most urgent imbalances in economy, but not yet achieved functioning market economy. Despite some privatisation, too many sectors still dominated by state-owned firms. Need to curb inflation and public deficits and significant restructuring needed in banking, farming and state enterprises. Ankara must take action to stem flow of illegal migrants to the West.



## TRANSPORT in the EU

ECO believes that the improvement of transport and road systems in Malta is an issue of concern to many, ranging from the general public who insist on their amelioration, to the government that requires the indispensable funding. However, although such calls aimed at improving transport flows are founded ones, (since this aim is conducive to further economic development), they need to be carefully balanced against inherent environmental considerations. Arguments, on this issue, raging between environmentalists (and supporting officials and politicians) and industry (with supporting officials and politicians) are commonplace throughout the European Union. ECO, The Malta Ecological Foundation offers you the basic facts to enable you to form an opinion.

### The Treaty of Rome

The Treaty of Rome governs the functions of European institutions. Furthermore, it specifies which decision-making procedures will apply to whichever measures these institutions may take upon themselves to propose and implement. For example, the setting up of the Trans European Network is a requirement of the Treaty and therefore has to be set up in member-states of the European Union. The Treaty itself can be readily accessed through the Union's web pages (<http://europa.eu.int/abc/onj/treaties/>).

The Treaty lays down (Art. 2) that there must be "establishment of a common market". This requirement is absolute and to be fully adhered to must be envisaged in the light of a series of other articles relating to the free movement of goods, services, capital and workers (Arts 9-37 and 48-73). Of particular relevance is that the Treaty lays down that "a common policy in the sphere of transport" (Art. 3f) is to be established and adhered to.

### Articles relating to Transport

A number of articles address transport issues directly. These articles have implications for both transport services and transport safety in all EU-countries. Articles 74-84 relate to the Common Transport Policy. These require the Council of Ministers to lay down:

- a. common rules applicable to international transport to or from the territory of a Member State or passing across the territory of one or more Member States;
- b. the conditions under which non resident carriers may operate transport services within a Member State;
- c. measures to improve transport safety;
- d. any other appropriate provisions"

# Transport in the EU

So as to aim for as uniform a transport policy as possible, for instance, carriers are to be prevented (by the Council) from charging different rates depending on the country of origin or the destination of the goods being carried (Art 79). Derogation from such rules can only come about if they are agreed unanimously by the Council on the grounds of their being liable to have "a serious effect on the standard of living and on employment in certain areas and on the operation of transport facilities" (Art 75.3). A clear example can be cited in the case of the United Kingdom that won derogation from new European limits on the maximum weight of lorries, because it argued that its bridges were not strong enough to bear such increased weight. It was given a number of years to strengthen its bridges. Article 84 says these provisions apply to transport by road, rail and inland waterway and that the Council can, through qualified majority voting, also lay down similar provisions for sea and air transport.

Article 100 empowers the Council to issue directives so that member-states will share common European standards. Examples include the emissions standards required of new cars and the standards governing the quality of motor fuels. Article 129 gives the Council powers to adopt incentive measures to promote public health. Articles 130r-t relate to the Community environment policy. They lay down that it should be based on the precautionary principle, on the principle of preventative action, that environmental damage should be rectified at source, on 'the polluter pays principle' and on environmental protection requirements being clearly integrated into how other Community policies are implemented (Art 130r).

Articles 129b-129d relate to the trans European network. These refer to there being a commonly accessible transport system in all European member-states. For instance, infrastructure, such as power cables and railways, may have been developed in certain countries to link cities and other places internally but not to cross the borders to countries beyond. The Trans European Networks are supposed to integrate these different national networks into a single European network. Their completion is a fundamental requirement of the EU Treaty having been incorporated into the Treaty of Rome under the Maastricht agreement.

The trans European network is supposed to promote economic development, create jobs and help the peripheral regions of the European Union by linking them with the centre. The European Commission has never carried out an environmental impact assessment of the trans European network, however. For example, such a network could do enormous damage to the environment and Europe's wildlife in particular, besides lowering travelling costs and thereby placing 'a strain' on the transport systems available.

## The Financing of Transport

European institutions have a long record of financing transport infrastructure projects, particularly in the poorer and more remote parts of the EU. Funding is provided as grants or loans either through the European Investment Bank (which provides low interest rate loans for projects which are designed and implemented in terms of specifically laid down criteria) or through the following funds:



## TRANSPORT in the EU

1. The European Regional Development Fund (ERDF) provides funds for poorer regions of the EU (whose income is less than three-quarters of the EU average) and for areas undergoing rapid economic change (such as inner cities, declining coalfields and fishing ports).
2. The Transport Infrastructure Fund provides funds for projects which are deemed 'of common interest' to the EU as a whole. In practice, this has meant projects, which form part of the Trans European Network.
3. The 'Cohesion Fund' was established in 1994 to provide funds exclusively for four Member States (Ireland, Spain, Portugal and Greece) to upgrade their transport infrastructure and to implement the Union's environmental laws.

The use of European grants and loans for road building, which has been the aspect of transportation which appears, cumulatively speaking, to have attracted heaviest funding has attracted the concern of wild-life conservationists who recommend greater spending on the development of adequate urban public transport systems and railway projects.

### European Air Quality Legislation

Increases in the quantity of traffic have led EU institutions to pass new legislation to control pollution. This includes both legislation relating to vehicles (including fuel quality legislation) and that relating to air quality. Air quality legislation is mainly designed to protect 'ambient air' - that is the air which people breathe in and out when in outdoor public places. Other measures effected by the EU to control pollution are Directives and regulations controlling emissions from such stationary sources as power stations and industrial plants.

The Framework Directive on ambient air quality assessment and management (96/62/EC) sets up a system by which air pollution can be controlled. Its objectives are "to avoid, prevent or reduce harmful effects on human health and the environment as a whole" by assessing "the ambient air in Member States on the basis of common methods and criteria", by obtaining "adequate information on ambient air quality" and ensuring "that it is made available to the public inter alia by means of alert thresholds" in order to "maintain ambient air quality where it is good and improve it on other cases (Art 1). Annexed to this directive (vide Art. 4) are a number of daughter directives that set limit values (to specified air-pollutants) and alert thresholds under the Framework Directive.

# Transport in the EU

Moreover, a number of Directives on the quality of petrol and diesel (96/0163), on the emissions from new cars (96/0164), and from those of other vehicles have been worked upon with the aspiration that all new cars, vans, lorries and buses sold in Europe will be considerably more environment-friendly than previously. The Directive on inspection and maintenance will include proposals for a common testing and enforcement regime. Owners of older cars may face relatively large bills to keep their cars on the road. On the one hand, this will be a good thing, as it will dissuade owners of undeserving cars off the roads. On the other hand, it may prove extremely unpopular, especially in Malta, where the quality of certain cars is very evidently suspect.

Furthermore, owners of older cars suffer because of the phase out of leaded fuel. However, additives that can enable older cars to run on unleaded fuel may alleviate any problems the ban on leaded fuel causes. Furthermore, accession countries are able to apply for derogations in the same way that existing Member States can. If they do, they may be given longer to comply.

## European Policy on Aviation

Air traffic in the European Union is growing even faster than road traffic. Yet, until recently, growth in air traffic was not considered to be a serious concern. Measures taken have focussed on alleviating the environmental impact of air travel through improved noise and emission standards and through better procedures for the planning of airports. However, growing concern over the global impacts of aviation, in particular on climate and the ozone layer, is prompting air pollution stemming through aviation being given considerably more weighting. Not only do aeroplanes use scarce fossil fuels but the gases that they emit contribute to the greenhouse effect. Moreover, aircraft need airports to land. These and the infrastructure around them also have environmental effects most especially if there is a spillage of oil or employment of other potentially environmentally destructive agents. Noise from aircraft, moreover, offers a further irritant, especially where flight-paths are routed over heavily populated areas.

Amongst the possible strategies suggested are: the enactment of binding technical emission standards; the employment of economic instruments - including an end to aviation's exemption from fuel taxes and studies of the feasibility of introducing charges for aircraft emissions, the laying down of strict guidelines to help Member States use their existing powers to regulate airport operations in the interests of the environment; measures to harmonize noise levels and noise reduction targets as well as general legislation governing the use of local voluntary agreements to reduce airport impacts; and the effecting of research and development into the global impact of aircraft emissions and technical ways of reducing aircraft pollution.

## Conclusion

It seems that while the Treaty of Rome accentuates liberalizing legislation to enable a common market and an economic and monetary union to become possible, the European transport policy moves away from a free-market based approach to one based on regulation, integration, and planning. ECO, The Malta Ecological Foundation notes that for a more efficient and eco-friendly transport system to materialize, appropriate and timely action must be taken at a local and regional level, or possibly at a national level, much rather than at a European one.

# STAKEHOLDER

## Food for Thought

"Never doubt that a small group of thoughtful, committed citizens can change the world, indeed it's the only thing that ever does."

-Margaret Mead-

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is a publication of ECO, The Malta Ecological Foundation and forms part of the project

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