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Meeting of the Parties to the Convention
on Environmental Impact Assessment
in a Transboundary Context
Second meeting
(Sofia, 26-27 February 2001)
(Item 4 (viii) of the provisional agenda)

DRAFT DECISION TO BE TAKEN AT THE SECOND MEETING OF THE PARTIES
Submitted by the Working Group

**DECISION II/8
STRENGTHENING SUBREGIONAL COOPERATION**

The Meeting,

Recognizing the importance of an effective implementation of the Convention,

Mindful of the need to stimulate the ratification and the application of the Convention in subregions,

Bearing in mind the desirability for non-UN/ECE countries to implement the principles of the Convention,

Wishing to encourage the development of bilateral and multilateral agreements through subregional cooperation under the Convention,

Taking into account the results of the subregional pilot workshop in the Balkan and the Black Sea regions,

1. Agrees with the general conclusion of the workshop that subregional cooperation stimulates the ratification process and the practical application of the Convention;
2. Adopts the recommendations annexed to this decision;
3. Invites Parties, non-Parties and, in particular, countries in transition to apply these recommendations to proposed activities that are within the scope of the Convention;
4. Decides to take into account in item 6 of its 2001 – 2003 workplan the outcome of the work on subregional cooperation.

Annex

RECOMMENDATIONS FOR STRENGTHENING SUBREGIONAL COOPERATION

1. It is generally accepted that the practical experience gained by implementing the Convention is strengthening the ratification process. The Convention should be applied to actual cases through the implementation of provisions in national legislation, even by countries that are not yet a Party to it.
2. Parties and non-Parties are urged to designate a point of contact to which notifications in accordance with Article 3 of the Convention should be submitted. The point of contact should be an institution with responsibilities related to environmental impact assessment and the implementation of the provisions of the Convention. To apply the procedures of the Convention effectively, the points of contact should meet periodically within their subregions to investigate how these responsibilities could be met.
3. Parties and non-Parties should continue to analyse the practical experience with the implementation of the Convention to identify difficulties and successful solutions for the management of transboundary EIAs. Workshops should be organized during which the authorities that deal with the practical application of transboundary EIAs analyse projects with a transboundary impact.
4. Although bilateral and multilateral agreements or arrangements are not a precondition for the implementation of the Convention, certain aspects, such as the consideration of the “significance” of an adverse transboundary impact, which are not clearly determined in the Convention, could be further elaborated through bilateral and multilateral cooperation. To identify similarities and differences between national EIA systems, Governments should cooperate bilaterally or multilaterally, taking into account Appendix VI to the Convention. Such an arrangement should involve the authorities designated by a Party to perform tasks covered by the Convention.
5. As the proposed activities listed in Appendix I to the Convention might require further identification, it is suggested that more work should be done and guidance provided for this “screening”, both at the national and at the international level. The provisions of the Convention should also be applied to projects that are themselves transboundary and not only to proposed activities with a transboundary impact.
6. Non-governmental organizations (NGOs) should play an important role in the implementation of the EIA Convention. In the light of the recent adoption and signing of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), governmental authorities and representatives of NGOs in the different subregions should meet to discuss the strengthening of the role of the NGOs in the procedures of the EIA Convention.

7. The format for notification as included in decision I/4 of the Meeting of the Parties (ECE/MP.EIA/2, annex IV) should be used in order to facilitate the notification of a Party likely to be affected by the transboundary impact of a proposed activity. The competent authorities, as defined in the Convention, should consider the practical experience gained with the application of the Convention when deciding on the specific arrangements for the flow of information related to Article 3.

8. It is recognized that there is a general need for better EIA methodological guidance, in particular for the countries in transition. In this respect, the final results of the earlier work included in the publication "Current Policies, Strategies and Aspects of Environmental Impact Assessment in a Transboundary Context" (ECE/CEP/9, Environmental Series No. 6) should be used as background information by a group of experts, in particular to draw up guidance on prediction methods and methodological approaches.

9. The EIA database under the Convention offers Parties and non-Parties an opportunity for promoting the dissemination of information and knowledge related to the Convention. The EIA database also contributes to capacity building, supports the application of EIA and makes related management systems more effective. To further strengthen the practical experience with the application of the Convention, it is recommended that countries should make better use of the database and ensure that its information is regularly updated by their data managers.