



# Introduction to the pilot project on the post-project analysis between Belarus and Ukraine

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**EaP GREEN PROGRAMME**



# Content

## 1. Introduction to Espoo Convention & Protocol on SEA:

- Procedure
- Work under Convention

## 2. Post project analysis

## 3. Introduction to the project



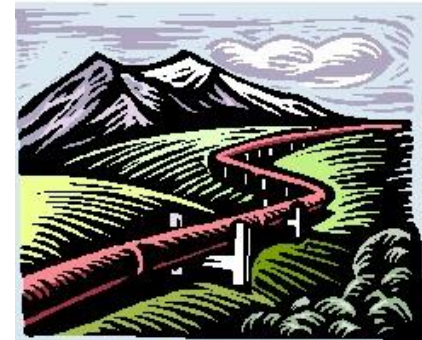


# Espoo Convention

## Convention on Environmental Impact Assessment in a Transboundary Context

- Adopted and signed in Espoo (Finland) in 1991
- Came into force in 1997
- Now has 45 Parties
  - 1st amendment 23 Parties (not in force)
  - 2nd amendment 23 Parties (not in force)



## Supplemented by **Protocol on Strategic Environmental Assessment**

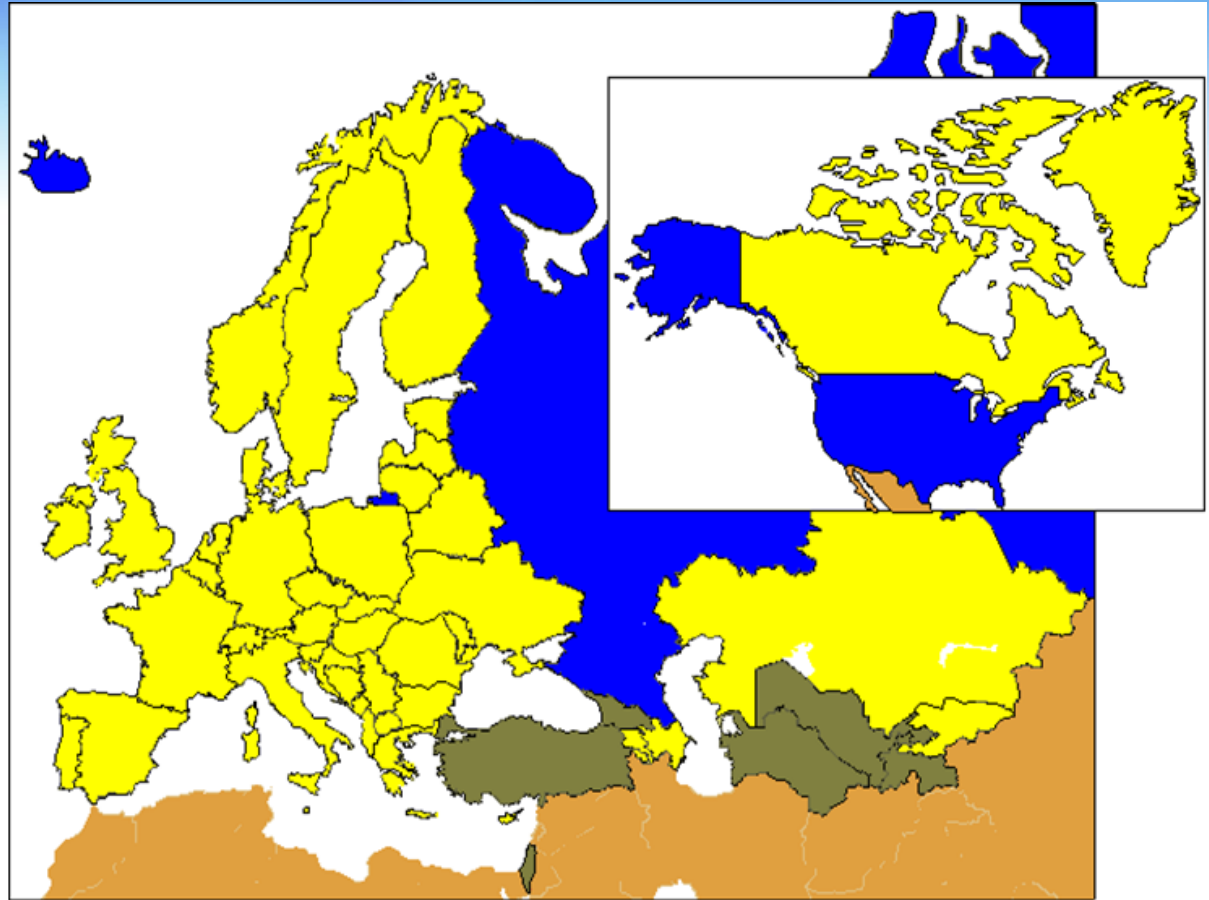






# Parties to the Espoo Convention

-  **Espoo Parties**
-  **Signatories**
-  **other UNECE**



STATE ГОСУДАРСТВО	ESPOO CONVENTION КОНВЕНЦИЯ ЭСПО	SEA PROTOCOL ПРОТОКОЛ ПО СЭО 5
Armenia – Армения	Party – Сторона (1997)	Party – Сторона (2011)
Azerbaijan – Азербайджан	Party – Сторона (1999)	-
Belarus – Беларусь	Party – Сторона (2005)	-
Georgia – Грузия	-	Signatory - Подписала
Lithuania – Литва	Party – Сторона (2001)	Party – Сторона (2011)
Poland – Польша	Party – Сторона (1997)	Party- Сторона (2011)
Republic of Moldova – Республика Молдова	Party – Сторона (1994)	Signatory - Подписала
Russian Federation - России федерация	Signatory - Подписала	-
Ukraine – Украина	Party – Сторона (1999)	Signatory - Подписала





# Procedure 1/2

- Requires Party to notify & consult on planned activity likely to have significant environmental impact across borders.
- Requires preparation and sharing of assessment of environmental impacts.
- Allows affected Parties (authorities & public) to comment on planned activities and on assessment of environmental impacts.
- Provides for bilateral consultations between concerned Parties.

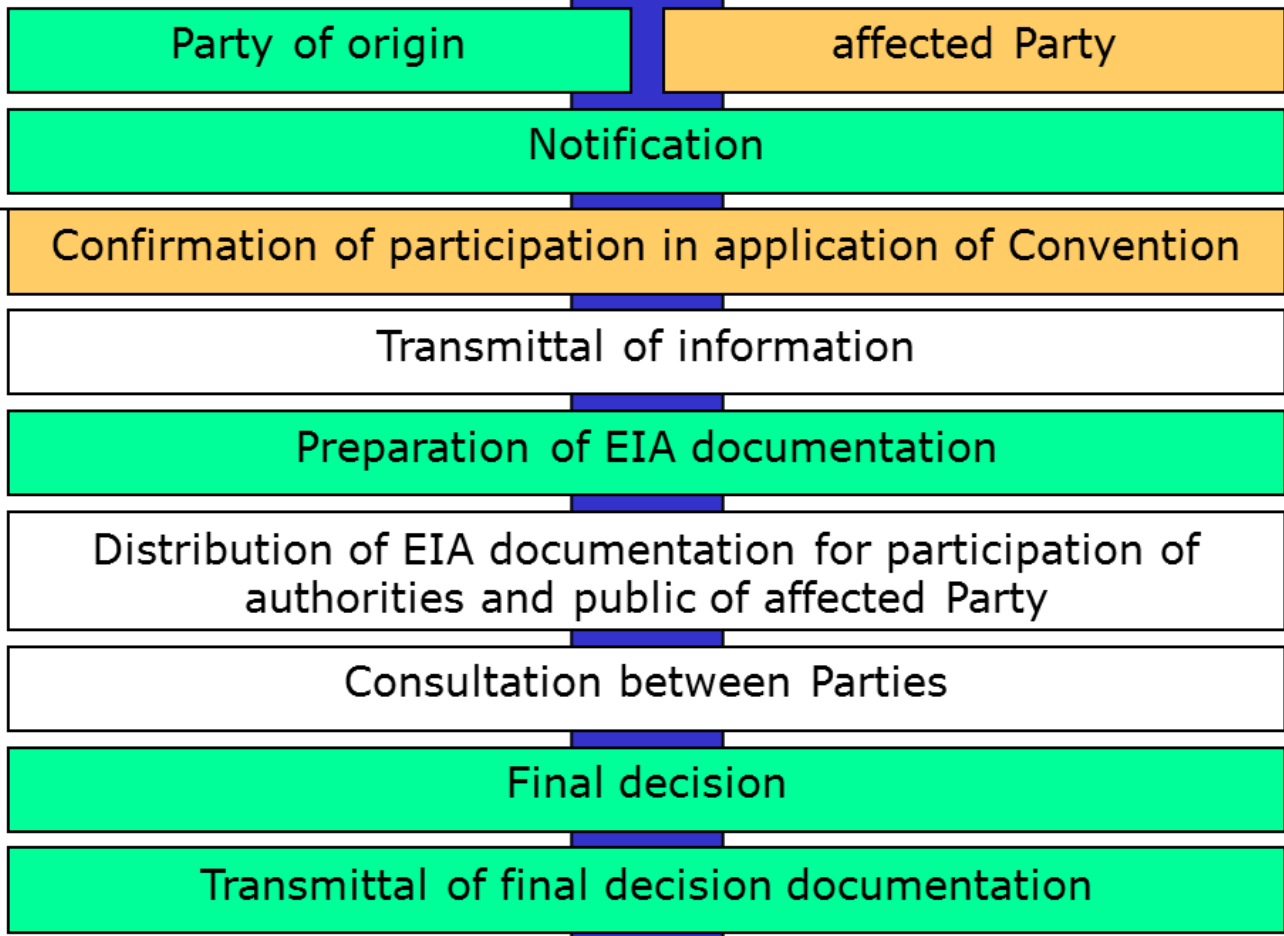




# Procedure 2/2

- Party of origin makes final decision, taking into due account:
  - comments received (authorities & public of affected Party)
  - outcome of environmental impact assessment
  - outcome of bilateral consultations
- Final decision is sent to affected Party.
- Post-project analysis
  - not mandatory, but if requested by a concerned Party, Parties must consult on the need for PPA.





8

**Public participation**

(may include one or more rounds)

Application stops if the affected Party is not interested in participating



If Parties so decide





# Protocol on Strategic Environmental Assessment

- The Protocol was adopted by an Extraordinary meeting of the Parties to the Espoo Convention, held on 21 May 2003 during the Ministerial "Environment for Europe" Conference (Kyiv).
- Entered on force in 11 July 2010.
- Now has 26 Parties, any Member State of the United Nations may accede.





# Procedure

- Determination of whether SEA is required under the Protocol
- Determination of the scope of the Environmental report (and thus of the assessment)
- Preparation of Environmental report
  - Analyze the context & baseline
  - Contribute to the development & comparison of alternatives
  - Complete the environmental report
- Consultation with relevant authorities and the public
- Inputs into decision-making
- Environmental monitoring of implementation



# Benefits

- High level of environmental protection
- Better planning and programming
- More efficient decision-making
- Identification of new opportunities for development
- Preventing costly mistakes
- Strengthened governance
- Transboundary cooperation
- Climate change adaptation

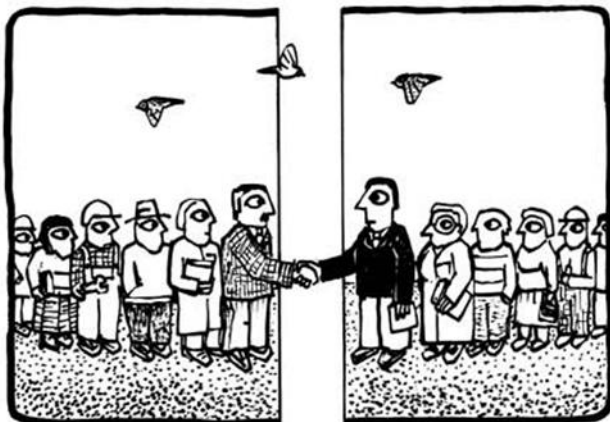






# Espoo Convention vs. Protocol

- Espoo Convention (EIA) – all about transboundary impacts of projects



- SEA Protocol – mainly about SEA of plans & programmes within a state, with consideration of transboundary effects being secondary







# Work under the Convention and the Protocol <sup>13</sup>

- Meetings of the Parties (MOP) adopt workplans for intersessional periods (3-4 years), and monitor their implementation
- Assisted by Bureau, Working Group on EIA, Implementation Committee
- **Next MOP to be held in Geneva from 2 to 5 June 2014**
  - New workplan to be adopted, will cover 2014-2017
  - Exchange of good practices: Workshop on post-project analysis (2015?)





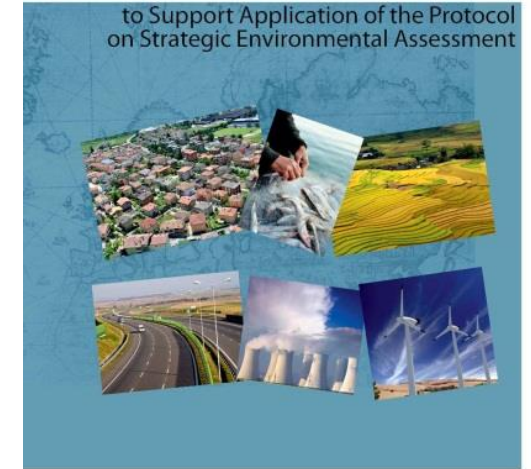
# Technical assistance

- Technical advice
  - review of current legislation, legal drafting
- Pilot projects
- Subregional cooperation workshops
- Training on SEA
- Guidance documents

UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE

## Simplified Resource Manual

to Support Application of the Protocol on Strategic Environmental Assessment



# Guidance available...

## **Espoo Convention**

- Guidance on practical application of the Convention
- Guidance on public participation in transboundary context
- Guidance on notification for the Convention
- Review of Implementation, 2006-2009

## **SEA Protocol**

- Resource Manuals to support application of the Protocol, including Health chapter/annex (with REC-CEE); Simplified Manual
- Training courses based on the Resource Manual and on the OECD/DAC guidance on SEA in development cooperation

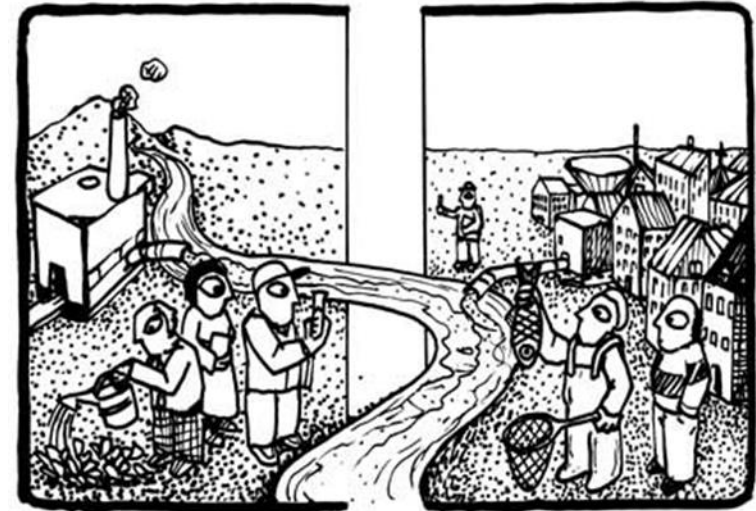
## **Both**

- Decisions by Meetings of the Parties (e.g. notification formats)
- Opinions of the Implementation Committee (2001-2010)



# Post project analysis

- **Post-project analysis under Espoo Convention**
  - Legal provisions
  - (Pre-Espoo) conclusions and recommendations on PPA
  - Practical guidance
  - Practical experience





# Article 7 – Post-project analysis 1/2

1. The concerned Parties, at the request of any such Party, shall determine whether, and if so to what extent, a PPA shall be carried out, taking into account the significant adverse transboundary impact of the activity for which an environmental impact assessment has been undertaken pursuant to this Convention. Any PPA undertaken shall include, in particular, the surveillance of the activity and the determination of any adverse transboundary impact. Such surveillance and determination may be undertaken with a view to achieving the objectives listed in **Appendix V**.

- **Not mandatory but if requested by a concerned Party, Parties must consult on the need for PPA**
- **Cover analysis of both activity and its potential impacts**



# Appendix V

## Post-project analysis

Objectives include:

- (a) Monitoring compliance with the conditions as set out in the authorization or approval of the activity and the effectiveness of mitigation measures;
- (b) Review of an impact for proper management and in order to cope with uncertainties;
- (c) Verification of past predictions in order to transfer experience to future activities of the same type.



# Article 7 – Post-project analysis 2/2

2. When, as a result of PPA, the Party of origin or the affected Party has reasonable grounds for concluding that there is a significant adverse transboundary impact or factors have been discovered which may result in such an impact, it shall immediately inform the other Party. The concerned Parties shall then consult on necessary measures to reduce or eliminate the impact.

- **If unexpected results, Parties must inform each other and consult on necessary measures**



# Conclusions & recommendations on PPA 1/4

- **Completes EIA by providing feedback on project implementation for**
  - Proper and cost-effective management (compliance & effects monitoring)
  - EIA process development (learn by doing, avoid inadequate methods)







# Conclusions & recommendations on PPA 2/4



- **Very effective for improving EIAs**
  - Monitor compliance with final decision
  - Review predicted impacts for proper management of risks & uncertainties
  - Modify activity/develop mitigating measures if unpredicted impacts
  - Determine accuracy of past predictions and effectiveness of mitigation measures for benefit of similar future activities
  - Review effectiveness of environmental management

**Conclusions and recommendations to ECE Governments,  
ECE/ENWA/11, 1989**



# Conclusions & recommendations on PPA 3/4

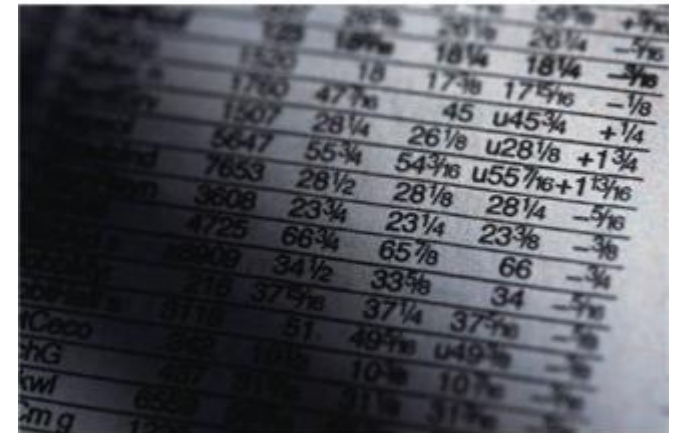
- **Relationship with EIA process**
  - Plan PPA during environmental review, finalize with final decision
  - For all major projects with potentially significant impacts
  - Focus on important impacts where insufficient information
  - Link PPA authority to EIA process
  - Reflect findings in environmental management



# Conclusions & recommendations on PPA 4/4

- **Content**

- Determine hypotheses to test (impacts vs. predictions/ standards, functioning of environmental management)
- Collect complete baseline data relevant to hypotheses
- Monitor and evaluate data collected
- Report



	1988	1989	1990	1991	1992
1520	18	18 1/4	18 1/4	18 1/4	-5%
1760	47 7/8	17 3/8	17 3/8	17 3/8	-1/8
1507	28 1/4	45	u45 3/4	+1/4	
5847	55 3/4	26 1/8	u28 1/8	+1 3/4	
7853	28 1/2	54 3/8	u55 7/8	+1 3/8	
3608	23 3/4	28 1/8	28 1/4	-5%	
4725	66 3/4	23 1/4	23 3/8	-3%	
2929	34 1/2	65 7/8	66	-3/4	
218	37 5/8	33 5/8	34	-5%	
37 1/2	51	49 5/8	u49 5/8	-1/8	
hG	10%	10%			
kw					
mg					

Conclusions and recommendations to ECE Governments, ECE/ENWA/11, 1989



# Conclusions & recommendations on PPA 4/4

- **Development & design**
  - Define purpose and focus
  - Define roles and responsibilities
  - Detect and deal with unexpected results
  - Use independent experts
- **Management**
  - Set advisory boards for increased credibility and quality
  - Involve public
  - Publish reports
  - Use independent researches for sensitive parts

Conclusions and recommendations to ECE Governments, ECE/ENWA/11, 1989







# Guidance on transboundary PPA

25

- Include as requirement in final decision in relation to monitoring or in initial overall plan
- Include as requirement in bilateral/regional agreements
- Base on monitoring of the activity and its impacts
- Monitor jointly with Parties and extend to territory of all Parties concerned
- Exchange monitoring results among Parties

**Source: Guidance on the Practical application of the Espoo Convention (Environmental Series no. 8, 2006)**





# Managing Environmental Security Risks with EIA and SEA

Environmental Impact Assessment in a Transboundary Context:

- **Joint Pilot project in Belarus and Ukraine on post project analysis**

Strategic Environmental assessment:

- **Technical advice and training in Belarus**





## EaP GREEN

“Towards Greener economies in the Eastern Partnership Countries”

Financed by the European Commission and implemented by OECD, UNECE, UNEP, UNIDO

## EnvSec

The Environment and Security Initiative

Partnership of 6 organizations: OSCE, REC, UNDP, UNECE, UNEP, and NATO as an associated partner





# Pilot project on post-project analysis

- Objectives:
  - Establish practice in the post-project analysis of projects subject to a transboundary EIA procedure.
  - Improve cross-border dialogue between Belarus and Ukraine in monitoring and mitigating transboundary impacts.
  - Improve practices for providing the public of concerned countries with access to information about transboundary environmental impacts.
- Pilot case:
  - Exploitation of the chalky deposits "Khotislavskoye" (2nd phase), which has been subject to a transboundary EIA procedure between Belarus and Ukraine. The EIA procedure was officially completed in June 2011.







# Technical advice and training on SEA in Belarus

- Objectives:
  - Establish a legislative framework to integrate an SEA procedure into the development of plans, policies and programmes in Belarus.
  - Develop capacities of the authorities for efficiently applying SEA.
- Activities:
  - Technical advice: (a) a review of the present national legislation and institutional structure; and (b) development of recommendations for required legislative amendments to implement SEA.
  - Training workshops on SEA in three border provinces.





# For more information

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