

# **Espoo Convention**

## on Environmental Impact Assessment in a Transboundary Context

Workshop to strengthen capacity for the development of EIA and SEA systems in Uzbekistan, with sharing of experiences from other countries in the implementation of the Espoo Convention and in particular its Protocol on SEA

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## Espoo Convention

- Convention on Environmental Impact Assessment in a Transboundary Context
- Adopted and signed in Espoo (Finland) in 1991
- Came into force in 1997, with 16 Parties
- Now has 45 Parties
  
- Supplemented by Protocol on Strategic Environmental Assessment
- Came into force in July, 2010
- Now has 23 Parties



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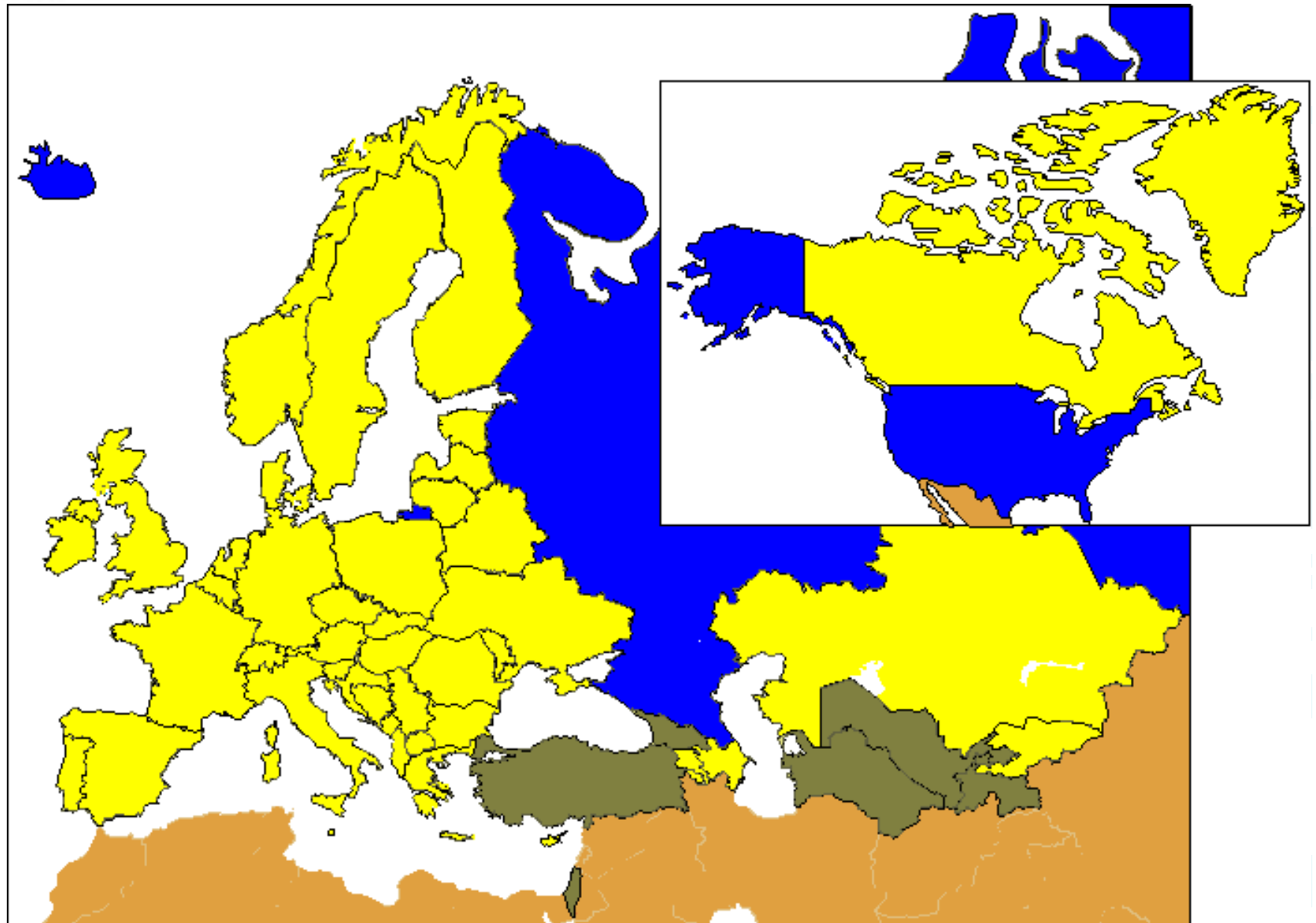
Parties



Signatories



other UNECE



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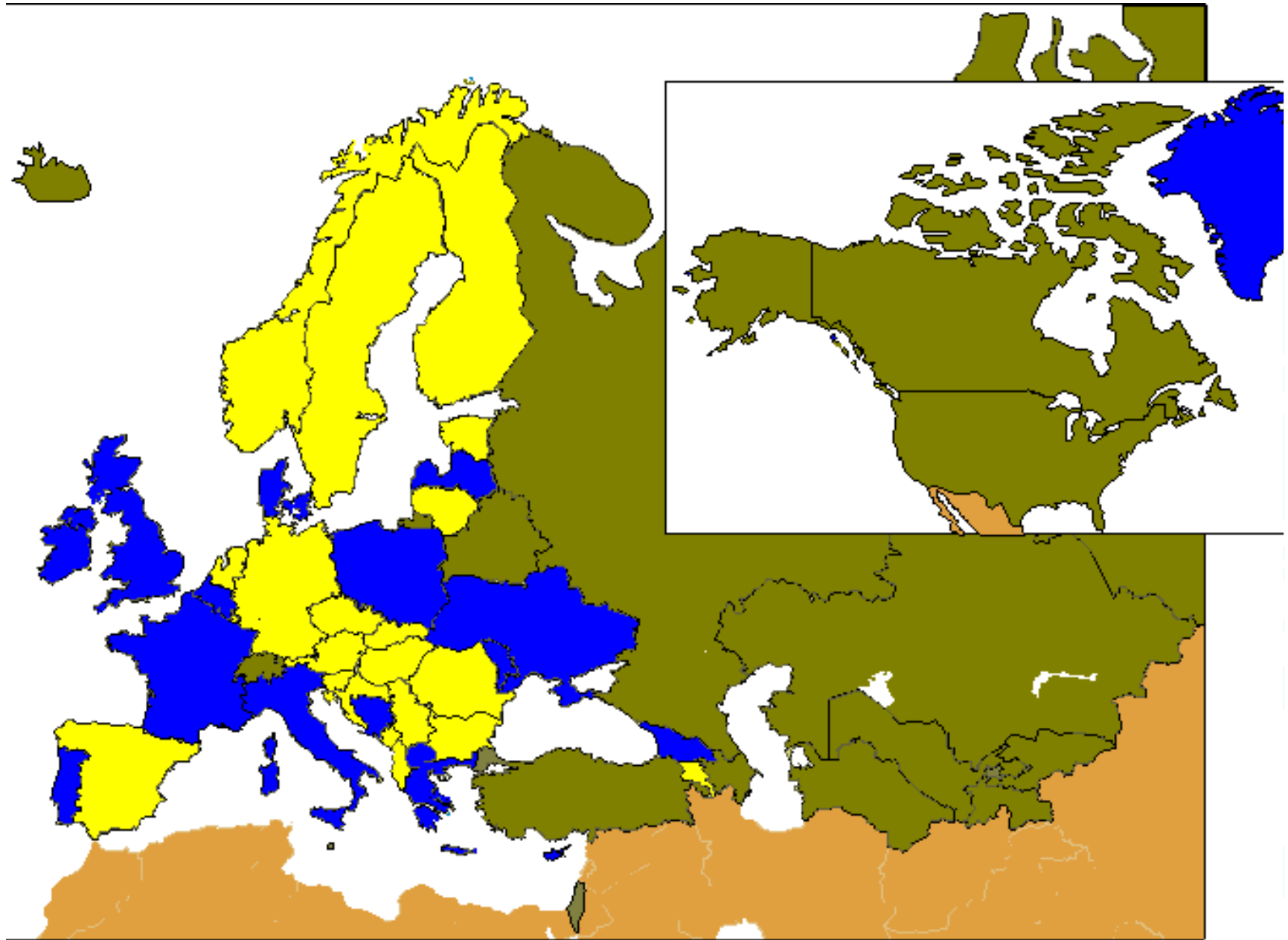
Parties



Signatories



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<i>State</i>	<i>UNECE</i>	<i>Espoo Convention</i>	<i>SEA Protocol</i>	<i>Caspian</i>
<b>Uzbekistan</b>	Yes	-	-	<b>X</b>
<b>Kazakhstan</b>	Yes	Party	-	Yes
<b>Kyrgyzstan</b>	Yes	Party	-	<b>X</b>
<b>Tajikistan</b>	Yes	-	-	<b>X</b>
<b>Turkmenistan</b>	Yes	-	-	Yes
Afghanistan	No	<b>X</b>	-	<b>X</b>
Azerbaijan	Yes	Party	-	Yes
China	No	<b>X</b>	-	<b>X</b>
Iran (Islamic Republic of)	No	<b>X</b>	-	Yes
Russian Federation	Yes	Signatory	-	Yes

Convention amended to open it to all Member States of the United Nations – amendment will perhaps come into force within 3 to 4 years



Protocol open for all Member States of the United Nations

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# Convention



## “Objectives”

- To enhance international co-operation in assessing environmental impact, in particular in transboundary context
- To give explicit consideration to environmental factors at early stage in decision-making process by applying environmental impact assessment
- To improve quality of information presented to decision makers so that environmentally sound decisions can be made paying careful attention to minimizing significant adverse impact, particularly in transboundary context

## Procedure

- 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
- 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



## Practical application

- Over 800 cases to date
- Common examples
  - Power plants: nuclear, coal, hydropower, gas, wind
  - Cross-border infrastructure: road, rail, power lines, pipelines
  - Mining, major quarries & on-site processing
- Examples include:
  - Mining in Kyrgyzstan
  - Hydropower development in Belarus
  - Port development in Republic of Moldova



## Technical assistance



- Technical advice
  - Comprises review of current legislation, legal drafting
  - Used for Armenia (2008-9), Azerbaijan (2011), Tajikistan (2010), Ukraine (2009-...)
- Pilot projects
  - Kyrgyzstan-Kazakhstan (mining)
  - Belarus-Lithuania (hydroelectric power)
  - Foreseen: Belarus – Ukraine (post-project analysis)
- Subregional cooperation workshops
  - Exchanges of experiences
  - Dialogue
- Guidance documents

## Benefits

- Provides framework for discussing planned developments with neighbouring States
- Being a Party obliges other Parties to notify & consult you about planned developments on their territory that are likely to have a significant adverse impact on your country's environment
- Can enhance international cooperation, including awareness of importance of the environment, and so help to avoid conflict
- Sovereignty is retained: decision-making power remains in country where the development is planned

## Benefits

- Confidentiality is respected: not prejudicial to industrial & commercial secrecy or national security
- Project design can be improved, including by identification of better project alternatives
- Better environmental protection, with impacts avoided or reduced by revising project design
- Decision-making better informed & more objective, providing a framework for preparing conditions to govern future project operation

## Espoo Convention

- Widespread and widely used – useful
- Sovereignty of decision-making
- International cooperation
- Better decisions



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# Protocol



## Objective of the SEA Protocol

- To provide for high level of protection of the environment, including health, by:
  - Ensuring that environmental considerations are taken into account in the development of plans and programmes
  - Contributing to the consideration of environmental concerns in the preparation of policies and legislation
  - Establishing clear, transparent and effective procedures for SEA
  - Providing for public participation in SEA
- ➔ Integrating by these means environmental, including health, concerns into measures and instruments designed to further sustainable development
- (art. 1)

## What is SEA?

- SEA means the evaluation of likely environmental, including health, effects, which comprises
  - determination of scope of an environmental report & its preparation,
  - carrying-out of public participation & consultations, and
  - taking into account of the environmental report & the results of the public participation & consultations in a plan or programme
- (art. 2, para. 6)



## Guiding principles of SEA

- Undertaken by the authority responsible for plan or programme
- Applied as early as possible in decision-making process
- Focused on key issues
- Evaluates reasonable range of alternatives
- Provides appropriate opportunities for involvement of key stakeholders & the public
- Carried out with appropriate, cost-effective methods & techniques of analysis



## Technical assistance

- Technical advice
  - Comprises review of current legislation, legal drafting
  - Belarus and Ukraine (in the work plan)
- Pilot projects
  - Crimea "SEA and Autonomous Region of Crimea Regional Development Strategy to 2015" (2007-2008)
  - Azerbaijan, Armenia, Republic of Moldova (in the work plan)
- Capacity-building workshops
  - Almaty, Kazakhstan (March 2011)
  - Tashkent, Uzbekistan (November 2011)
  - Armenia, Belarus, Georgia, Kazakhstan, Republic of Moldova, Russian Federation, Ukraine (in the work plan)
- Guidance documents
  - SEA Resource Manual (2010/2011) and simplified resource manual (in the work plan)

For more information:

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