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Meeting of the Parties to the Convention
on Environmental Impact Assessment in
a Transboundary Context serving as the
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Strategic Environmental Assessment

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Items 4 and 8 (a) of the provisional agenda

Review of the workplan

Adoption of decisions: decisions to be taken jointly

Summary report on the implementation of technical assistance and capacity-building activities in the period June 2017– September 2020

Note by the Secretariat

Summary

The present report summarizes the results of technical assistance and capacity-building activities in the workplan for the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context and its Protocol on Strategic Environmental Assessment for 2017–2020 (ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1, decision VII/3–III/3, annex I) for countries in Eastern Europe, the Caucasus and Central Asia. It describes the results from June 2017 to September 2020.

The Meeting of the Parties to the Convention and the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol on Strategic Environmental Assessment are invited to take note of the report, and any updates provided by the secretariat, and, as needed, to comment on and complement the information.



I. Introduction

1. The present report summarizes the results of capacity-building activities undertaken in the period June 2017 to September 2020 that were carried out in accordance with the workplan for the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and its Protocol on Strategic Environmental Assessment for 2017–2020 (ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1, decision VII/3–III/3, annex I). Section II provides a brief summary of the main achievements of technical assistance during this period provided to Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine, financed mainly by the European Union through the “European Union for Environment” (EU4Environment) programme and the “Greening Economies in the Eastern Neighbourhood” (EaP GREEN) programme.

2. Section III presents information on progress achieved in the context of technical advice and support offered to Central Asian countries, including to:

(a) Develop and update the Guidelines on Environmental Impact Assessment in a Transboundary Context for Central Asian Countries (ECE/MP.EIA/WG.1/2007/6), financed by Switzerland;

(b) Improve legislation and institutional frameworks to implement the Convention in Kazakhstan, Tajikistan and Uzbekistan, with funding from the European Union, the Governments of Germany and Switzerland and the offices of the regional coordinators of the Organization for Security and Cooperation in Europe (OSCE);

(c) Raise awareness among the competent authorities and public of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan of the benefits of strategic environmental assessment, implemented in close cooperation with OSCE and with funding from the Government of Germany.

II. Technical assistance to countries in Eastern Europe and the Caucasus (June 2017–September 2020)

A. Background

3. The workplan for the implementation of the Convention and the Protocol for the period 2017–2020 contains many technical assistance and capacity-building activities targeting countries in Eastern Europe and the Caucasus. The United Nations Economic Commission for Europe (ECE) secretariat to the Convention and the Protocol ensured the implementation of these activities mainly owing to separate project funding from the European Union: the EU4Environment programme funded activities from April 2019 to September 2020, and the EaP GREEN¹ programme from June 2017 to April 2018. In 2018 and 2019, to continue assisting the countries in question, the ECE secretariat contributed to the preparation and planning of the EU4Environment programme together with the donor, the European Union, partner organizations and the beneficiary countries, and made the necessary programmatic and administrative arrangements for the receipt of further funding as of April 2019. EU4Environment is a large regional programme that is being implemented from 2019 to 2022 by the ECE secretariat and four other partner organizations – the United Nations Industrial Development Organization, the United Nations Environment Programme, the Organization for Economic Cooperation and Development and the World Bank, targeting six beneficiary countries – Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine. The programme is financed by the European Commission and the five implementing organizations.

4. The programme’s general objective is to help the beneficiary countries preserve their natural capital and increase people’s environmental well-being by supporting environment-

¹ More information on activities financed by the “Greening Economies in the Eastern Neighbourhood” (EaP GREEN) programme can be found at www.unece.org/environmental-policy/greening-the-economy-in-the-pan-european-region/eap-green.html.

related action, demonstrating and unlocking opportunities for greener growth, and setting mechanisms to better manage environmental risks and impacts. The programme component that ECE is in charge of implementing aims to ensure that the newly established national legislative frameworks on strategic environmental assessment and environmental impact assessment are: complemented with detailed secondary legislation, as relevant; fully aligned with the Protocol, the Convention, the European Union Directive on Strategic Environmental Assessment² and the European Union Directive on Environmental Impact Assessment;³ and systematically and effectively applied by the six countries in Eastern Europe and the Caucasus. It is expected to reinforce and sustain the results achieved under the EaP GREEN programme.

5. The activities implemented by the ECE with EU4 Environment funding build upon the workplan, reflecting the requests by the beneficiary countries. They contribute to the workplan objectives for promoting compliance with and implementation of the Convention and the Protocol, the ratification of the two instruments and their practical application. The key focus is on:

(a) Assistance in finalizing legal reforms on strategic environmental assessment and transboundary environmental impact assessment;

(b) Comprehensive capacity-building and institution building on strategic environmental assessment and transboundary environmental impact assessment.

6. The sections below provide a brief overview of the main achievements of the above-mentioned technical assistance. Further information on the EU4Environment-funded assistance is available on the ECE website.⁴

B. Summary of the main achievements

1. Assistance for finalizing legal reforms

Workplan activity: compliance with and implementation of the Convention and the Protocol

7. To facilitate implementation of an amended Law on Environmental Impact Assessment and Expertise in Armenia after its anticipated adoption, an analysis of the country's institutional framework for environmental assessment in the light of the forthcoming amended legislation was requested by Armenia in 2019. After the initiation of this analysis in February 2020, a report containing its results is expected to be finalized in autumn 2020. This complements the EaP GREEN-funded assistance provided earlier to prepare the draft amended law along with the draft Government Decision on Strategic Environmental Assessment.

8. In 2019 and 2020, the secretariat, in cooperation with the Ministry of Ecology and Natural Resources of Azerbaijan, carried out a review of the country's draft secondary implementing legislation vis-à-vis the requirements of the Convention and its Protocol. The conclusions of the review, including concrete recommendations for amending two draft regulations (one on environmental impact assessment, including transboundary environmental impact assessment, and another on strategic environmental assessment), were presented and discussed with many stakeholders at a virtual roundtable on the development of secondary legislation on environmental impact assessment and strategic environmental assessment in Azerbaijan on 18 August 2020.⁵ Based on the recommendations of the review, the two draft regulations were aligned with the Convention and the Protocol and submitted

² Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment, Official Journal of the European Communities, L 197 (2001), pp. 30–37.

³ Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, Official Journal of the European Union, L 124 (2014), pp.1–18.

⁴ See www.unece.org/environmental-policy/conventions/environmental-assessment/about-us/protocol-on-sea/eu4environment.html.

⁵ See www.unece.org/index.php?id=54818.

by the Ministry for an interministerial review process in August 2020. Azerbaijan intends to address the remaining gaps in the 2018 Law on Environmental Impact Assessment vis-à-vis the Convention and the Protocol through this secondary implementing legislation.

9. In Belarus, a review of primary and secondary legislation, which contains some provisions in need of alignment with the Convention and the Protocol, is being initiated in September 2020, with a view to further preparing necessary amendments to the legislation. It will take into account the results of legislative reviews carried out with EaP GREEN-funded assistance in 2016 and 2017, as well as amendments to the legislation since the end of the EaP GREEN programme.

10. Compliance gap analyses were undertaken with regard to the existing primary and secondary legislation in the Republic of Moldova. Results of the analyses were presented in late May 2020, identifying a number of gaps to be addressed, mainly in the Law on Environmental Impact Assessment, and laying the basis for developing concrete proposals for amending both it and the Law on Strategic Environmental Assessment. This further legislative assistance will be provided as of September 2020 under the aegis of a national working group established to prepare amendments to the above-mentioned Laws by the Ministry of Agriculture, Regional Development and Environment.

11. Earlier in the reporting period in 2017, two important pieces of primary legislation were adopted in Georgia and Ukraine: a new Environmental Assessment Code in Georgia, developed with EaP GREEN-funded assistance, and a new Law on Strategic Environmental Assessment in Ukraine.⁶ This brought both countries' national legislative frameworks for environmental assessment into compliance with the Convention, its Protocol and the relevant European Union Directives.

2. Comprehensive capacity-building and institution building on strategic environmental assessment and transboundary environmental impact assessment

(a) Workshops, including training

12. In the period 2017–2020, several workshops for national and local sectoral authorities, as well as environmental and health authorities, including training on the application of the Protocol were held in Georgia and the Republic of Moldova with funding from EU4Environment (2019); and in Azerbaijan, Belarus and Ukraine with funding from EaP GREEN (2017–2018).

13. In 2019, two training workshops on strategic environmental assessment in municipal spatial planning in Georgia were organized with funding from EU4Environment and Czechia (Tbilisi, 16 and 17 May,⁷ and 19 and 20 September,⁸ respectively). They addressed the needs of the Ministry of Regional Development and Infrastructure and of local authorities regarding strategic environmental assessment of their spatial plans, as well as those of the Ministry of Environmental Protection and Agriculture, the National Environmental Agency and the Ministry of Health, taking into account the requirements of the country's 2017 Environmental Assessment Code.

14. In 2019, an awareness-raising workshop on the application of strategic environmental assessment (Chisinau, 1 November 2019) was jointly organized by ECE and the Ministry of Agriculture, Regional Development and Environment in the Republic of Moldova.⁹ It aimed to support national authorities, particularly the Ministry, the Environment Agency, health authorities and sectoral ministries, by raising awareness of the roles and responsibilities in the strategic environmental assessment process.

⁶ The secretariat supported activities towards the adoption of the new legislation in Ukraine, while work on its drafting was supported by a European Union project entitled "Approximation of Ukrainian legislation with the EU in the field of plant protection products and plant health and strengthening associated inspection and laboratory services".

⁷ See www.unece.org/index.php?id=51475.

⁸ See www.unece.org/index.php?id=52321.

⁹ See www.unece.org/index.php?id=52628.

15. In 2017–2018, with funding from the EaP GREEN programme, the following events were held: a training workshop on the practical application of strategic environmental assessment in Belarus (Minsk, 19 December 2017); a training workshop on the implementation of the strategic environmental assessment procedure in Azerbaijan (Baku, 4 and 5 April 2018); and an awareness-raising event on the implementation of strategic environmental assessment in Ukraine (Kyiv, 4 April 2018).

16. In terms of further events in 2020, there are plans to organize an online training workshop on the quality of strategic environmental assessment and environmental impact assessment documentation in the Republic of Moldova and an online training workshop on strategic environmental assessment in Georgia.

(b) *Pilot projects*

17. By the end of 2020, three pilot strategic environmental assessment projects are planned to be initiated in the three countries in the Caucasus. A draft spatial plan subject to strategic environmental assessment has been provisionally identified in Armenia. Azerbaijan and Georgia are expected to communicate their choice for the draft government plan for the purposes of the pilot.

18. The final strategic environmental assessment reports summarizing the findings of the pilot strategic environmental assessments of the National Strategic Development Plan, Road Map and Long-term Investment Plan for the Solid Waste Management Sector in Armenia, and of the Green Economy Road Map of the Republic of Moldova were completed in 2017–2018.

(c) *Guidance documents*

19. In early 2020, the preparation of sectoral or issue-specific environmental impact assessment guidelines, with a focus on transboundary aspects, started in Armenia and Georgia. This included a number of consultation meetings, including a virtual expert-level consultation meeting in relation to the guidelines with Armenia (online, 5 June 2020).¹⁰ The guidelines are expected to be completed in late 2020 in Armenia and in early 2021 in Georgia.

20. In 2020, assistance is also being provided to update national guidelines on strategic environmental assessment and environmental impact assessment in Georgia to bring them in line with the Environmental Assessment Code and to complement both sets of guidelines with new information and guidance. It is expected that the necessary revisions will be finalized by the end of this year.

21. A total of four national-level guidance documents on strategic environmental assessment were finalized – in Armenia, Azerbaijan, the Republic of Moldova and Ukraine – in 2017–2018. National guidelines on strategic environmental assessment procedures were developed based on the experience acquired during legal drafting and the implementation of the pilot projects in the countries.

(d) *Awareness-raising*

22. The preparation of a video (in English) to raise awareness about and promote the application of the Convention started in 2020, with its expected finalization in November 2020. As the next step, the video will be dubbed into the national languages of the beneficiary countries in Eastern Europe and the Caucasus.

23. A publication on lessons learned from the EaP GREEN-funded technical assistance was issued as an informal publication in 2020.¹¹

(e) *Subregional cooperation*

24. The first EU4Environment-funded subregional workshop on strategic environmental assessment and transboundary environmental impact assessment is being prepared as a

¹⁰ See www.unece.org/index.php?id=54566.

¹¹ See www.unece.org/index.php?id=54641.

virtual event for the six countries in Eastern Europe and Caucasus, to be held on 26 and 27 October 2020. It aims to facilitate information exchange and experience sharing among the countries in question and also to address a number of topical issues identified by the countries related to, for example, implementation challenges, transboundary procedures, quality control, post-project analysis/monitoring and strategic environmental assessment databases.

25. The second EaP GREEN funded subregional workshop on strategic environmental assessment and environmental impact assessment “Sharing experience with introducing SEA and EIA in selected countries of Eastern Europe and the Caucasus” was organized in Kyiv, from 31 October to 2 November 2017. Building on the experience with training-of-trainers events within EaP GREEN-funded assistance, an informal Manual for Trainers on the Application of the Protocol on Strategic Environmental Assessment was finalized in English and Russian in April 2018.¹² It provides a comprehensive background document for conducting training events on strategic environmental assessment, including relevant theoretical aspects, practical exercises and case studies, coupled with recommendations on training approaches and methods.

III. Technical assistance to countries in Central Asia (June 2017–September 2020)

A. Revision of the Guidelines on Environmental Impact Assessment in a Transboundary Context for Central Asian Countries

26. At its seventh session (Minsk, 13–16 June 2017) the Meeting of the Parties to the Convention mandated the secretariat to support the finalization of the *Revised Guidelines on Environmental Impact Assessment in a Transboundary Context for Central Asian Countries*.¹³

27. The work was carried out by consultants to the secretariat, in close cooperation with Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan, and further to the workplans for the implementation of the Convention and its Protocol on Strategic Environmental Assessment for 2014–2017 (ECE/MP.EIA/20/Add.3-ECE/MP.EIA/SEA/4/Add.3, decision VI/3–II/3, annex I) and 2017–2020. The activity was implemented with the administrative and substantive support of the Regional Environmental Centre for Central Asia and with financial support from the Swiss Federal Office for the Environment.

28. The objective of the *Revised Guidelines* is to support the Central Asian countries in the practical implementation of transboundary environmental impact assessment procedures in accordance with the Convention, while also taking account of their subregional and national contexts and national legislation. They might also serve as a useful reference for the Central Asian countries for the development of national legislation in accordance with the Convention.

29. The draft *Revised Guidelines* were considered at two subregional workshops (Kyiv, 2 and 3 November 2017, and Tashkent, 4 June 2018), the outcomes of which were reflected in the text of the draft *Revised Guidelines*. At these workshops, the participants:

(a) Considered, among other things, consistency between the Convention and the environmental impact assessment procedures within the current “State ecological expertise” systems in the Central Asian countries;

(b) Identified existing challenges related to the application of the transboundary environmental impact assessment procedure at the national and subregional levels, including the absence of the relevant legislative frameworks in most of the countries of the subregion;

¹² See www.unece.org/index.php?id=48758.

¹³ United Nations publication, Sales No. E.19.II.E.27.

(c) Discussed actions needed to address those challenges, including legislative reforms and broad awareness-raising campaigns to promote the benefits of transboundary environmental impact assessment at the national and subregional levels.

30. The draft *Revised Guidelines* were then considered by the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment at its seventh meeting (Geneva, 28–30 May 2018) and adopted through decision IS/3 by the Meeting of the Parties to the Convention at its intermediary session (Geneva, 5–7 February 2019).

31. To facilitate the practical application in the subregion of transboundary environmental impact assessment procedures in line with the Convention, the Central Asian countries requested that the *Revised Guidelines* be complemented with additional documents and activities such as:

(a) An explanatory note providing further practical details and, where possible, existing practice, on implementing specific articles of the Convention, or a detailed model of a bilateral agreement for the implementation of the Convention;

(b) Specific recommendations on how to align the national legislation of each of the Central Asian countries with the provisions of the Convention, based on relevant reviews of national legislation;

(c) Awareness-raising and capacity-building activities to promote the benefits of transboundary environmental impact assessment as a tool for greening economies and to share practical examples of the efficient implementation of the Convention with decision-makers in all Central Asian countries, in particular in the context of the Belt and Road Initiative of China.

32. The requests listed in paragraph 31 (b) and (c) above have been partially addressed in this intersessional period with funding from the Government of Germany under the German Federal Environment Ministry's Advisory Assistance Programme for environmental protection in the countries of Central and Eastern Europe, the Caucasus and Central Asia and other countries neighbouring the European Union, the Government of Switzerland, the European Union project "Supporting Kazakhstan's Transition to a Green Economy Model" and OSCE and the offices of its regional coordinators in Kazakhstan, Tajikistan and Uzbekistan (see paragraphs 33–50 below).

B. Legislative advice and technical assistance at the national level

33. The workplan for 2017–2020 foresees pre-accession technical legislative advice to countries wishing to accede to the Protocol and/or the Convention, review national legislation for the implementation of the Protocol and/or the Convention and draft primary or secondary legislation or propose amendments. In the present intersessional period, at the request of their Governments, such assistance was provided to Kazakhstan, Tajikistan and Uzbekistan.

1. Kazakhstan

Background

34. Technical support to Kazakhstan was provided with a view to introducing sound institutional and legislative frameworks on environmental impact assessment and strategic environmental assessment. Further to the activities carried out to prepare the *Revised Guidelines* (see paras. 26–32 above) and the outcomes of the reviews of the country's national legislation vis-à-vis the Protocol and the Convention carried out in 2016 and 2017 respectively, the Ministry of Energy initiated comprehensive reforms of its environmental assessment system. It requested the ECE secretariat to provide technical support in shaping its environmental framework in line with international legal norms, in particular with the provisions of the Convention and the Protocol.

35. Consequently, in 2017–2020, the technical support to Kazakhstan consisted of the following:

- (a) The development of a legislative basis for an environmental assessment system that is compliant with the two treaties;
- (b) The pilot application of strategic environmental assessment in the energy sector of Kazakhstan;
- (c) Training for national and local officials on the practical application of environmental impact assessment and strategic environmental assessment.

36. The above-mentioned activities were carried out with the support of international consultants to the secretariat and national experts, in close cooperation with the Ministry of Energy, within the framework of the European Union-funded project “Supporting Kazakhstan’s Transition to a Green Economy Model”. To fully address all the requests of the Government of Kazakhstan related to the setting up of new national environmental impact assessment and strategic environmental assessment systems, the secretariat raised additional funds from the Government of Switzerland and the Kazakh office of the regional coordinator of OSCE.

Legislative advice

37. Legislative advice to Kazakhstan was provided from November 2017 to September 2020. As a result of the legislative advice, by July 2019, Kazakhstan was able to prepare the following:

- (a) Draft amendments to the Environmental Code of the Republic of Kazakhstan, including chapters on “Strategic Environmental Assessment”, “Environmental Impact Assessment” and “Environmental Assessment in a Transboundary Context”;
- (b) Draft amendments to three by-laws, including on State planning, water management and forestry, focused on the introduction of a strategic environmental assessment scheme;
- (c) Draft subsidiary legislation, including on the strategic environmental assessment procedure, a single strategic environmental assessment register and criteria for screening.

38. Further to consultations with national stakeholders, including environmental and sectoral authorities and the public, the above-mentioned draft legislation was submitted to the Ministry of Energy in late November 2018. In 2019, the draft Environmental Code underwent an extensive governmental consultation process and was subsequently revised, also with the assistance of the consultants to ECE and OSCE, to ensure its compliance with the provisions of the two treaties. In addition, the consultant to ECE assisted Kazakhstan in preparing a draft list of activities subject to mandatory environmental impact assessment and a list of activities subject to screening.

39. In February 2020, the Parliament of Kazakhstan considered the draft Environmental Code in its first reading. In September–October 2020, further to the additional request of Kazakhstan of 4 September 2020, the ECE consultant reviewed the draft Environmental Code with a view to ensuring its full compliance with the Convention and the Protocol before consideration by the Parliament in the second reading.

Building national capacities: pilot application of strategic environmental assessment, including training workshops

40. To assess the feasibility of the application of strategic environmental assessment in Kazakhstan, between October 2017 and November 2018, the secretariat supported the country in the pilot application of the proposed strategic environmental assessment scheme for the Concept of Fuel and Energy Sector Development of Kazakhstan until 2030.

41. The pilot project helped Kazakhstan in:

- (a) Determining key environmental aspects related to energy production and consumption patterns;
- (b) Identifying main drivers impacting green economy considerations;

(c) Evaluating a wide range of likely environmental, including human health, impacts of the proposed Concept;

(d) Facilitating communication among the key stakeholders (central and subnational governmental agencies, international initiatives, business sector) related to environmental impacts of the energy sector;

(e) Providing ample opportunities for public participation in the process.

42. The pilot project also assisted the Ministry of Energy in developing four energy mix scenarios, and in evaluating their environmental impacts. In addition, relevant mitigation measures of various energy production options were formulated. Before concluding the project in November 2018, the strategic environmental assessment project team recommended that the Ministry of Energy consider the results of the strategic environmental assessment pilot when finalizing the Concept (expected in early 2019). With a view to designing concrete measures to reduce the environmental impacts of its proposed investment projects, Kazakhstan was also recommended to carry out detailed strategic environmental assessments when developing plans and programmes subsequent to the Energy Concept.

43. The activities helped strengthening the capacities of the environmental and sectoral authorities (including the Ministry of National Economy and the Ministry of Justice) on strategic environmental assessment and environmental impact assessment in line with the Convention, the Protocol and the relevant European Union legislation. A series of workshops and consultation meetings were organized with officials and the public within the legislative drafting process (Nur-Sultan, 15 and 16 November 2017, 15 and 16 February 2018, 25 and 26 April 2018 and 5 September 2018) and the pilot project (8 and 9 November 2017, 5 and 6 March 2018 and 14 November 2018) in order to allow the new knowledge to be applied immediately in practice. Besides raising awareness of the benefits of strategic environmental assessment and environmental impact assessment, the roles of different stakeholders in strategic environmental assessment and transboundary environmental impact assessment were clarified. Also, the detailed methodology on how to apply strategic environmental assessment and transboundary environmental impact assessment, including in a transboundary context, in line with the Convention and the Protocol was presented and discussed during the meetings.

2. Tajikistan

Legislative advice

44. Further to the needs identified during the process of preparing the *Revised Guidelines*, ECE – with funding from the Governments of Germany and Switzerland – assisted Tajikistan in reviewing its national legislation vis-à-vis the Convention and the Protocol. The review was carried out from August 2018 to February 2019 and complimented by awareness-raising workshops on the benefits of each treaty (Dushanbe, 22 and 23 November 2018) and a final event to present the review's outcomes to national stakeholders (Dushanbe, 18 January 2019).

45. Consequently, the Government of Tajikistan requested the secretariat to assist it regarding legislative reforms of the national environmental assessment system to align the current legislation with the Convention and the Protocol. The secretariat raised additional funds from the Government of Germany, the Government of Switzerland and the Tajik office of the regional coordinator of OSCE.

46. In 2019–2020, to support the legislative reforms, the secretariat assisted in Tajikistan in the following:

(a) Developing draft chapters on environmental impact assessment and strategic environmental assessment to the draft Environmental Code of Tajikistan and preparing a first draft of relevant secondary legislation;

(b) Carrying out two consultation meeting with the national legal drafting group (Dushanbe, 10 and 11 October 2019 and online, 6 March 2020);

(c) Organizing a final meeting with the relevant stakeholders – high- and middle level officials from the Tajik environmental, health and sectoral authorities, project

developers, environmental consultants, representatives of non-governmental organizations – to present and discuss the draft legal documents developed (Dushanbe (online), 15 and 16 April 2020).

47. A public consultation meeting was planned to be held in Dushanbe in April 2020. However, due to coronavirus disease (COVID-19) pandemic-related circumstances, it had to be postponed to October–November 2020 (subject to confirmation by the Government of Tajikistan).

3. Uzbekistan

Legislative advice

48. In June 2018, further to the activities carried out during the preparation of the *Revised Guidelines*, the Government of Uzbekistan requested the assistance of ECE assistance in preparing for and carrying out legislative reforms to its environmental assessment system. To this end, ECE – with funding from the Governments of Germany and Switzerland and the office of the OSCE residence coordinator in Tashkent – supported Uzbekistan in the implementation of the following activities:

(a) Reviewing the national regulatory and legislative framework for environmental assessment systems and making recommendations to the Government on how to align the framework with the provisions of the Convention and the Protocol (August 2018–February 2019);

(b) Organizing two workshops in the country to present the scope and to raise awareness of national decision-makers about the benefits of transboundary environmental impact assessment and strategic environmental assessment and their practical application (Tashkent, 26 and 27 August 2018);

(c) Developing – in consultation with the State Committee for Ecology and Environmental Protection and representatives of the Parliament – a Concept note on legislative reform of the environmental assessment system, including alternatives for various elements of possible environmental impact assessment and strategic environmental assessment schemes, including through a national working group meeting on drafting amendments to the Law on Ecological Expertise (Tashkent, 24 and 25 October 2019);

(d) Preparing first draft amendments to the Law in line with the proposed concept note for consideration of the Committee and presenting it during the meeting with the national stakeholders in Tashkent on 22 January 2019;

(e) Developing a road map for enhancing the environmental impact assessment system in Uzbekistan (April–May 2019);

(f) Holding a training workshop to support the legal drafting process in Uzbekistan (Tashkent, 19 and 20 August 2019) and the stakeholder’s consultation meeting (Tashkent, 19 December 2019);

(g) Developing second draft amendments to the primary legislation and drafting secondary legislation with a view to fully aligning them with the Convention and the Protocol (August 2019–March 2020).

49. The draft legislation was expected to be discussed with the national stakeholders at a public consultation meeting scheduled to take place in February 2020. However, due to the pandemic, the consultations were postponed to autumn 2020 (as at 15 September 2020, dates were still to be confirmed by the Government of Uzbekistan). The draft legislation was submitted to the State Committee on Ecology and Environmental Protection of the Republic of Uzbekistan in March 2020.

50. In August 2020, the secretariat received a request to review provisions on environmental impact assessment and strategic environmental assessment of a draft Environmental Code that Uzbekistan had developed in summer 2020. The secretariat’s review of the draft Environmental Code revealed that, although the draft Environmental Code sufficiently incorporated the recommendations concerning strategic environmental assessment transmitted to Uzbekistan in March 2020, the advice regarding the environmental

impact assessment was not taken into account in the draft Code. In mid-September 2020, the secretariat and the Government of Uzbekistan discussed further steps to ensure that the draft Environmental Code was fully in line with the Convention.

C. Raising awareness of the competent authorities and public of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan of the benefits of strategic environmental assessment

51. In October 2019, OSCE and ECE initiated a joint project “Strengthening national and regional capacities and cooperation on Strategic Environmental Assessment (SEA) in Central Asia, including as a response to climate change” funded by the Government of Germany, OSCE and ECE. The project aims are to strengthen capacities in Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan with regard to the application of strategic environmental assessment and to enhance regional cooperation addressing transboundary environmental challenges.

52. The project was launched at the OSCE Aarhus Centres Annual Meeting (Vienna, 16 and 17 October 2019). Back-to-back with that meeting, OSCE and ECE organized a working meeting (Vienna, 17 October 2019) with the representatives of the Central Asian countries to discuss the project plan and needs of each beneficiary country.

53. From 2 to 6 December 2019, 18 representatives of competent authorities and non-governmental organizations from the subregion took part in a study tour to Germany that was organized with a view to providing participants with best practice examples of the application of strategic environmental assessment in the strategic planning process in a Party to the Protocol.

54. Other project activities planned to be completed by December 2020 included carrying out in each of the beneficiary countries:

(a) A needs assessment exercise or feasibility study, as needed, to facilitate preparation of a draft capacity-building strategy or an action plan for introducing a national strategic environmental assessment system;

(b) An awareness-raising workshop to promote the benefits of strategic environmental assessment and to present the results of the needs assessment exercise.

55. In addition, in the last three months of the project, up to 25 representatives of the five beneficiary countries, including civil society representatives, were expected to participate in a subregional conference, with a view to:

(a) Increasing knowledge on how strategic environmental assessment can bring benefits as a tool for greening economies and investments in the region, as well as for achieving relevant Sustainable Development Goals and climate change mitigation and adaptation;

(b) Raising the awareness and improving the competencies of decision-makers and civil society on strategic environmental assessment systems, with particular focus on transboundary implications;

(c) Sharing experiences and lessons learned related to the national legislative reforms on environmental assessment in line with the Protocol;

(d) Promoting the establishment of a regional network of experts and authorities involved in accession to and ratification and implementation of the Protocol.

56. As of September 2020, only limited progress in the implementation of the project had been achieved due to the pandemic and related restrictions. Notably:

(a) A first draft needs assessment report for Kazakhstan had been produced by the OSCE consultants further to their fact-finding mission to Nur-Sultan in January 2020. The draft will be shared with the Government of Kazakhstan in early October 2020, with a view to discussing it at the national online awareness-raising event (to be confirmed);

(b) Online consultation meetings to facilitate preparation of needs assessment reports were carried out in Uzbekistan, Tajikistan and Turkmenistan on 5 March 2020, 15 and 16 April 2020, and 10 and 11 June 2020, respectively.

57. To address the delays, the Government of Germany extended the timeline for the implementation of the activities listed in paragraphs 55 and 56 above to December 2021. Subsequently, OSCE and ECE, in close cooperation with the beneficiary Governments, have been developing an alternative project timeline, including scheduling online consultations events and online national workshops.

Annex

List of the activities financed by the European Union¹⁴ by country and subregional events that were implemented in the period from June 2017 until September 2020¹⁵

Armenia

1. Finalization of the SEA report of the pilot SEA of the Strategic Development Plan, Road Map and Long-Term Investment Plan for the Solid Waste Management Sector in Armenia (September 2017).
2. Drafting the national SEA/EIA capacity building strategy to outline steps and actions needed to further enhance the environmental assessment system in Armenia (September 2017 – March 2018).
3. “Towards a fully-fledged SEA and EIA system in Armenia” Final dissemination event on SEA and EIA component. (Yerevan, 22 December 2017).
4. Preparation of the draft guidelines on the application of EIA, including in a Transboundary Context (February 2020 – in progress)
5. Preparation of an analysis of the institutional framework for environmental assessment (February 2020 – in progress)
6. On-line expert consultation meeting in relation to the guidelines on the application of EIA (Yerevan and Geneva, 5 June 2020).

Azerbaijan

7. Preparing recommendations on practical application of SEA (June 2016 – April 2018).
8. Training workshop on implementation of strategic environmental assessment (4-5 April 2018)
9. Environmental assessment system in Azerbaijan: The benefits and way forward – Final dissemination event on SEA and EIA component within the EU EaP GREEN (6 April 2018)
10. Review of the secondary implementing legislation on EIA, including transboundary EIA, and SEA (18 August 2020).

Belarus

11. Training workshop on practical application of strategic environmental assessment (SEA) in Belarus (Minsk, 19 December 2017).
12. “Towards a fully-fledged SEA and EIA system in Belarus” Final event on SEA and EIA component within the EaP GREEN (Minsk, 20 December 2017).
13. Review of the primary and secondary legislation on EIA and SEA in Belarus (September 2020 – February 2021)

¹⁴ Through the EaP GREEN programme (2013-2018) and the EU4Environment programme (2019-2022).

¹⁵ The present annex is being submitted for publication without formal editing.

Georgia

14. Development of the capacity building strategy on SEA and EIA in Georgia (August 2017).
15. Training workshop on SEA screening and scoping for the municipal spatial plans (Tbilisi, 16-17 May 2019).
16. Training workshop on SEA report, quality control in SEA and final SEA recommendations (Tbilisi, 19-20 September 2019).
17. Update and revision of the national guidelines on practical application of strategic environmental assessment (December 2019 – in progress).
18. Update and revision of the national guidelines on practical application of environmental impact assessment (December 2019 – in progress).
19. Development of guidelines on EIA in the hydropower sector with a special focus on the transboundary aspects (March 2020 – in progress).

Republic of Moldova

20. Final national EaP Green conference in Moldova “From Commitments to Results” (Chisinau, 15 December 2017).
21. Final SEA report of the SEA pilot of the National Road Map for the Green Economy of the Republic of Moldova (early 2018).
22. Awareness-raising workshop on SEA in the Republic of Moldova (Chisinau, 1 November 2019)
23. Compliance gap analyses of the primary and secondary legislation on EIA and on SEA (May 2020).

Ukraine

24. Final dissemination event on SEA and EIA component within the EaP GREEN in Ukraine: The benefits and way forward (25 January 2018).
25. High-level awareness-raising event on “Implementation of Strategic Environmental Assessment in the context of Ukraine’s international obligations” (Kyiv, 4 April 2018).

Subregional level

26. Second subregional workshop: Sharing experience with introducing SEA and EIA in selected countries of Eastern Europe and the Caucasus (Kyiv, 31 October – 2 November 2017)
 27. “Application of the Protocol on Strategic Environmental Assessment: Manual for Trainers” (May 2018).
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