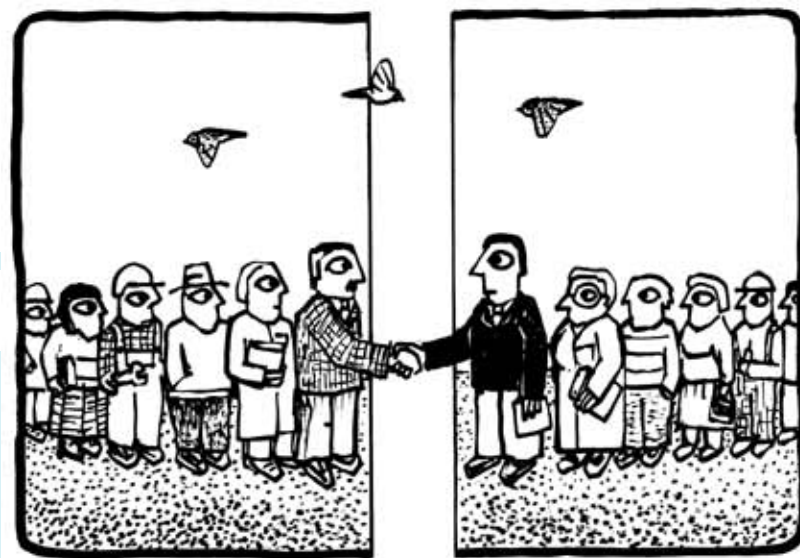


3rd meeting of the  
**Working Group on EIA and SEA**  
11-15 November 2013, Geneva

- INFORMAL presentation of the main decisions



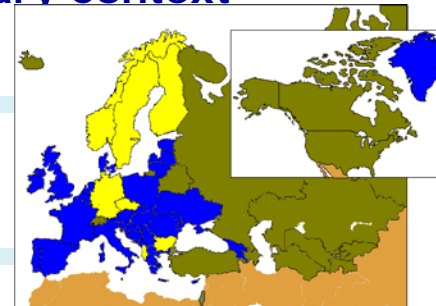


## Opening of the meeting

- The Chair of the Working Group, Mr. Otawski, opened the meeting

### 1. Adoption of the agenda

- The meeting adopted its agenda as set out in document ECE/MP.EIA/WG.2/2013/6.
- Noting the importance of up-to date information on the national focal points for administrative matters and points of contact regarding notification for the functioning of the Convention and the Protocol: Invited delegates to inform the secretariat without a delay (a letter from the ministry) of any changes.



## 2. Status of ratification

- Welcomed the former Yugoslav Republic of Macedonia's ratification of the Protocol.
- Noted delegation's reports on planned ratifications of the Protocol and amendments to the Convention.
- Welcomed reports by Finland and Slovenia on their plans to ratify the 1<sup>st</sup> amendment in early 2014, and that, consequently, only one further ratification was needed for its entry into force by MOP-6, opening the Convention to non-ECE countries.
- Urged all concerned Parties to rapidly ratify/accede to both amendments and the Protocol.
- Approved draft decision VI/5-II/5, as revised; and agreed to forward it to MOP-6 and MOP/MOP-2 for adoption.

### 3. Compliance and implementation 1/9

- Noted Implementation Committee's report on its 28th session and oral reports by Committee's Chair and Vice-Chair, including on:
  - Findings and recommendations on submission by Armenia regarding Azerbaijan;
  - Committee initiatives on Azerbaijan and its new initiative on Ukraine;
  - Follow-up to decision V/4 regarding Ukraine;
  - Information gathering cases re Romania; Lithuania; Ukraine; Azerbaijan and the UK;
  - Elements for draft decisions VI/2 and II/2 on the review of compliance of the Convention and the Protocol;
  - Proposals for amending Committee's rules of procedure; and structure & functions (Inf.3-Add.1).
- Noted information by Albania, Belarus, Romania, Ukraine on actions taken or planned further to Committee's findings/requests for information.
- Delegates (Azerbaijan, Belarus, Lithuania, and the European Ecoforum) commented draft decision VI/2-II/2.

### 3. Compliance and implementation 2/9

- Commented Committee's proposals to amend its rules; e.g. regarding
  - Proposed membership (main and alternate members); closing of parts of the meeting including agenda items; and sanctions.
- Invited further written comments through the secretariat by 30 November.
- Requested secretariat to consult the UN legal services on the proposed sanctions.
- Invited Committee Chair to inform the Committee about the comments to the draft decision and to the proposed amendments to the Committee's rules, for its consideration at the its next meeting (10-12 December 2013).

### 3. Compliance and implementation 3/9

- Agreed on a revised draft good practice recommendations on public participation in SEA and agreed to forward it to MOP/MOP-2 for endorsement.
- Approved draft decision II/9 draft good practice recommendations on public participation in SEA, as revised; and agreed to forward it to MOP/MOP-2 for adoption.

### 3. Compliance and implementation 4/9

- Welcomed the work by an ad hoc task force to review discrepancies between the Convention's three authentic language versions and its proposals to align the language versions.
- Noted the task force's conclusion that all identified inconsistencies were of technical nature - and appropriately addressed through a correction procedure.
- Invited the secretariat to circulate the proposed corrections for Parties and the Implementation Committee to review and comment by **10 January 2014**.
- Invited the Bureau to:
  - Review the list with the comments provided, if any, and forward it to the MOP-6, as an annex to draft decision VI/6;
  - Finalize and forward to MOP-6 draft decision VI/6 on aligning the authentic language versions of the Convention.

### 3. Compliance and implementation 5/9

- Considered draft 4<sup>th</sup> review of implementation of the Convention;
- Agreed on its main findings;
- Invited possible comments or corrections to the draft (but no additional information) **by 15 January**;
- Asked the secretariat to finalize the draft based on comments and forward to MOP-6;
- Revised and agreed to forward to MOP-6 decision VI/1 on the review of implementation of the Convention;
- Invited Bosnia and Herzegovina, Greece, Ireland, Luxembourg and the United Kingdom to provide their overdue reports, noting Greece's intention to report by end of November;
- In light of Parties' suggested improvements to the questionnaire/report, invited the Implementation Committee to simplify the questionnaire, focusing it on what has changed; (did not wish to opt for a multiple-choice questionnaire)



### 3. Compliance and implementation 6/9

- Considered draft 1<sup>st</sup> review of implementation of the Protocol.
- Agreed on its main findings, after secretariat's clarifications on and revision of para. 8 (e) to read : "A possible need to clarify the scope and practical application of monitoring, according to article 12". Invited secretariat to ensure that this finding is reflected in the body of the draft review.
- Invited possible comments or corrections to the draft (but no additional information) **by 15 January**.
- Asked the secretariat to finalize the draft based on comments and forward to MOP/MOP-2.
- Revised and agreed to forward to MOP/MOP-2 decision II/2 on the review of implementation of the Protocol.
- Invited Luxembourg, Montenegro, Portugal and Serbia to provide their overdue reports.

### 3. Compliance and implementation 7/9

- Welcomed information on pre-accession legislative advice carried out in Belarus and in the Republic of Moldova (on SEA) and in Georgia (on EIA) and planned for in Uzbekistan on EIA.
- Noted general findings from the legislative reviews presented by the secretariat (to be included in the meeting report).

### 3. Compliance and implementation 8/9

- Noted report by secretariat and EIB that EBRD presented its checklist to IFI Working Group on Environment at its meeting in October 2013, but that the group gave no specific feedback nor agreed on any follow-up action.
- Welcomed EIB and EBRD's offer to promote the use of the checklist in projects co-implemented with other IFIs.
- Invited secretariat to consider attending the IFI working group's next meeting, in April 2014 to present the Convention and the Protocol.

### 3. Compliance and implementation 9/9

- Agreed on a revised draft general guidance on enhancing consistency between the Convention and environmental impact assessment within the framework of State ecological expertise in several countries in Eastern Europe, the Caucasus and Central Asia, including its two annexes.
- Revised and agreed to forward to MOP-6 decision VI/8 on the general guidance.

## 4. Exchange of good practices 1/6

### (a) Seminar on sharing good practice and tools for communication, cooperation and conflict resolution

- Meeting welcomed the seminar organized by EC, IAIA and IC Chair; and asked the secretariat to place the presentations on the website.
- Agreed on the following conclusions of the seminar to be included the meeting report:
- *There are several examples of good practice on communication, cooperation and conflict resolution from which lessons can be learned, however, resolution of specific cases call for individual approaches;*
- *Cooperation between the parties on environmental issues is possible whether or not diplomatic relations exist;*
- *Series of confidence building steps at the technical level, with due respect to the susceptibility of parties involved and sensitivity of every individual case, could be instrumental to commence the practical collaboration;*

## 4. Exchange of good practices 2/6

### (a) Seminar on sharing good practice and tools for communication, cooperation and conflict resolution

- *Repercussions of conflicts, could spread well beyond the borders of the directly involved parties and eventually have impacts on other Contracting Parties of the Espoo Convention;*
- *As the conflicts are also resource-intensive regardless of whether the party is involved directly or indirectly, all parties would benefit from progress towards co-operation.*
- Agreed to leave it to MOP-6 to decide whether to adopt draft decision VI/9.
- Noted Armenia's request to reflect the conclusions only in the meeting report.
- Invited EC, IC Chair and IAIA to prepare by 25 November a brief report on the seminar, as an annex to the Working Group's report.

## 4. Exchange of good practices 3/6

### (b) Workshop on the impacts of nuclear-energy related activities

- Welcomed the workshop on the impacts of nuclear-energy related activities organized by AU, FIN and S.
- Agreed on the following main (unedited) conclusions;
  - (a) Nuclear energy related activities imply special challenges due to e.g. the potentially wide scope of severe impacts, great public concern and national interests;*
  - (b) There was a major benefit in having an open discussion and sharing experiences: which showed the diversity of different practices in applying the Convention to these activities and facilitated learning from each other;*
  - (c) the mutual understanding of other Parties' needs gives good grounds for a better cooperation [in] [with a view] to fully applying the Convention;*
  - (d) further discussion is needed on identifying good practice in applying the Convention to nuclear energy related activities.*

## 4. Exchange of good practices 4/6

### (c) Other activities foreseen in workplan

- Invited Poland to report by end of January on progress in organizing seminar for exchange of good practices on wind energy at the next MOPs.
- Noted offers of Slovenia and Ukraine to present good practice on hydro-energy.
- Called for input from other countries on other forms of renewable energy.





## 4. Exchange of good practices 5/6

### (b) Application to nuclear energy

- Revised and agreed to forward to MOP-6 decision VI/7 on the application of the Convention to nuclear-energy related activities.
- Noted a statement made by Azerbaijan on its concerns related to the construction of the NPP in Metsamor.



## 4. Exchange of good practices 6/6

### (c) Practices in States outside the region

- Meeting welcomed the presentation made by a representative from the Hokkaido University on Japan's EIA and SEA systems and practice; asked secretariat to place it on the website.



## 5. Subregional cooperation and capacity-building 1/2

- Meeting welcomed reports provided by
  - Romania on plans to organize seminar on Bucharest agreement in 2015 and first MOP in 2015;
  - Germany on postponing of the 7<sup>th</sup> Baltic Sea area workshop to autumn 2014 (cancelled Oct 2013 due to EU council meeting);
  - Secretariat on initial interest of Morocco and UNECA for organizing a workshops for the Mediterranean Sea area, provided that funding was available; Invited secretariat to follow-up with Morocco, France, Italy and Spain;
  - Belarus on on-going pilot with Ukraine on post-project analysis; and on subregional conference scheduled for spring 2014 to disseminate results of the pilot and technical assistance on SEA;
  - Secretariat on availability of (EAP-Green) funding for subregional seminars proposed by Azerbaijan and Georgia, (likely to held in 2014-16).
- Noted also that the seminars foreseen in the workplan in [www.unep.org/uzbekistan](http://www.unep.org/uzbekistan) and Kazakhstan were longer requested.



## 5. Subregional cooperation and capacity-building 2/2

- Noted information from Switzerland on the final conference of the project on EIA in Central Asia and Azerbaijan, held in Dushanbe in July 2013.

## 6. Promoting ratification and application of the Protocol on SEA 1/4

- Meeting noted secretariat's report on plans to publish the resource manual to support application of the Protocol in Russian electronic format.
- Welcomed translations of the Resource manual into Armenian, Azerbaijani and Georgian; and of the Simplified manual into Armenian and Azerbaijani by OSCE.
- Encouraged States to translate the document into their national languages.

## 6. Promoting ratification and application of the Protocol on SEA 2/4

- Noted the further informal pamphlets on key issues in impact assessment practice presented by IAIA.

## 6. Promoting ratification and application of the Protocol on SEA 3/4

- Welcomed reports on workshops including training at local level in Belarus (3 events held); and at the national level held in Ukraine, about to be held in Armenia, and planned (in the next intersessional period) for in Georgia and the Republic of Moldova.
- Noted that the pilots in SEA, foreseen in the workplan in Armenia, Azerbaijan and the Republic of Moldova were planned for next intersessional period.
- Noted that no or limited funding for workshops in Kazakhstan and the Russian Federation in this intersessional period (and lack of participation by the focal points) but that for Kazakhstan funding likely to be available as of 2014.

## 6. Promoting ratification and application of the Protocol on SEA 4/4

- Welcomed presentation of Poland's case study; and invited comments by the end of November (could be sent through the secretariat or directly to Poland).
- Invited Poland to revise the case study based on possible comment and submit to the secretariat for its publication on the Convention website.
- Encouraged other Parties to submit case studies.
- Agreed that their length and format could be decided by the Parties.



## 7. Inputs to related international processes

- Took note of the proposal by UNEP regarding using EIA/SEA for mainstreaming disaster risk reduction; Invited UNEP to present more detailed information for further consideration in the next intersessional period.
- Noted the outcomes of
  - Meeting between the representatives of the governing bodies of the ECE Environmental Conventions and the Committee on Environmental Policy, on 21 October 2013;
  - Special segment on MEAs at 19<sup>th</sup> session of Committee on Environmental Policy (22 October 2013).

## 8. Budget, financial arrangements and financial assistance 1/2

- Meeting took note of the financial report and list of recent contributions to Convention's trust fund presented by secretariat; and new format of payment requests.
- Noted the staff changes in the secretariat since the last meeting: two new professional XB staff started end July (EaP-GREEN) and in end August (Espoo Trust Fund). Finland had generously funded a JPO for a third consecutive year (2011-2013).
- Expressed concerns about the long-standing lack of a RB programme assistant to the secretariat; noted that some further resources might be forthcoming.
- Revised and agreed to forward to MOP-6 and MOP/MOP2 draft decision VI/4-II/4 on the budget, financial arrangements and financial assistance, and the draft financial strategy, leaving open optional financial schemes A and B.



## 8. Budget, financial arrangements and financial assistance 2/2



- Meeting was informed of Bureau's decision not to provide financial support to representatives and experts from States outside ECE region for the present meeting.

## 9. Preparations for MOP6 and MOP/MOP2 1/3

- Welcomed the report by H.E. Minister Proskuryakov on preparations for the next sessions of the Meetings of the Parties (Kyiv, 2-5 June 2014).
- Reviewed and revised the draft workplan for 2014-17, and invited further comments and clarifications to the workplan by the end of January 2014.
- Agreed that those activities for which funding would not be identified by the MOPs, should be included on a waiting list.

Considered two still pending draft decisions:

- Revised and agreed to forward to MOP/MOP-2 draft decision II/6 on aligning the authentic language versions of the Protocol.
- Agreed to forward to MOP/MOP-2 draft decision II/8: Format for notification (under the Protocol on SEA).

## 9. Preparations for MOP6 and MOP/MOP2 2/3

- **Agreed** on an outline programme
  - Invited further proposals until **15 January 2014**.
- **Requested** the Bureau, with support of Secretariat, to prepare the annotated provisional agenda for MOP-6 and MOP/MOP-2.
- **Noted nominations** for the Chairs of MOPs: Ukraine for MOP6 (general and high-level segments); and possibly also for MOP/MOP-2 if Ukraine ratifies the Protocol 90 days before; alternatively Lithuania would chair the high-level segment of MOP/MOP2, and Poland its general segment.
- **Noted nominations** for officers for the Bureau: Armenia, European Commission and Switzerland; and for the Working Group: Azerbaijan and Ukraine.
- **Noted nominations** for members of the Implementation Committee: Austria (subject to confirmation, would be willing to Chair), Belarus and Ukraine
  - Invited further information on nominations by 25 January (for discussion by Bureau) – (and until next MOPs).
- **No proposals** for the timing and location for MOP7, MOP/MOP-3 were made).

## 9. Preparations for MOP6 and MOP/MOP2 3/3

- **Noted** proposals for the preparation of a draft declaration(s) (addressing nuclear energy-related matters; opening up of the Convention beyond the ECE region and including IFIs). Invited Bureau to prepare drafts (with assistance of interested Parties and the secretariat) and circulate for comments by the Working Group.
- **Noted** proposals by European Ecoforum on holding two side-events during the MOPs.
- **Invited** information on expected financial contributions to the trust fund, to be pledged at MOPs – (if possible) by end of January.

## 13. Other business

- None raised.

