



ECONOMIC COMMISSION FOR EUROPE

## Management Response

<b>Evaluation Title:</b>	Review of the UNECE activities under the Espoo Convention on Environmental Impact Assessment in a Transboundary Context and its Protocol on Strategic Environmental Assessment		
<b>Period of Review:</b>	February/March – June 2016		
<b>Date of Evaluation Report:</b>	8 July 2016		
<b>Approved by:</b>	Director, Programme Management Unit	Date	Signature
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15.07.2016

### Recommendation 1:

To the extent possible, increase financing of and in-kind contributions to the UNECE activities under the treaties. e.g. via encouraging stronger financial commitment of the Parties and further contributions to the Trust Fund; attracting new partnerships and funding opportunities via extending the treaties beyond the UNECE region, establishing joint activities with international financial institutions.

### **Management Response:**

UNECE agrees with the recommendation. For ensuring adequate staffing in the secretariat and the implementation of the workplan activities, it is necessary to increase Parties' contributions to the Trust Fund, to improve their stability and predictability, as well as to ensure a more equal distribution of the financial burden amongst the Parties. It should be noted, however, that it is ultimately to the Parties to decide on their countries' financial contributions. In 2014, the Meeting of the Parties adopted a financial strategy, which has however not improved the situation this far. The secretariat also supported negotiations for the introduction of either a mandatory scheme of contributions based on the UN scale of assessment, or a mixed scheme where the core activities would be funded by mandatory and the rest by voluntary contributions. In 2014, a majority of the Parties rejected both proposals and opted for the maintenance of the current, purely voluntary, funding scheme. Parties' positions are unlikely to have changed since then. Secondly, it is necessary to note that while the extension of the Treaties beyond the UNECE region indeed has the potential to attract new partnerships and funding opportunities, this will also require additional staff and financial resources for awareness raising and capacity building activities.

### **Follow up actions and responsibilities:**

- In August-November 2016, UNECE\* will present the evaluation's recommendations for the Bureau and the Working Group on

EIA and SEA to address within the draft decision on budget and financial issues to be submitted for adoption by the Meeting of the Parties in June 2017;

- UNECE will continue to send out official letters towards the end of each calendar year to encourage further pledges and timely financial contributions from Parties and signatory States, and to present financial reports to Parties on income and expenditure based on the data from the Executive Office; It will continue to encourage Parties to tap into development funding opportunities for financing capacity building activities;
- UNECE will continue to explore Parties' possibilities for sponsoring a junior professional officer to reinforce the secretariat staffing (expectation to receive at least an initial offer by the Meeting of the Parties in 2017);
- In November 2016, UNECE will co-organize a workshop with the European Investment Bank to discuss how the international financial institutions could increasingly contribute to promoting the implementation of the two Treaties outside the UNECE region, and invite the IFIs to consider contributing to the implementation of the workplan activities also in the future;
- UNECE will continue negotiations with the European Commission for further funding opportunities for capacity building activities (further to the 2 million Euro project funding obtained for 2013-2016).

### **Recommendation 2:**

Continuing and enhancing awareness raising activities regarding the Convention and the Protocol and improving implementation within and beyond the UNECE region, specifically through promotional videos, brief overviews (fact sheets, pamphlets), and thematic round tables and study tours for relevant stakeholders to acquire and share best practices in EIA and SEA implementation. Implementation of pilot projects is also recommended as a cost effective tool for capacity building, awareness raising, information sharing, training and practical experience.

### **Management Response:**

UNECE agrees with the recommendation. It would be important and timely for UNECE to pursue awareness raising and capacity building efforts in Eastern Europe, the Caucasus and Central Asia to sustain and to build upon the results achieved this far (e.g. reinforcing and mainstreaming the implementation of the newly drafted legislation on EIA and SEA). Undertaking activities beyond the UNECE region would be fully in line with the decision by Parties to allow all UN Member States to access the Treaties in the future. The implementation of further activities will nevertheless be subject to the availability of sufficient financial and staff resources.

### ***Follow up actions and responsibilities:***

- UNECE has already prepared a promotional video to enhance awareness of the Protocol on SEA and its benefits in English, Russian and Georgian and placed it at the UNECE website (<http://www.unece.org/env/eia/bienvenue.html>); subject to funding, it will also facilitate the preparation of videos in the other national languages of the Parties;
- In November 2016, UNECE will co-organize a workshop with the EIB on the global application of the Convention and the Protocol with participation of IFIs and countries from outside the UNECE region;
- In June 2017, during the next session of the Meetings of the Parties, UNECE will organize two thematic seminars/round tables focusing on climate change; and on the contribution of the treaties to the achievement of sustainable development goals;
- By mid/late 2017, UNECE will ensure the preparation of fact sheets and pamphlets and the finalization of pilot projects in Armenia, Azerbaijan and the Republic of Moldova; national guidance documents for the implementation of the Convention and the Protocol in Armenia, Azerbaijan, Georgia the Republic of Moldova and Ukraine; a sub-regional experience sharing event in Ukraine; and legislative assistance to Belarus and Kazakhstan;
- By 2017/2018 UNECE will have prepared a guidance for Central Asian countries for the implementation of the Espoo Convention;
- Between August 2016 and June 2017, UNECE will inform the Bureau and the Working Group about the evaluation report's recommendation and will facilitate the finalization of a draft workplan for the next intersessional period 2017–2020/2021 that will spell out the future activities as prioritized by the Parties, as well as the corresponding budget to be adopted by the Meetings of the Parties in June 2017; The priority activities with no identified funding will be included on a "waiting-list" annexed to the workplan; The priority activities are likely to include another study tour modelled in accordance with that organized by UNECE in autumn 2014; if requested by the Parties, preparation of a promotional video on the Espoo Convention and its benefits will also be included on the list;

- UNECE will continue its fund-raising efforts for finance further capacity building activities, as outlined above.

### **Recommendation 3:**

Improving the relevance of the Convention and the Protocol via enhanced cooperation with other Conventions, such as CBD and UNCLOS, (and not only the UNECE ones), awareness raising events, legislative support, preparation of national guidelines taking into account national legal and institutional circumstances, national trainings (training of trainers), exchange of information and joint public events.

### **Management Response:**

UNECE agrees with the recommendation. As noted in the report, UNECE already cooperates with the other UNECE multilateral environmental treaties. To increase the relevance of the treaties for the Parties, it would be beneficial to continue to seek further synergies and partnerships also with other international treaties and processes that the Parties have committed themselves to implement. UNECE also concurs with the recommendation to continue organizing awareness raising events and the support to Parties and future Parties in developing and implementing their national legislation for the application of the treaty obligations. As already noted regarding the recommendation 2, the implementation of such activities in the future is desirable but will depend on the availability of sufficient financial and staff resources.

### ***Follow up actions and responsibilities:***

- UNECE continues to look for opportunities to enhance synergies with other international treaties and processes: the proposals put forward for consideration by the Parties for the next intersessional period, involve activities for enhancing synergies with the Bern Convention on the Conservation of European Wildlife and Natural Habitats and the Convention of Biological Diversity (CBD), as well as the UN Convention on the Law of the Sea (UNCLOS). Moreover, in agreement with the Bureau, emphasis is being put on the treaties' contribution to the achievement of the sustainable development goals (SDG): the draft declaration refers to SDG implementation; and the draft workplan contains references to the specific SDG that a given activity proposes to contribute to; In June 2017, at the next sessions of the Meetings of the Parties, UNECE will organize two panel discussions: one focusing inter alia on the SDG implementation and another on the role of the treaties for climate change adaptation and mitigation, to which UNFCCC will be invited to take part in;
- Between August 2016 and June 2017, UNECE will inform the Bureau and the Working Group about the evaluation report's recommendation and will facilitate the finalization of the draft workplan for the next intersessional period 2017–2020/2021 that will spell out the future activities as prioritized by the Parties, as well as the corresponding budget to be adopted by the Meetings of the Parties in June 2017; one of the proposed activities includes a possible long-term strategy for the Convention and the document, which could somewhat redefine the future role and objectives of the treaties. After the adoption of the workplan in June 2017, UNECE will assist Parties in the implementation of the agreed workplan activities;
- By mid/late-2017, UNECE will complete further legislative support to Azerbaijan, Belarus and the Republic of Moldova; initiate legislative assistance to Kazakhstan; ensure the development of national guidance documents for the implementation of the Treaties in Armenia, Azerbaijan, Georgia, the Republic of Moldova and Ukraine; and organize "training of trainers" workshops on SEA in Armenia, Azerbaijan, Georgia, the Republic of Moldova and Ukraine;

### **Recommendation 4:**

Improving the communication and interactions between the Secretariat and the Parties via an online forum of focal points that could help reduce the workload of the meetings, and allow commenting and sharing opinions on documents in advance of a meeting. (The Secretariat could specify the modalities and working methods for such forums.)

### **Management Response:**

UNECE partially agrees with the recommendation. The evaluation report concludes (in section 4.2.6.) that the communication between the UNECE secretariat and the Parties is estimated to be highly effective (while that between the Parties themselves was found to be



relatively less effective). While the on-line (webex) meetings already organized by UNECE have indeed proved to be useful e.g. for the Chair and the curators of the Implementation Committee to discuss compliance matters in between the Committee meetings, and should be continued, such on-line meetings, without interpretation, would not be likely to help a large amount of delegations to discuss and agree on matters in advance of the meetings. The establishment and servicing of any more permanent on-line portals or tools would depend on the capacities and possibilities of ISU and/or UNOG.

***Follow up actions and responsibilities:***

By November 2016, UNECE will inform the Bureau and the Working Group about the recommendation and seek their views. As needed, UNECE will continue to organize on-line meetings to facilitate discussions in English amongst a limited amount of Parties or elected officials (e.g. to work on the documentation for the Implementation Committee between the Committee's September and December 2016 meetings). Should the delegations express a need for other type of portals for on-line working, UNECE would investigate with ISU and/or UNOG about the technical possibilities and the financial implications for establishing and hosting them.

**Recommendation 5:**

Improving the communication and interactions between the Parties via the organization of further regional workshops, training, experience and information sharing events. The focal points should enhance, to the extent possible, their role in promoting the treaties at the national level. As focal points they serve as "the face of the treaties" in their countries, closer contact and coordination with them, and ensuring their active participation in each event of Espoo Convention is therefore very important.

**Management Response:**

UNECE partially agrees with the recommendation. Successful implementation of the transboundary provisions of the Convention and the Protocol indeed requires well-functioning communication and interaction between the Parties, which in accordance with the evaluation report could in some cases be improved. While UNECE can facilitate contacts and networking between countries through regional events and through its maintenance of an up-to-date list of focal points, it is to the Parties themselves to ensure the proper implementation of their treaty obligations. Moreover, while UNECE always corresponds and coordinates matters with the officially nominated national focal points, it cannot ensure their active participation at meetings and events.

***Follow up actions and responsibilities:***

- By November 2016, UNECE will inform the Bureau and the Working Group about the recommendation and seek their views about how to best address it.
- In 2017, UNECE will organize another regional conference for the exchange of experience amongst countries in Eastern-Europe, the Caucasus and Central Asia; and contribute to an event to be organized amongst the Baltic Sea region countries;
- UNECE will continue to ensure that the database of nominated focal points is up to date (including by circulating the list to the delegates at the upcoming meetings in 2016 and 2017 for their review);
- To facilitate the participation of Parties in the meetings, UNECE will continue to provide financial assistance to national focal points of countries that are eligible for financial support (according to the criteria adopted by the Committee on Environmental Policy), in accordance with the budget adopted by Parties and within the limits of the resources available in the Trust Fund.

**Recommendation 6:**

The maintenance and the further improvement of gender equality in the work on implementation of the Convention and the Protocol could be done via regular monitoring and inclusion of gender issues in the surveys undertaken by the Secretariat. Currently the gender equality is well performed, but a more systematic approach to maintaining gender equality and prevention of any discrimination according to the UN rules would be desirable.

**Management Response:**

UNECE agrees with the recommendation. As noted by the evaluation report, UNECE has already successfully ensured that both genders are equally represented as elected officers, or in meetings, e.g. in terms of as participants benefitting from financial support.

***Follow up actions and responsibilities:***

- By November 2016, UNECE will inform the Bureau and the Working Group about the recommendation and seek their views about how to best gender equality in a more systematic way under the treaties, e.g. when electing officers for the next intersessional period, or when carrying out questionnaire surveys.

**\*) "UNECE" as responsible for the follow-up actions refers to the UNECE secretariat to the Espoo Convention and its Protocol on SEA**

