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

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

Working Group on Environmental Impact Assessment and Strategic Environmental Assessment

Eighth meeting

Geneva, 26–28 November 2019

Report of the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment on its eighth meeting

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I. Introduction

1. The eighth meeting of the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and its Protocol on Strategic Environmental Assessment was held from 26 to 28 November 2019 in Geneva.

A. Attendance

2. The meeting was attended by delegations from the following Parties to the Convention and the Protocol and other member States of the United Nations Economic Commission for Europe (ECE): Albania, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Croatia, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Ireland, Italy, Kazakhstan, Kyrgyzstan, Lithuania, Malta, Montenegro, Netherlands, North Macedonia, Norway, Poland, Portugal, Republic of Moldova, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Ukraine, Uzbekistan and United Kingdom of Great Britain and Northern Ireland. The European Union was represented by the European Commission. Statements on behalf of the European Union and its member States were made by both the European Commission and Finland, which held the Presidency of the Council of the European Union in the second half of 2019. Chile, as a State Member of the United Nations, was also represented.

3. Representatives of the European Investment Bank, the Nuclear Energy Agency of the Organization for Economic Cooperation and Development (OECD), the Organization for Security and Cooperation in Europe (OSCE) and the World Health Organization (WHO) attended the meeting. Representatives of the following non-governmental organizations (NGOs) were present: the Caucasus Environmental NGO Network; the International Association for Impact Assessment; Society and Environment (Ukraine); and Nuclear Transparency Watch. In addition, a representative of the Estonian Environment Institute, academics from the National University of Singapore and Hokkaido University (Japan) and two independent experts attended the meeting.

B. Organizational matters

4. The Chair of the Working Group, Ms. Vesna Kolar-Planinšič (Slovenia), opened the meeting.

5. The Director of the ECE Environment Division welcomed the participants. He reported on the acute cash flow crisis affecting the regular budget operations of the United Nations. He also expressed concerns about the absence of a budget for the Convention and its Protocol in the second half of 2020, including for the resource-intensive preparation of the Meetings of the Parties' next sessions, and about the general insufficiency of Parties' voluntary contributions to finance the implementation of the workplan and sufficient secretariat resources.

6. The Working Group adopted the draft agenda (ECE/MP.EIA/WG.2/2019/1).¹

¹ Official and informal documents for the meeting, background documents and presentations provided to the secretariat are available at <https://www.unece.org/index.php?id=50466>.

II. Budget, financial arrangements and financial assistance

7. The Working Group took note of the second annual financial report for the period 1 July 2017 to 30 June 2019 prepared by the secretariat.² The secretariat also reported on recently received contributions to, and expenditure from, the Convention's and the Protocol's trust fund. The Working Group noted that Parties' voluntary contributions were insufficient and unpredictable: the pledged contributions to the budget for 2017–2020³ covered only 60 per cent of that budget, barely financing an extrabudgetary secretariat staff member for a three-year intersessional period. The funding of all other budgeted expenses for the period, such as travel support to eligible participants to official meetings or any travel of the secretariat, depended on the possible receipt of unpledged unearmarked contributions. Moreover, aside for some earmarked contributions, the financing of the workplan activities relied entirely on the secretariat's efforts to raise extrabudgetary funds, for example, through the European Union-funded projects. The Working Group also noted that, currently, the financial burden was unequally distributed among the Parties, with three of them providing nearly 60 per cent of all the contributions and one third of the Parties not contributing at all. Such an overreliance on only a few donors made the funding situation unsustainable and vulnerable to changes: a reduction of funding or a complete withdrawal of only one of the few main donors would be enough to stop the key functions of the treaties and lead to the laying off of its staff.

8. The Working Group commented on the Bureau's proposals for the filling of the six-month funding gap created by the extension of the current intersessional period and, in the long run, for a more predictable, sustainable and equitably distributed funding for the workplan implementation and the secretariat services under the Convention and its Protocol (ECE/MP.EIA/WG.2/2019/INF.2). The Working Group acknowledged the gravity of the resource constraints and agreed that it was necessary for all Parties to contribute to covering the costs of the extrabudgetary staff member of the secretariat and any other costs in the second half of 2020 in order to secure the functioning of the Convention and the Protocol and the convening of the next sessions of the Meetings of the Parties, scheduled to be held in Vilnius, from 8 to 11 December 2020. The Working Group also acknowledged in general that the financial and human resources available for servicing the two treaties were limited in comparison with the secretariats of the other ECE multilateral environmental agreements, while activities had considerably increased over the past decades. It recognized the need to ensure that the secretariat's workload better matched its workforce, either through funding further staffing of the secretariat or through cutting some of its tasks and services.

9. The Working Group invited the Executive Secretary of ECE to send letters to Parties' foreign ministers and environment ministers in late 2019 and again in 2020, in advance of the next sessions of the Meetings of the Parties, inviting all Parties to identify funding to fill the six-month budgetary gap, and to increase funding for the two treaties for the forthcoming intersessional period and beyond. The letters should indicate the likely consequences of the lack of further resources, including, in the short term, the incapacity to guarantee the organization of the next sessions of the Meetings of the Parties, and, in the longer term, the cutting and/or downscaling of some of the secretariat's tasks. The Working Group invited the Bureau to review the secretariat's tasks and to identify services and activities that could be cut should further funding not be forthcoming. At its next meeting in June 2020, the Working Group also agreed to discuss the full contents of the letters to be sent to Parties in 2020.

² See <https://www.unece.org/env/eia/budget.html>.

³ See the annex to decision VII/4–III/4 (ECE/MP.EIA/2017/23/Add.1–ECE/MP.EIA/SEA/7/Add.1).

10. The Working Group considered the proposed schemes of financial contributions for covering the budgeted costs under the Convention and the Protocol in the next intersessional period 2021–2023 in the draft decision of the Meetings of the Parties on budget, financial arrangements and financial assistance prepared by the Bureau (ECE/MP.EIA/WG.2/2019/INF.2, annex I). It agreed that any scheme adopted should provide for a more predictable, sustainable and equitable extrabudgetary funding. It also agreed that all the Parties should be invited to contribute each year to ensuring a sustainable funding of activities and an equitable and proportionate sharing of the financial burden among the Parties. The Working Group requested the Bureau, with support from the secretariat, to review and, as needed, revise the proposed financial schemes and the draft decision based on the comments made, in advance of its next meeting.

11. Lastly, the Working Group reiterated the invitation to delegations to consider sponsoring a Junior Professional Officer to supplement the secretariat's staffing.

III. Status of ratification

12. The secretariat reported on the status of ratification of the Convention, its two amendments and the Protocol (ECE/MP.EIA/WG.2/2019/INF.3). The Working Group welcomed the recent ratification by Azerbaijan of both amendments to the Convention. It also noted the information provided by delegations regarding steps taken by certain Parties towards ratification, with Belgium, Ireland and North Macedonia having advanced the furthest regarding the first amendment, and North Macedonia having done the same regarding the second amendment. However, the Working Group remained concerned that five more ratifications were still needed for the first amendment to become operational, allowing non-ECE countries to accede to the Convention. Consequently, it urged Armenia, Belgium, North Macedonia, Ukraine and the United Kingdom of Great Britain and Northern Ireland to make every effort to ratify the amendment as soon as possible. Moreover, to ensure unified application of the Convention by all its Parties, the Working Group stressed the importance of all Parties that had not yet done so ratifying the second amendment. It urged the nine Parties concerned – Armenia, Belarus, Bosnia and Herzegovina, Ireland, Kazakhstan, Kyrgyzstan, North Macedonia, Ukraine and the United Kingdom of Great Britain and Northern Ireland – to proceed with the ratification of that amendment. Lastly, the Working Group called on the signatory States of the Protocol that had not already done so (Belgium, France, Georgia, Greece, Ireland and the United Kingdom of Great Britain and Northern Ireland) to ratify the instrument. All the above-mentioned Parties were invited to report on their progress at the next meeting of the Working Group (Geneva, 9–11 June 2020).

13. The Working Group requested the secretariat to ensure that, in the letters of invitation to the next sessions of the Meetings of the Parties, the ECE Executive Secretary urged the Parties to the Convention that had adopted the amendments or signed the Protocol to proceed promptly with their ratification.

IV. Compliance and implementation

A. Review of compliance

14. The Chair of the Implementation Committee informed the Working Group about the main outcomes of the Committee's forty-fourth and forty-fifth sessions (Geneva, 12–15

March and 10–13 September 2019, respectively),⁴ and the main objectives for the Committee's forty-sixth session (Geneva, 10–13 December 2019). He also presented the plans for the preparatory work for the next sessions of the Meetings of the Parties.

15. The Working Group took note of the oral report of the Committee's Chair on progress in the review of compliance and implementation and welcomed the Committee's plan to prepare draft decisions on compliance with the Convention and the Protocol at its forty-seventh session (Geneva, 16–19 March 2020). The secretariat would transmit the draft decisions as informal documents for Parties to comment on before, during and after the next meeting of the Working Group. The Committee would then finalize the draft decisions at its forty-eighth session (Geneva, 1–4 September 2020) considering the comments and other information received by 31 July 2020 and forward the draft decisions to the Meetings of the Parties at their next sessions.

16. The Working Group noted that the Committee's work had been hindered by the lateness and the insufficient quality of some Parties' responses, and, in some cases, even by a Party's refusal to respond and to cooperate. It invited all concerned Parties to facilitate the Committee's examination of the compliance matters submitted to it, by providing the Committee with the requested information in a timely and complete manner. The Working Group also welcomed the ongoing efforts of the Committee to improve the effectiveness and efficiency of its own working methods, involving, as needed, drafting possible amendments to the Committee's structure and functions and its operating rules.

17. Considering the Committee's heavy workload, the Working Group invited the Parties to ensure, when nominating future Committee members, that nominees could allocate appropriate time and resources to the required tasks, which included: participating in each of the Committee's sessions; carrying out work in between sessions to analyse complex compliance issues, and, as needed, taking part in virtual meetings or electronic decision-making; and preparing curator's reports or draft findings and recommendations on selected issues, well in advance of the sessions at which they were to be discussed by the Committee.

B. Reporting and review of implementation

18. The Working Group considered the draft sixth review of implementation of the Convention (ECE/MP.EIA/WG.2/2019/3) and the draft third review of implementation of the Protocol (ECE/MP.EIA/WG.2/2019/4) in the period 2016–2018, which the secretariat had prepared with the assistance of consultants based on reports received from Parties. The former document was based on reports received by 2 July 2019 from 42 out of the 45 Parties to the Convention, as well as from Georgia, and the latter document was based on reports received by 30 June 2019 from 30 out of the 33 Parties to the Protocol, as well as from Georgia and Kazakhstan. Only 50 per cent of the Parties had reported by the deadline of 31 March 2019. The Working Group welcomed the fact that a few non-Parties had also reported on their implementation of the Convention and of the Protocol.

19. The Working Group agreed on the main findings of both draft reports, as amended. It also noted the delegations' comments on, and corrections to, the drafts regarding their own countries' responses and invited Parties to provide the secretariat with any further comments in writing by 31 December 2019. The Working Group asked the secretariat to finalize the drafts, taking into account the comments received, and to forward them to the Meetings of

⁴ The reports of the Implementation Committee on its 2019 sessions are available at www.unece.org/environmental-policy/conventions/environmental-assessment/meetings-and-events.html#/0/0/28089/19940.

the Parties at their next sessions. It invited Cyprus to provide its overdue report on the implementation of the Protocol as soon as possible but no later than 31 December 2019.

20. The Working Group noted the suggested improvements to the questionnaires on the implementation of the Convention and the Protocol (ECE/MP.EIA/WG.2/2019/INF.5) and invited the secretariat to forward them to the Implementation Committee for it to consider when adjusting the questionnaires for the next reporting round on Parties' implementation of the treaties in the period 2019–2021. Lastly, the Working Group noted that it was unlikely that the secretariat would be able to arrange for online reporting in the next reporting round.

C. The lifetime extension of nuclear power plants

21. The delegation of Germany updated the Working Group on progress in drafting guidance on the applicability of the Convention to the lifetime extension of nuclear power plants by the ad hoc working group that it co-chaired together with the United Kingdom of Great Britain and Northern Ireland (ECE/MP.EIA/WG.2/2019/INF.6). The progress report covered the outcomes of the group's meetings since the intermediary sessions of the Meetings of the Parties (Geneva, 5–7 February 2019), which had been held in: Geneva, on 25 and 26 March 2019; Lisbon, on 3 and 4 June 2019; and Rotterdam (Netherlands), on 8 and 9 October 2019. The German Co-Chair of the ad hoc group also reported on the group's plans to prepare draft guidance for consideration by the Working Group at its next meeting, as an informal document, and to finalize it based on the comments made prior to its submission to the next sessions of the Meeting of the Parties to the Convention as an official document. To that end, the group intended to hold further meetings in: Vienna, on 3 and 4 December 2019, preceded by a stakeholder workshop on 2 December; Rome, from 2 to 4 March 2020; Sofia, from 27 to 29 April 2020; and Espoo (Finland), on 23 and 24 June 2020.

22. The Working Group noted the progress report and the plans for further work of the ad hoc group. It invited the group to deliver the draft guidance for consideration by the Working Group by no later than 15 May 2020, three weeks in advance of its next meeting. It welcomed the offer of Germany to informally translate the draft guidance into Russian to facilitate its consideration by the Russian-speaking delegations at the Working Group's meeting. It noted that out of the French-speaking delegations, those of Belgium and Switzerland had agreed to exceptionally discuss the draft guidance in English in June 2020. France informed the meeting that it would consult its capital on the need for a French translation, and, as required, on the possibilities of France informally translating the draft. The Working Group invited the secretariat to follow up with Canada and Luxembourg, which were not represented at the meeting, regarding the translation issue.

23. The Working Group noted the conclusions of the international workshop on environmental and health impacts of lifetime extension of nuclear power plants that the International Association for Impact Assessment had organized in Lisbon, on 5 June 2019, to contribute to the development of the draft guidance.⁵ It also took note of the interpretative ruling issued by the Court of Justice of the European Union on the lifetime extension of the Doel 1 and 2 nuclear power plants in Belgium.⁶ Lastly, the Working Group noted the recent

⁵ See www.unece.org/index.php?id=51625.

⁶ *Inter-Environnement Wallonie ASBL and Bond Beter Leefmilieu Vlaanderen ASBL v Conseil des ministres*, Case No. C-411/17, Judgment of the Court, 29 July 2019.

OECD Nuclear Energy Agency publication entitled “Legal Frameworks for Long-term Operation of Nuclear Power Reactors”.⁷

D. Legislative assistance to support implementation and ratification

24. The Working Group welcomed the recent publication of the *Revised Guidelines on Environmental Impact Assessment in a Transboundary Context for Central Asian Countries*,⁸ as endorsed by the Meeting of the Parties to the Convention at its intermediary session through decision IS/3 (see ECE/MP.EIA/27/Add.1–ECE/MP.EIA/SEA/11/Add.1).

25. The Working Group reviewed progress in implementing legislative assistance foreseen in, or related to, the workplan for 2017–2020 since the intermediary sessions of the Meetings of the Parties. It welcomed the information from the delegations of Kazakhstan, Tajikistan and Uzbekistan and the secretariat on the legislative assistance that the secretariat had provided in 2019 in cooperation with OSCE to support those countries’ legal reforms and their efforts in implementing and ratifying the Convention and/or the Protocol. A series of technical meetings had been held, including in Tajikistan (Dushanbe, 10 and 11 October 2019) to support the amendment of the country’s primary and secondary environmental assessment legislation, and in Uzbekistan (Tashkent, 19 and 20 August and 19 December 2019) to support the amendment of primary legislation and the development of secondary legislation.

26. The Working Group welcomed the funding provided by Germany, Switzerland and the OSCE Programme Office in Nur-Sultan for the activities in the Central Asian countries. It also welcomed the efforts by the countries from the subregion present at the meeting, encouraging them to pursue their legal reforms and to consider taking steps to ratify the Protocol and, in the case of Tajikistan and Uzbekistan, to become Parties to the Convention.

27. The secretariat reported on the planned further legislative assistance to Armenia, Azerbaijan, Belarus and the Republic of Moldova, with funding from the European Union under the EU4Environment project. It welcomed the further funding from the European Union (the Directorate-General for Neighbourhood and Enlargement Negotiations) and the countries’ efforts to finalize their legal reforms with support from the secretariat. The Working Group encouraged all the assisted countries to fully align their legislation with the Convention and the Protocol. It also encouraged Azerbaijan and Belarus to ratify the Protocol and Georgia to ratify/accede to both instruments.

E. Draft long-term strategy and an action plan for future application of the Convention and the Protocol

28. The delegation of Austria presented a note on the draft long-term strategy and an action plan for the future application of the Convention and the Protocol that it had developed together with the Netherlands, with support from the secretariat (ECE/MP.EIA/WG.2/2019/INF.7). The document built on the outcomes of the informal discussions with Parties to the Convention and the Protocol that had been held in Rotterdam (Netherlands), on 7 October 2019. The Working Group welcomed the information and the efforts of Austria, the Netherlands and the secretariat.

29. The Working Group found the document to be comprehensive and agreed that all the issues that it covered were important. However, due to current resource constraints and uncertainty over the extent of Parties’ future funding for the Convention and its Protocol, it

⁷ Kimberly Sexton Nick and Pierre Bourdon, eds., Nuclear Energy Agency No. 7504 (Paris, Organization for Economic Cooperation and Development Nuclear Energy Agency, 2019). Available at www.oecd-nea.org/law/pubs/2019/7504-long-term-operation-npp.pdf.

⁸ United Nations publication, Sales No. E.19.II.E.27.

decided that there was a need to prioritize and limit the scope of the strategic goals and priority activities to be covered, with the possibility of reviewing the situation again in 10 years' time. The delegation of the European Union provided several specific comments and suggestions for revising the document.

30. The Working Group noted that Austria had to step down as a co-lead country for the activity and appreciated Poland volunteering to take on that role. It invited the Netherlands and Poland to jointly develop a more focused and feasible draft long-term strategy and action plan reflecting the Parties' and the secretariat's resources and considering the comments made. The Working Group agreed that the revised draft should be developed by mid-February, for the consideration of the Bureau in advance of its next meeting (Geneva, 25 and 26 February 2020). That would allow the Bureau to further revise the draft and to submit it as an official document for the next meeting of the Working Group.

31. The Working Group noted the plans of Poland and the Netherlands to organize a third informal consultation meeting of Parties for the development of the long-term strategy in January 2020.⁹

V. Subregional cooperation and capacity-building

32. The Working Group reviewed progress regarding the subregional cooperation and capacity-building activities envisaged in or related to the workplan. It welcomed the reports provided by:

(a) Denmark, on its plans to organize, in cooperation with Finland and Sweden, a subregional cooperation workshop for the Baltic Sea area in Copenhagen, on 25 and 26 March 2020;

(b) Croatia, on the key outcomes of relevance to the Convention and the Protocol of the fourth Regional Conference on Environmental Impact Assessment (Vodice, Croatia, 18 to 21 September 2019);

(c) The secretariat and OSCE, on the subregional events targeting Central Asian countries that had been held or planned for under a joint project entitled "Strengthening national and regional capacities and cooperation on strategic environmental assessment in Central Asia, including as a response to climate change", which had been launched in September 2019 and funded by Germany with co-funding from OSCE and ECE. The events included the following:

(i) A dedicated session on public participation under the Convention and its Protocol during the 2019 Aarhus Centres Annual Meeting organized by ECE in cooperation with OSCE (Vienna, 16 and 17 October 2019);

(ii) A study tour for the exchange of experience with Germany on the implementation of the Protocol (Berlin, 2–6 December 2019);

(iii) Plans for a subregional conference to discuss the results of the ongoing reviews of the feasibility of developing national strategic environmental assessment systems in the Central Asian countries and their needs in that regard (May/June 2020, to be confirmed).

33. The Working Group also welcomed the information provided by the secretariat on its plans to organize a subregional workshop in 2020, with funding from the European Union under the EU4Environment programme.

⁹ It was subsequently agreed that the meeting would take place in Warsaw, on 23 and 24 January 2020.

34. The Working Group welcomed the progress made and appreciated the donor funding raised for the implementation of the activities.

VI. Promoting ratification and application of the Protocol and the Convention

35. The secretariat, OSCE and delegations from the concerned countries reported on the following activities undertaken or planned for since the intermediary sessions of the Meetings of the Parties held in Geneva, from 5 to 7 February 2019, to promote the ratification and the application of the Protocol and the Convention:

(a) Activities to further promote the implementation in particular of strategic environmental assessment in Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine, funded or co-funded by the EU4Environment programme;

(b) Planned activities to raise Central Asian countries' awareness of the Protocol's benefits and to build capacity on its practical application under the above-mentioned joint OSCE-ECE project (see para. 32 (c) above) with funding from Germany, OSCE and ECE, including:

(i) Country reviews, involving field missions, to assess the feasibility of developing national strategic environmental assessment systems in accordance with the Protocol and the countries' needs in that regard (between December 2019 and July/August 2020);

(ii) A series of national workshops on strategic environmental assessment (to be organized from January to the end of April/mid-May 2020).

36. The Working Group welcomed the reports on the activities that had been implemented or planned for. It invited the beneficiary countries to make efficient use of the technical assistance received despite governmental changes.

37. The Working Group recognized the valuable work of the International Association for Impact Assessment over the years in promoting best practices in impact assessment and in contributing to raising awareness of the Convention and its Protocol globally. It welcomed the development by the secretariat of the two draft informal pamphlets, or "FasTips", on the Convention and the Protocol (ECE/MP.EIA/WG.2/2019/7 and ECE/MP.EIA/WG.2/2019/6, respectively) It invited the secretariat to revise the draft FasTips based on the comments made by the delegation of the European Union, including by replicating in the FasTips the exact language of the legal provisions, prior to submitting them to the International Association for approval and subsequent publishing. The representative of the International Association noted that some of the changes to be introduced were likely to make the approval of the drafts more difficult, since the FasTips were intended to be practice oriented and to be written in plain language instead of restating the legal terminology of the treaty texts. The secretariat was invited to resubmit the FasTips to the Working Group once they had been reviewed and commented on by the International Association.

VII. Exchange of good practices

A. Workshop on the assessment of health impacts and health sector involvement in strategic environmental assessment

38. A half-day workshop was held on the assessment of health impacts and health sector involvement in strategic environmental assessment. The workshop had been organized by the secretariat, in cooperation with WHO, to present and discuss the draft guidance on that topic being developed by two consultants, in consultation with the secretariat, WHO and the European Investment Bank, with funding from the Bank. The workshop also provided an opportunity to showcase relevant selected good practices in the ECE region.

39. The Working Group welcomed the workshop and agreed on the importance of its topic. It thanked the consultants, who also moderated the workshop, as well as the speakers from Estonia, Czechia, the Netherlands and Wales (United Kingdom of Great Britain and Northern Ireland) representing, for the most part, the health sector. It noted that the presentations had been prepared in consultation with the focal points for the Protocol. The secretariat was invited to post the presentations on the meeting web page subject to the agreement of the speakers.

40. The Working Group took note of the following main conclusions of the workshop as summarized by the consultants:

(a) There were variations in the ways that health was currently approached in strategic environmental assessment in different countries and systems (there were also variations in how strategic environmental assessment was approached). The discussion at the workshop reflected the experiences of those countries that currently had a wider approach to health, in particular with regard to the consideration of social and behavioural aspects and well-being alongside the biophysical environment;

(b) Health and strategic environmental assessment practitioners needed to be able to develop an understanding of each other. It would be important to have time to develop a dialogue. Ideally, joint environmental and health forces should be developed;

(c) It was extremely important to involve health authorities at the scoping stage. Scoping needed to focus on those aspects that were relevant; a proportionate approach was needed. Everything that was decided during the scoping stage would feed through to the rest of the strategic environmental assessment process (analysis, reporting, follow-up, consultation and participation);

(d) Health in strategic environmental assessment “ambassadors” or “strategic advocates” were of great importance in creating effective strategic environmental assessment;

(e) Health authorities could inform strategic environmental assessment, in particular, by providing relevant data that were routinely collected (for monitoring purposes). Health authorities’ participation in strategic environmental assessment could also contribute to the identification of other important data to be collected of relevance to the plan or programme in question;

(f) Case studies were required to show how monitoring of human health should be conducted with regard to strategic environmental assessment;

(g) Capacity-building or developing skills on addressing health in strategic environmental assessment was a vital element in creating an effective assessment of health-related impacts of plans and programmes within the strategic environmental assessment

“system”. The content of that capacity-building was likely to be informed by the definition of health underpinning the assessment;

(h) Health assessment had a positive outlook, while strategic environmental assessment traditionally focused more on mitigating (negative) environmental impacts. Both types of assessment could learn from each other;

(i) When considering sustainable long-term effects, it was important to take the broader health determinants on board; in the workshop, practical examples were provided on how to do that;

(j) Countering impact assessment “fatigue” (for example, due to having to carry out too many assessments) through integration of health impact assessment into strategic environmental assessment could be positive. However, in that context, it was important to have a set of clear rules so that all aspects were actually adequately considered;

(k) Presenting complex information about health and well-being in a simple way was important. The Netherlands example of an impact wheel was positively noted;

(l) The example of social impact assessment was discussed. It was agreed that, in some cases, additional impact assessment, for example, social impact assessment, could be prepared separately from strategic environmental assessment. Preparing a separate impact assessment might be considered desirable in order to avoid integrating too many topics into strategic environmental assessment and impeding its effectiveness. It was also noted that there were currently no legal obligations to carry out social impact assessment, but that countries were free to introduce it.

41. The Working Group invited the consultants to provide the secretariat with a two-page summary of the workshop presentations to be included in the report (see annex to the present report).

B. Draft guidance on assessing health impacts in strategic environmental assessment

42. The Working Group reviewed and commented on the text of the draft guidance on assessing health impacts in strategic environmental assessment (ECE/MP.EIA/WG.2/2019/5) and provided guidance for its finalization.

43. It agreed on the need to revise the draft guidance in keeping with the requirements of the Protocol and to increase its practical usefulness for authorities and strategic environmental assessment practitioners, including by referring to Parties’ practical implementation and by focusing on practical assessment methods and tools. It also agreed to the European Union proposal to set up a task force composed of representatives of Austria, Finland, Ireland, Slovenia and possibly Italy, and supported by the secretariat. It invited the task force to provide the consultants with detailed comments on the draft text of the guidance by 13 January 2020. The task force was to work electronically, with each comment and input shared with all its members, the consultants, the secretariat and the representatives of the European Investment Bank and WHO. As needed, the task force should also respond to the consultants’ requests for clarification.

44. The Working Group invited the consultants, steered by the task force, to prepare revised draft guidance by 14 February 2020 for comments by the Bureau at its next meeting. It also agreed to discuss the revised draft at its next meeting in June 2020.

C. Other activities for the exchange of good practices

45. The Working Group noted the information from the secretariat on the activities under the Convention on the Transboundary Effects of Industrial Accidents (Industrial Accidents Convention) that promoted the application of the joint Guidance on Land-use Planning, the Siting of Hazardous Activities and related Safety Aspects endorsed by the Meetings of the Parties in 2017 (ECE/MP.EIA/23–ECE/MP.EIA/SEA/7, para. 65 (c)). The activities included a subregional workshop on land-use planning and industrial safety for Eastern Europe and the Caucasus (Chisinau, 22–24 May 2019), which would be followed by another subregional workshop for South-Eastern Europe, preliminarily scheduled to be held in Belgrade, from 18 to 20 March 2020. The Industrial Accidents Convention also planned to develop an information repository on land-use planning and industrial safety in the course of 2020, with funding from the European Investment Bank. The Working Group invited the secretariat to circulate any future information on the forthcoming events to the national focal points for the Convention and its Protocol.

46. No delegation provided feedback on the usefulness of the Good Practice Recommendations on the Application of the Convention to Nuclear Energy-related Activities, adopted in 2017 and subsequently issued as a publication.¹⁰ The delegation of the European Union pointed out that the document was being used in the work of the ad hoc working group on lifetime extension of nuclear power plants.

D. Practices in States from other regions

47. The Working Group noted the information from a representative of Chile on the overview of the environmental impact assessment and strategic environmental assessment frameworks and practice in his country. It also noted the presentation by a representative of the National University of Singapore of her country's and region's environmental impact assessment and strategic environmental assessment frameworks and practice.

VIII. Preparations for the next sessions of the Meetings of the Parties

A. Lessons learned from the previous sessions

48. The Chair and the Chair of the Bureau informed the Working Group of the outcomes of the Bureau's stocktaking of the intermediary sessions of the Meetings of the Parties in February 2019, including its views on lessons to be learned and recommendations for the future.¹¹

49. The Working Group noted the Bureau's recommendations on lessons learned from the previous sessions of the Meetings of the Parties, agreeing on the importance of constructive dialogue and cooperation. It also agreed that proposals for amendments to official meeting documentation should be communicated as early as possible prior to the sessions to help Parties to prepare and coordinate their corresponding views in advance. The same conclusions were to apply also to the meetings of the Working Group with a view to

¹⁰ United Nations publication, ECE/MP.EIA/24.

¹¹ See the relevant conclusions of the Bureau in the informal notes on the Bureau meeting of 17 and 18 June 2019, paras. 7–9. Available at <http://www.unece.org/index.php?id=50461>.

ensuring efficient preparations of the Meetings of the Parties' sessions and to facilitating consensus on outstanding issues.

B. Practical arrangements

50. The Working Group thanked Lithuania for offering to host the eighth session of the Meeting of the Parties to the Convention and the fourth session of the Meeting of the Parties to the Protocol in Vilnius, from 8 to 11 December 2020. The secretariat informed the Working Group that, as a next step, a detailed host country agreement between Lithuania and ECE would be completed.

51. The secretariat also reported on the schedule of the other preparations of the upcoming sessions of the Meetings of the Parties. The Working Group supported the indicative time schedule for the preparatory work for the sessions, as contained in informal document ECE/MP.EIA/WG.2/2019/INF.9.

C. Provisional programme

52. The Chair presented a Bureau proposal for the provisional programme for the next sessions of the Meetings of the Parties that reflected the Bureau's views on the optimal duration of the sessions. The Working Group agreed on the draft programme, as presented in informal document ECE/MP.EIA/WG.2/2019/INF.9, and invited the Bureau, with the support of the secretariat, to prepare the annotated provisional agenda for the sessions in advance of the next meeting of the Working Group.

53. The Working Group agreed with the proposal of the Bureau to dedicate the panel discussions during the high-level segment of the sessions to a celebration of the thirtieth anniversary of the Convention. The Working Group also suggested that the panel discussions during the general segment of the sessions focus on one of the following topics: smart and sustainable cities; sustainable infrastructure; energy transition; or circular economy. The Working Group invited delegations to comment on the proposed topics. They were also invited to suggest, by 10 January 2020, possible speakers and facilitators for the panels, and to volunteer as lead countries and organizations for the organization of the panel discussions. It also requested the Bureau to further consider the topics and to narrow them down to two key priority topics for the Working Group to decide on at its next meeting.

D. List of draft documents and decisions

54. Based on a proposal by the Bureau (see ECE/MP.EIA/WG.2/2019/INF.9), the Working Group agreed on an initial list of draft decisions and official documents to be considered by the Meetings of the Parties at their next sessions but decided to place in between brackets the draft decision on health guidance pending the revision and the further development of the draft guidance on that topic. It invited the Bureau, with support from the secretariat, to prepare for the next meeting of the Working Group all the draft decisions, except for the draft decisions on the review of compliance, which would be drafted by the Implementation Committee.

55. The Working Group took note of the elements for the draft declaration prepared by the Bureau with the support of the secretariat (ECE/MP.EIA/WG.2/2019/INF.10) but did not deliberate or comment on the draft. Instead, it invited delegations to provide their comments on the document by 10 January 2020 and requested the Bureau to take them on board. The

Working Group agreed to consider the draft declaration at its next meeting, once it had been issued as an official document.

E. Chairs of the sessions

56. The Working Group considered the chairing of the general and high-level segments of the upcoming sessions, noting that the high-level segments had usually been chaired by a host country representative and the general segments by the Chair or a Vice-Chair of the Bureau. It invited delegations to come forward with nominations for the Chairs of the two segments, for agreement by the Working Group at its next meeting.

F. Possible activities for the next draft workplan (2021–2023)

57. The Working Group reviewed the initial workplan elements for the next intersessional period (2021–2023), as proposed by the Bureau, agreeing that the workplan should match with the available resources and indicate resource requirements for activities, including from the secretariat (ECE/MP.EIA/WG.2/2019/INF.11). It supported the proposed new format of the workplan.

58. The Working Group noted the following possible workplan activities proposed by the delegations:

(a) Development of good practice guidelines for considering alternatives and rationale for site selection, proposed by the delegation of Belarus;

(b) Proposal by the delegation of Montenegro for capacity-building to implement the 2008 Multilateral agreement among the countries of South-Eastern Europe for implementation of the Convention on Environmental Impact Assessment in a Transboundary Context and to promote subregional networking for transboundary environmental impact assessment.

59. The Working Group noted the proposal of the European Union that the Meetings of the Parties adopt a workplan for the period 2021–2023 that consisted only of activities for which funding would be fully confirmed, leaving out the previously compiled “waiting list” of activities requested by delegations for which funding had yet to be identified. The delegation of the European Union also noted that the development of new guidance documents and the revision of existing ones required so much time and resources that their initiation should be subject to thorough consideration in the light of available resources.

60. The Working Group invited the Bureau, with support from the secretariat, to prepare a revised draft workplan taking into account the comments made.

G. Tentative sequence of meetings in the next intersessional period

61. The Working Group noted that the decision of the Meetings of the Parties at their intermediary sessions to extend the current intersessional period from June 2020 until December 2020 (ECE/MP.EIA/27–ECE/MP.EIA/SEA/11, para. 7) had altered the usual schedule and sequence of meetings of the Bureau and the Working Group during the period. The Working Group took note of an initial Bureau proposal on how the meetings of the treaty bodies should best be scheduled in the next intersessional period, which was expected to extend from January 2021 to December 2023 (ECE/MP.EIA/WG.2/2019/INF.13).

H. Officers for the next intersessional period

62. The Working Group invited delegations, by the next meeting of the Working Group, to come forward with preliminary nominations of candidates for election as officers by the Meetings of the Parties for the next intersessional period, namely: the Chair and Vice-Chairs of the Working Group; the Chair and members of the Bureau; and five members of the Implementation Committee. It also invited the Bureau to propose possible criteria for officers to be elected.

IX. Inputs to related international processes

63. The Working Group took note of the information provided by the secretariat on its inputs to the following related international processes:

(a) The Workshop on Regional Cooperation to Enhance Transboundary Consultation on Nuclear Power Development in South-East Asia (Singapore, 8 and 9 May 2019);

(b) The Consultancy Meeting to Develop Capacity-building Material on Strategic Environmental Assessments of Nuclear Power Programmes, organized by the International Atomic Energy Agency (Vienna, 3–5 July 2019) and proposals for further collaboration;

(c) The Seventh Meeting of the [European Union] Eastern Partnership Panel on Environment and Climate Change (Vienna, 27 and 28 May 2019);

(d) The Economic and Environmental Dimension Implementation Meeting, organized by OSCE (Vienna, 14 and 15 October 2019).

X. Other business

64. The Working Group took note of the information provided by the delegation of Finland on an Arctic Council report on good practices for environmental impact assessment and meaningful engagement in the Arctic, which included good practice recommendations.¹²

XI. Presentation of the main decisions taken and closing of the meeting

65. The Working Group endorsed the main decisions agreed at the meeting, as presented by the secretariat, and requested the secretariat to prepare the report on the meeting under the guidance of the Chair. The Chair officially closed the meeting on Thursday, 28 November 2019.

¹² Päivi A. Karvinen and Seija Rantakallio, eds., *Good Practices for Environmental Impact Assessment and Meaningful Engagement in the Arctic – Including Good Practice Recommendations* (Arctic Council, 2019).

Annex

Moderators' summary report on the assessment of health impacts and health sector involvement in strategic environmental assessment

1. The workshop on the assessment of health impacts and health sector involvement in strategic environmental assessment had been organized by the secretariat, in cooperation with the World Health Organization (WHO), to present and discuss the draft guidance on that topic being developed by two consultants, in consultation with the secretariat, WHO and the European Investment Bank, with funding from the Bank. The workshop also provided an opportunity to showcase relevant selected good practices in the ECE region. Most presentations were led by presenters from the health sector, in consultation with colleagues from the environment sector.
2. The workshop began with introductory speeches by the Secretary to the Espoo Convention and its Protocol and by Ms. Angela Filipas (European Investment Bank).
3. Ms. Julia Nowacki (WHO Regional Office for Europe) provided important background information, explaining that a high level of protection of the environment was vital for the protection and improvement of health. The fraction of the global burden of disease due to the environment was 22 per cent and the effect on children was even greater. Health and non-health plans, programmes and policy fields were interlinked and associated themes had been introduced by, for example, the 2017 Declaration of the Sixth Ministerial Conference on Environment and Health.¹³ In that context, nearly 100 per cent of the urban population within the European Union was exposed to air pollutant concentrations above WHO reference levels.
4. Two consultants, Mr. Thomas Fischer (University of Liverpool, United Kingdom of Great Britain and Northern Ireland) and Mr. Ben Cave (Ben Cave Associates), introduced the draft guidance on assessing health impacts in strategic environmental assessment. Their presentation focused on the two main parts of the guidance: (a) the principles for considering health in strategic environmental assessment; and (b) strategic environmental assessment and health in practice.
5. Mr. Jaroslav Volf (University Hospital Ostrava, Czechia) and Ms. Helena Kazmarová, (National Institute of Public Health, Czechia), reported on the Czech experience of integration of health/health impact assessment into strategic environmental assessment and introduced a specific case study, namely the Regional Energy Concept of Vysočina Region update 2017–2042. Health impact assessment had been initiated in the 1990s and strategic environmental assessment in 2006, with 288 strategic environmental assessment cases having been produced to date. In Czechia, strategic environmental assessment and health impact assessment experts formed teams and initiated strategic environmental assessment and health impact assessment at the same time. In the case study, environmental, social and economic determinants of health had been assessed and the Dukovany nuclear power plant had received particular attention. The authors observed a focus on negative impacts, with only a few examples considering positive effects. They perceived that situation as being problematic.
6. Ms. Brigit Staatsen (National Institute for Public Health and the Environment, Netherlands) explained how health had been considered in the preparation of the National Strategy on Spatial Planning and the Environment. Of particular importance in that regard was the new Environmental Act, which aimed to create a safe and healthy physical living environment. The strategic environmental assessment of the Strategy provided for an

¹³ See www.euro.who.int/__data/assets/pdf_file/0007/341944/OstravaDeclaration_SIGNED.pdf.

overview of the current situation and for a qualitative evaluation of trends up to 2030, based on overall objectives and associated indicators. Challenges included the less than concrete nature of the Strategy and uncertainty surrounding future scenarios. In that context, health had been included in social cohesion and housing objectives and evaluation results had been presented in an evaluation wheel. Enabling factors for an effective inclusion of health had included: the presence of a health “ambassador”; health objectives in environmental legislation; the interest shown by the Ministry of Health; and collaboration between health and planning experts.

7. Mr. Heikki Kalle (Estonian Environment Institute) reported on the consideration of health aspects of the strategic environmental assessment of the Rail Baltica high-speed rail project. The assessment had distinguished between different tiers, including global/State, regional and local. An important lesson learned was that, when health authorities were involved in strategic environmental assessment, it took time to find common ground as they were not familiar with such assessment. Furthermore, state and regional health objectives were needed, but were currently absent. Assessment should be organized according to spatial and temporal scales. Finally, strategic environmental assessment could and should also communicate positive effects. In terms of the next steps, the presenter noted a need for spatial data linking determinants of health, health indicators, risk factors and health outcomes. Furthermore, training and guidance were required.

8. Lastly, Ms. Liz Green (Public Health Wales, United Kingdom of Great Britain and Northern Ireland) spoke about the [Welsh] National Development Framework, which aimed at integrating health and well-being into strategic environmental assessment. Importantly, there were various acts that functioned as strategic drivers and enablers for health and planning and the Wales Health Impact Assessment Support Unit played a key role in enabling the effective consideration of health in strategic environmental assessment. As a part of the National Development Framework, an integrated sustainability appraisal had been carried out, including strategic environmental assessment, health impact assessment and other assessments. A number of challenges had been identified, including limited capacity and an incomplete understanding of what exactly health should include. Advocates for health and a “public health lens” were needed. Necessary health data were not always readily available.
