

Concept note

A special session on the implementation of the UNECE Espoo Convention, its Protocol on SEA and the Bucharest Agreement in the South-Eastern Europe – Good practices and challenges in transboundary EIA and SEA; and the benefits of a regional approach

Vodice, Croatia, 14 September 2017

Organized by Croatia, Romania, Slovenia and the secretariat to the United Nations Economic Commission for Europe (UNECE) Espoo Convention on Environmental Impact Assessment in a Transboundary Context and its Protocol on Strategic Environmental Assessment within the Third Regional Conference on Environmental Assessment, Vodice, Croatia, 13 – 16 September 2017 (<http://www.huszpo-konferencija.com/en/>). The activity is foreseen in the workplan 2017–2020 adopted by the Meetings of the Parties to the Convention and the Protocol at their sessions held in Minsk, 13–16 June 2017.

Introduction

The 1991 UNECE Espoo Convention provides a legal framework and well established procedures for addressing the likely transboundary environmental impacts of planned economic activities; and for carrying out the necessary public participation and consultations between the authorities of the country of origin and the country (or countries) likely to be affected. It has at present 45 Parties in the UNECE region. It was supplemented in 2003 with the Protocol on SEA, which extended the scope of the assessments to plans and programmes, and to the extent appropriate, to policies and legislation, including in the transboundary context. The Protocol has 32 Parties. The European Union is Party to both treaties.

The Bucharest Agreement was concluded in Bucharest, in 2008, by Bulgaria, Croatia, Greece, Montenegro, Romania, Serbia and the former Yugoslav Republic of Macedonia to specify and facilitate the application of the Espoo Convention procedures among the concerned countries of South-Eastern Europe. This sub-regional multilateral agreement is open also for Albania and Bosnia and Herzegovina to join. The Bucharest Agreement does not cover the provisions of the Protocol on SEA. By now, however, all the above countries (except Greece) have become Parties to the Protocol.

Objectives

The event will present the role of the Espoo Convention, its Protocol on SEA, and the Bucharest Agreement in facilitating environmental assessment procedures, public participation and consultations between authorities in a transboundary context, with a specific focus on South-Eastern Europe. Although a number of the Parties to the Convention and the Protocol have already gained an extensive experience in applying EIA and SEA in a transboundary context, certain challenges may still remain. The session will provide an opportunity for national experts and stakeholders to share and to discuss good practice and lessons learned in this respect, and recommend ways for further improvements. Some potentially more challenging fields of implementation, related for example to nuclear energy will be discussed more in depth. The discussions will also aim at outlining actions needed to promote the implementation and the ratification of the Bucharest Agreement.

The presentations and discussions will cover the following issues:

- Key principles for efficiently addressing likely transboundary effects in SEA and EIA, and differences and similarities between the two tools in this regard;

- Benefits of transboundary consultations and public participation – views of both the Parties of origin and the affected Parties;
- Challenges for the efficient and consistent implementation of the Convention and its Protocol procedures;
- Recommendations for enhancing the implementation of the treaty provisions in practice: actions by national authorities and/or other main actors in the SEA and EIA procedures, applicable tools, methods, approaches, etc.
- Multilateral and bilateral agreements to facilitate the implementation of the Convention and the Protocol: benefits; challenges; “do’s and don’ts”.

Provisional programme

At the opening of the session, the Secretary to the two UNECE treaties, introduces the key principles of the Espoo Convention, the transboundary provisions of the Protocol on SEA, and the Bucharest Agreement and its expected role in the South-Eastern Europe. The presentations of a good practice examples will follow, and the floor will be opened for questions and observations from the audience. The last part of the session is reserved for concluding remarks by the moderator.

Thursday, 14 September 2017, 11.00 – 13.00

I. Opening of the session and introduction to the transboundary procedures of the Espoo Convention and its Protocol; and the relevant work carried out: Secretary to the Espoo Convention and its Protocol (Ms. Tea Aulavuo, UNECE); followed by Q&A

II. Regional implementation of the Espoo Convention and its Protocol

A. Bucharest Agreement and its expected role in South-Eastern Europe

- **Introductory presentation** (Ms. Mihaela Macelaru, Romania);
- **Interventions and discussion** with the participation of Parties and Signatories to the Bucharest Agreement, and other countries of the region on the merits of the Agreement: Albania, [Bosnia and Herzegovina], Croatia, Montenegro, Serbia and the former Yugoslav Republic of Macedonia;
- **Conclusions** on the future of the Bucharest Agreement (by Ms. Mihaela Macelaru, Romania)

B. Lessons learned from the development of SEA and EIA systems in Eastern Europe and the Caucasus (Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine) and current status and existing challenges in implementing the Espoo Convention in Central Asia Presentation by Mr. Martin Smutny (UNECE secretariat to the Espoo Convention and its Protocol); followed by Q&A

Thursday, 14 September 2017, 14.30 – 16.30

III. Good practice and lessons learned from the application of the Espoo Convention and its Protocol (each presentation will be followed by a short Q&A session)

- **Albania** (Ms. Sabina Cenameri)
- **Croatia** (Ms. Anamarija Matak)
- **Montenegro** (Ms. Brankica Cmiljanovic)

- **Slovenia** (Ms. Vesna Kolar-Planinsic)
- **The former Yugoslav Republic of Macedonia** (Ms. Daniela Rendevska)
- **Perspective of the Implementation Committee** (Mr. Felix Zaharia, Romania – through Webex, and Ms. Vesna Kolar-Planinsic, Slovenia, former Chairs of the Implementation Committee under the Convention and the Protocol)

Thursday, 14 September 2017, 17.00 – 18.30

IV. Sectoral implementation of the Espoo Convention and its Protocol on SEA, with a focus on nuclear energy related activities

- **Introduction to UNECE Good Practice Recommendations on the Application of the Convention to Nuclear Energy-related Activities:** (Ms. Zsuzsanna Pocsai, Hungary, member of the Espoo Convention Implementation Committee)
- **Good practice examples of the application of the Espoo Convention to the nuclear energy-related activities:** representatives of Hungary and Romania

V. Concluding session

- **Facilitated discussion** on the challenges for the efficient and consistent implementation of the procedures of the Convention and its Protocol;
- **Concluding remarks** by UNECE