

Introduction to the UNECE Espoo Convention and its Protocol on SEA

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The presentation introduces the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and its Protocol on Strategic Environmental Assessment (SEA) administered by the United Nations Economic Commission for Europe (UNECE).¹

The Convention was adopted in Espoo (Finland) back in 1991, and has to date 45 Parties in the UNECE region, including the European Union. It applies to planned activities with likely significant adverse environmental impacts across national borders, addressing also long-range transboundary impacts. The Convention requires Parties to notify and consult other Parties on such planned activities and to prepare and share assessment of environmental impacts. It allows both the authorities and the public of the affected Party to comment - and to have their comments taken into account in the final decision of the activity. Ultimately, however, a Party of origin retains its sovereignty (decision-making power) regarding the activity. In addition to the general improvements to the environment, planning processes and governance that can also be attributed to domestic environmental assessments, the Convention provides a legal and procedural framework for discussing planned activities with neighboring and nearby countries. The networks of nominated focal points considerably facilitate the exchanges among Governments². The Convention continues to play an important role in enhancing regional and international cooperation in environmental assessment, helping minimize misunderstandings and avoid tensions among countries.

¹ For more information see the Convention and the Protocol website: <http://www.unece.org/env/eia/welcome.html> or contact the secretariat: eia.conv@unece.org

² The lists of nominated national focal points for administrative matters and contact points of notification are available on-line at: http://www.unece.org/env/eia/points_of_contact.html and <http://www.unece.org/env/eia/focalpoints.html>

The Protocol on SEA was adopted in 2003 (in Kyiv) and is in force since 2010 with currently 32 Parties in UNECE region, including the European Union. The Protocol is open to all the United Nations Member States (the Convention is also in the process of being opened to global accession). It applies to government plans and programmes at national or sub-national levels, or with likely transboundary impacts, as well as, as appropriate, to policies and legislation. It is similar to the EU's SEA Directive but with stronger emphasis on health and public participation, including notably mandatory consultations with both environment and health authorities. Parties to the Protocol have acknowledged that SEA can contribute to the achievement of targets under almost all the Sustainable Development Goals and that it is a useful tool for green growth and for addressing climate change.

Many practical difficulties in implementing transboundary EIA and SEA procedures that relate e.g. to the diversity of legal and practical approaches to the assessment in the Parties or to translation or cost-sharing issues, can be overcome through better awareness and cooperation between Parties. Negotiation of bilateral agreements (or multilateral agreements - such as the Bucharest Agreement among the South-Eastern European countries for the implementation of the Convention, that is in force since 2011) – has proved to be particularly useful in this respect. Guidance and technical assistance for improving the practical application is also available under the Convention and the Protocol

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