

# **Multilateral Agreement among the countries of South-East Europe for implementation of the Convention on Environmental Impact Assessment in a Transboundary Context (Bucharest Agreement)**

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The Convention on Environmental Impact Assessment in a Transboundary Context, adopted in Espoo (Finland) on 25 February 1991 under the auspices of the United Nations Economic Commission for Europe (hereinafter referred to as the Convention), was ratified by Romania in 2001 by Law No 22. The provisions of this Convention are mandatory on each State Party. In order to facilitate the application of these provisions, Article 8 of the Convention provides the possibility for the Parties to conclude bilateral or multilateral agreements, which contribute to the development of the institutional capacity of the States Parties in the implementation of the Convention requirements.

At each meeting of the Parties, workplans are adopted which contain activities aimed to support the implementation of the Convention in accordance with the necessities expressed by the States Parties. Thus, in the Workplan adopted at the Third session of the Meeting of the Parties (Croatia, June 1-4, 2004), the participating delegations included an activity named "Sub regional Cooperation for strengthen contact between the Parties" aiming at improving and developing the implementation of the Convention within sub regions.

Countries of South-Eastern Europe signed a Multilateral Agreement among them for the Implementation of the Convention on Environmental Impact Assessment in a Transboundary context during the Fourth session of the Meeting of the Parties to the Convention held in Bucharest, from May 19<sup>th</sup> to 21<sup>st</sup>, 2008 (so called "Bucharest Agreement" or "Small Espoo"). Seven countries are signatories to the agreement: Bulgaria, Croatia, Greece, the Former Yugoslav Republic of Macedonia, Montenegro, Romania and Serbia; and four of them are Parties to it: Bulgaria, Montenegro, Romania and the former Yugoslav Republic of Macedonia. Albania has also joined the agreement in 2015.

The agreement was negotiated under Article 8 of the Convention, according to which the Parties, in order to comply with their obligations under the Convention, have the right to conclude bilateral, multilateral or other agreements.

The agreement details the provisions of the Convention, following its implementation in the Southeast European region and provides for the following:

- establishes an obligation to designate the point of contact for each of the States Parties to the transboundary procedure;
- specifies the deadline for responding to the notification;
- proposes the adoption of criteria for identifying the significant transboundary impact on the environment;
- foresees the obligation to translate parts of the environmental impact assessment documentation into the official language of the Affected Party, at its request;
- foresees the development of further implementation guidelines based on the development of the following aspects: screening, notification, confirmation of participation, transmission of information, elaboration of environmental impact assessment and distribution of documentation, public participation, consultation between the Parties, final decision and transmission to Affected Party, post-project analysis and translation;
- informing the Affected Party of the national legal framework of the Party of origin on access to justice.

The agreement facilitates the application of the Convention among the countries of South-Eastern Europe regarding the projects with potential transboundary environmental impact, addressing the implementation problems identified in practice. In this way, the application of particular aspects of each national legislation of the interested states is avoided and, consequently, also the delays in the decision-making process regarding such projects.

Romania through the Ministry of Foreign Affairs is the depositary of this multilateral treaty and fulfills its obligations under this international law and national practice.

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