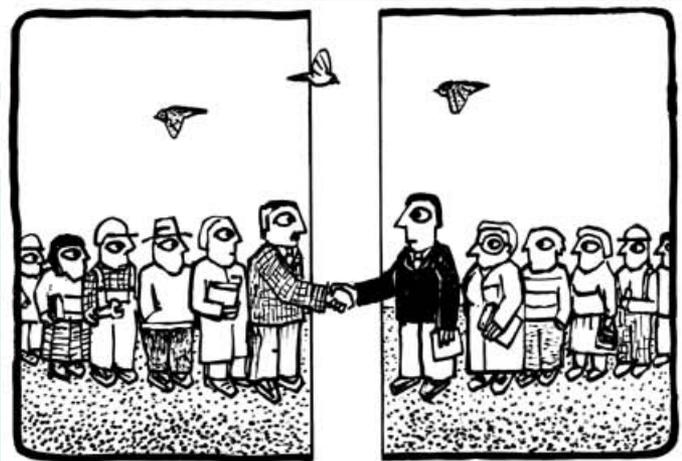


Espoo Convention and its Protocol on SEA

Secretariat to the Espoo Convention
and the Protocol on SEA

UNECE

www.unece.org/env/eia



Rules, procedures and practices

Access to information

- In general: all documentation (official and informal) produced for the meetings of the bodies under the Convention and the Protocol or for activities for the implementation of the Convention the Protocol, is publicly available.
- Regular updates on the Convention web site and facebook
- **For this reason:** there is no specific procedure for requests for environmental information
- But, the secretariat in practice responds promptly to requests for information

Exception – Implementation Committee

- Provisional agenda and reports are publicly available, BUT
- Pending consideration of a case: the secretariat prepares summary information for the public web site and the other documentation on the file, including working documents of the Committee, are not publicly available.

Rules, procedures and practices

Public participation

- The meetings of the Parties and the meetings of subsidiary bodies are held in public unless the Meeting decides otherwise (Rules of Procedure, Rule 26).
- Observers, including NGOs, in the fields relating to EIA, may participate in “the proceedings of any meeting in matters of direct concern to the bodies or agencies that they represent” provided there is no objection from at least one third of the Parties present at the meeting.
- In practice: the rule is applied flexibly and there have been no instances where Parties objected to the participation of observers
- Five NGO representatives are financed to participate regularly to the meetings.

Exception – Bureau and the Implementation Committee

- A researcher, commercial firm, developer, consultant or other commercial entity may be invited with the agreement of the Bureau to participate as an observer in a specific meeting (or specific item)
- Specific rules apply for participation to the Committee meetings, in particular with respect to the consideration of issues of compliance

Rules, procedures and practices

Public participation - example

- The MOP regularly adopts guidance on best practice, such as the guidance on public participation in transboundary EIA
- In the preparation stage, drafts are open to comment by Parties and other stakeholders, during meetings or by email to the secretariat
- Comments may be invited for a second time for an advance draft
- Commenting periods vary, but tend to be quite long
- Comments are recorded and taken into account.

Rules, procedures and practices

Access to justice

- Under the compliance mechanism before the Implementation Committee: the public, including NGOs, submit information on possible non-compliance by a Party and the IC may consider to investigate the case ("Committee initiative")
- No mechanism facilitating public access to review procedures relating to any application of the rules, practices and standards regarding access to information and public participation within the scope of the Almaty Guidelines.
- NGOs participating in the meetings may express their view and refer difficulties to the Meeting of the Parties - this has not occurred.

Current and future working plans

- No dramatic changes foreseen for the next intersessional period
- Exception: the MOP in June 2014 may adopt a change in the Committee's operating rules with regard to participation in parts of its meetings. Depending on the application of the rule it may or may not limit participation to the meetings.

Challenges

- Financial support for participation of NGOs to meetings is limited to the availability of funds
- Information is available primarily in English (e.g. when comments are invited on a draft guidance), and the Convention's web site in English is more extensive – limited resources
- The distribution of materials by e-mail is sometimes restricted in Eastern Europe, Caucasus and Central Asia by technical problems (e.g. mail server out of operation, mail box full).

Conclusion

- Both the Convention and its Protocol address and promote access to information and public participation in decision-making in environmental matters.
- The Working Group on EIA has supported the Almaty Guidelines.
- There is strong awareness of the principles among participants in meetings under the Espoo Convention.

For more about the **Espoo** Convention and its **Protocol** on Strategic Environmental Assessment

- Visit our website: www.unece.org/env/eia
- Or email: eia.conv@unece.org

