

## Decision VIII/3–IV/3

### Long-term strategy and the action plan for the Convention and the Protocol

*The Meeting of the Parties to the Convention and the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol (Meeting of the Parties to the Protocol), meeting in joint session,*

*Recalling* their decision VII/7–III/6 on the development of a strategy and an action plan for the future application of the Convention and the Protocol,

*Recognizing* the importance of the long-term strategy and the action plan in guiding the work and priorities of the Convention and the Protocol,

*Acknowledging* the need for sufficient resources for their implementation,

1. *Welcome* the development of the draft long-term strategy by volunteering Parties through informal consultations co-chaired by the Netherlands, initially with Austria and then with Poland, with support from the secretariat;

2. *Adopt* the long-term strategy and the action plan as contained in document (ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/3–IV/3, annex);

3. *Decide* that the strategy and the action plan will be implemented through actions in the workplans and decisions by the Meetings of the Parties;

4. *Agree to* make every effort to fund the implementation of the actions;

5. *Decide* to regularly assess progress in the implementation of the long-term strategy and the action plan;

6. *Also decide* to review and, as needed, readjust the strategic goals and priority objectives in 2030.

## Annex

### Long-term strategy and the action plan for the Convention and the Protocol

#### I. Introduction

1. The Convention on Environmental Impact Assessment in a Transboundary Context and its Protocol on Strategic Environmental Assessment have contributed to improving international cooperation, the integration of environmental concerns into development activities, environmental governance and transparency in planning and decision-making.

2. The treaties have proved to be effective instruments for fostering environmentally sound and sustainable development, as is demonstrated by the steadily increasing number of Parties to and the worldwide interest in the treaties. The Parties to the Convention and its Protocol further believe in the treaties' potential to contribute to countries' implementation of a wide range of Sustainable Development Goals, as set out in the 2030 Agenda for Sustainable Development.

3. Although the treaties have many strengths, as outlined above, they face many challenges, the biggest of which is arguably that of achieving their full and effective implementation among the Parties. Making full use of the treaties to address national, regional and global challenges is also an important objective. As of February 2020, the Convention and the Protocol have 45<sup>1</sup> and 33<sup>2</sup> Parties, respectively, across the United Nations Economic Commission for Europe (ECE) region, including countries from the Caucasus, Central Asia, Europe and North America and the European Union. Part of the long-term vision of both the Convention and the Protocol is to build on this to achieve a wider implementation of the treaties within and beyond the ECE region.

4. The present long-term strategy for the Convention and the Protocol has been developed to specifically address the challenges outlined above, but also to build on the many strengths of the treaties.

5. In accordance with decision VII/7-III/6 (ECE/MP.EIA/23.Add.1-ECE/MP.EIA/SEA/7.Add.1), the long-term strategy and the action plan have the following objectives:

(a) To set a strategic vision for the coming years, to address priorities and to meet new challenges, including those with respect to climate change, biodiversity, energy, land use and urban planning, agriculture, waste management and transport;

(b) To set priorities at the operational level, to ensure the best use of the limited resources of the Parties and the secretariat;

(c) To identify future activities, partnerships and funding mechanisms.

6. The strategy is focused on the following three strategic goals, which are set out in indicative order of priority:

(a) Full and effective implementation of the Convention and the Protocol;

(b) Increased impact by addressing new national, regional and global challenges;

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<sup>1</sup> Up-to-date information on the status of ratification of the Convention is available at [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XXVII-4&chapter=27&clang=\\_en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVII-4&chapter=27&clang=_en).

<sup>2</sup> Up-to-date information on the status of ratification of the Protocol is available at [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XXVII-4-b&chapter=27&clang=\\_en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVII-4-b&chapter=27&clang=_en).

(c) Wider implementation of the Convention and the Protocol within and beyond the ECE Region.

7. Each strategic goal is linked to priority objectives at the national and international levels. The periodic workplans support the implementation of the goals and priority objectives. The workplans should continue to be agreed upon by the Meetings of the Parties at their sessions for the duration of an intersessional period (usually three years), and their implementation regularly reviewed by the Bureau and the Working Group at their meetings.

8. The strategy extends to 2030, with periodic reviews of its implementation to be conducted, as needed.

9. It should be noted that, in order to ensure the effective future implementation of the Convention and the Protocol, one of the priority objectives of this strategy is to ensure that all their Parties make financial contributions or increase existing contributions where possible. The delivery of the goals and priority objectives set out in the strategy is largely dependent on ensuring that Parties make or increase existing financial contributions, given that the achievement of many of the ambitious targets set out in the strategy is resource dependent.

## **II. Strategic goals and priority objectives until 2030 at the national and international levels**

### **A. Full and effective implementation of the Convention and the Protocol**

#### **1. Building on strengths and addressing weaknesses**

- Improving Parties' implementation by building on strengths and addressing weaknesses, in legislation and practice, including weaknesses listed in the reviews of implementation of the Convention and the Protocol – challenging issues include the following:
  - Language and translation issues within transboundary procedures: identifying good practice concerning translations, especially quality of translations and scope of translation
  - Timing of notification: ensuring that notification of affected Parties takes place as early as possible

#### **2. Unifying the treaties' application and strengthening Parties' capacities**

- Unifying the treaties' application and strengthening Parties' capacities, for example by:
  - Urging concerned Parties to ratify the second amendment to the Convention
  - Encouraging the Parties to make better use of existing guidance
  - Developing new guidance and updating existing guidance, as required and subject to the availability of resources
  - Exchanging best practice
  - Clarifying the scope of the treaties and their relationship with other assessment tools, whenever needed, to increase efficiency and avoid duplication
  - Clarifying the terminology and obligations of the treaties, with specific emphasis on appendices I and II to the Convention and the Protocol
  - Identifying Parties' need for legislative assistance and capacity-building, including through a review of their national legislation and administrative capacity, subject to the availability of resources
  - Matching the needs to the resources available and, to the extent possible, addressing them through technical assistance, capacity-building, guidance, sharing good

practice and twinning procedures – as appropriate, making use of the review of compliance procedure

### **3. Encouraging informal “pre-notification” contacts**

- Encouraging Parties to consult each other on the application of the Convention through informal “pre-notification” contacts for those projects not listed in appendix I to the Convention

### **4. Strengthening support for the treaties**

- Providing stronger support for the treaties by decision-makers, economic sectors and the public, through enhanced visibility and better communication about the treaties’ benefits – related actions include the following examples:
  - Developing a communication strategy to enhance visibility and to better convey the advantages of strategic environmental assessment and transboundary environmental impact assessment
  - Illustrating the benefits of the treaties by portraying examples of best practice on the treaty website
  - Making the links between the two assessment tools and Sustainable Development Goals, climate objectives and other national priorities more obvious and better known
  - Making better use of media, including social media, improving the ECE website and other communication tools
  - Preparing innovative promotional material for different target audiences, such as videos and collections of best practice, short messages for policymakers and frequently asked questions
  - Organizing national awareness-raising events and public awareness campaigns, raising awareness among parliamentarians and increasing use of the advocacy role of non-governmental organizations
  - Attracting more high-level participation at official meetings of the treaty bodies and involving prominent actors in the promotion of the treaties

### **5. Creating and increasing synergies and cooperation**

- Identifying opportunities to create and increase synergies with other relevant Conventions and international processes and to improve coordination among and within Parties – related actions include the following examples:
  - Identifying Conventions/legal instruments that show room for improved coordination/harmonization to generate synergies with regard to their implementation and that of their obligations
  - Avoiding undertaking overlapping obligations and actions with other relevant Conventions and organizations
  - Aiming to improve the cost-efficiency of the secretariats of the above-mentioned treaties and organizations, for example, by undertaking joint capacity-building activities, and, if feasible, by sharing staff and resources

### **6. Increasing bilateral agreements**

- Increasing the number of bilateral agreements for the implementation of the Convention and the transboundary procedures of the Protocol, and simplifying their drafting in order to achieve uniformity of interpretation of the treaties between neighbouring countries

#### **7. Enhancing networking**

- Improving transboundary cooperation through enhancing the use and functioning of the networks of national focal points and points of contact for notification, for example, through:
  - Organizing regular meetings with focal points from neighbouring Parties/the region
  - Holding (informal) discussions on interpretation and implementation issues amongst national focal points of neighbouring Parties
  - Encouraging the establishment of more permanent subregional ad hoc groups of focal points and experts of neighbouring Parties to exchange information about projects and national systems and views

#### **8. Ensuring the effectiveness of the compliance mechanism**

- Ensuring that the review of compliance mechanism under the Convention and the Protocol functions well and its outcomes are respected, so that it can effectively assist Parties in fully meeting their obligations under the treaties – related actions include the following examples:
  - Reviewing the operating rules, funding and number of and election criteria for the Committee members to strengthen the mechanism
  - Ensuring that Parties respond to the Committee's queries in a timely manner

#### **9. Improving reporting and review of implementation**

- Using the mandatory reporting mechanism under the Convention and the Protocol for better monitoring and supporting the review of implementation–actions to this end include the following examples:
  - Improving the timeliness and quality of the mandatory reporting and the questionnaires
  - Adapting the reviews of implementation to maximize their usefulness as a source of information, highlight progress achieved, draw attention to areas that need improvement, disseminate best practice, and inform the Implementation Committee of potential non-compliance

#### **10. Increasing funding**

- Parties making adequate resources available, by contributing the necessary funding to the trust fund and by providing in-kind contributions that will adequately back all workplan activities and the secretariat services

#### **11. Improving interaction and reaching consensus**

- Improving Parties' interaction and ensuring consensus-based decision-making at the meetings of the treaty bodies

### **B. Increased impact by addressing new national, regional and global challenges and goals**

#### **1. Advocating the treaties' role in addressing national and global challenges**

- Highlighting and communicating the role that the treaties can play in addressing global and national priorities and challenges in the field of environment, including in relation to climate change, biodiversity, waste management, circular economy, air, soil and water: to this end, developing best practice concerning energy (nuclear, renewables), transport and telecommunication, land use and urban planning and infrastructure development

**2. Making full use of the treaties' potential**

- Making full use of the treaties' potential to address new global, regional and national goals and commitments, for example, making the treaties' contribution to the implementation of the Sustainable Development Goals more concrete and measurable by developing guidance for environmental impact assessment and strategic environmental assessment practitioners for translation of those Goals, targets and indicators that are relevant to the assessment of a given proposed activity, plan or programme

**3. Agreeing on related workplan activities that address these new challenges and goals**

- Agreeing on workplan activities and corresponding/matching funding that target key challenges and goals, including their timeline, the results expected and how they can match the key challenges and goals, including for example:
  - Exchanging best practice
  - Preparing guidance
  - Capacity-building, such as targeted training

**4. Coordinating and cooperating with relevant treaties and organizations.**

- Coordinating and cooperating with relevant regional and global treaties and organizations

**C. Wider implementation of the Convention and the Protocol within and beyond the ECE region**

**1. Increasing accession by ECE member States**

- Increasing accession to the treaties by ECE member States, for example by:
  - Building political and public support among non-Parties
  - Supporting legal reforms, awareness-raising and capacity-building in non-Parties, including via bilateral development support and twinning arrangements
  - Creating a pool of experts on the Convention and the Protocol

**2. Enabling and encouraging accession and implementation by non-ECE countries**

- Enabling and encouraging countries from other regions to accede to the treaties and/or replicate and implement the treaty provisions and best practice by Parties in their region(s) – related actions include the following examples:
  - Completing the remaining ratifications of the first amendment to the Convention (urging remaining countries to take the necessary steps, possibly providing financial support to the concerned countries subject to their ratification of the first amendment)
  - Carrying out awareness-raising, technical assistance and capacity-building activities
  - Developing information materials and guidance documents and translating them into other languages
  - Using regional and international cooperation frameworks to disseminate information and raise awareness of and interest in the Convention and the Protocol
  - Creating a pool of experts on the Convention and the Protocol
  - Including activities of global interest in the workplans

**3. Preparing for accession by non-ECE countries:**

- Preparing for accession by countries outside the ECE region, through actions such as the following:
    - Developing guidance and/or criteria for the global application of the treaties
    - Identifying and agreeing on possible changes to the modus operandi of the treaty bodies (the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment, the Meetings of the Parties and the Implementation Committee)
    - Agreeing on a budget and a funding mechanism, for example, to fund the participation of non-ECE countries in the meetings and outreach, awareness-raising and assistance activities
    - Identifying possible tools and their benefits and drawbacks, for example, bilateral partnerships, development assistance and twinning arrangements between current and prospective Parties, outreach arrangements and cooperation with international organizations and financial institutions.
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