



**First Meeting of the Parties
under the UNECE Convention on
Environmental Impact Assessment
in a Transboundary Context**

Oslo, 18 – 20 May 1998

Ministerial Session

Item 5

**Policy Statements by Ministers
and Heads of Delegations**

Ministry of Environment
Oslo (Norway), September 1999

Ministerial Session:

- The Minister of the Environment of Norway, Ms. Guro Fjellanger, opened the Ministerial session of the first meeting of the Parties and welcomed the delegations on behalf of the Government of Norway.
- The Executive Secretary of ECE, Mr. Yves Berthelot, made an opening statement.
- The delegations from the following Parties delivered a statement: Albania, Armenia, Austria, Bulgaria, Canada, Croatia, Denmark, Finland, Greece, Hungary, Italy, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Netherlands, Poland, republic of Moldova, Slovakia, Spain, Sweden, Switzerland, United Kingdom, European Community
- The delegations from the following ECE member countries and organisations also delivered a statement: Azerbaijan, Belgium, Czech Republic, Estonia, France, Georgia, Germany, Ireland, Kazakhstan, Romania, Russian Federation, Slovenia, Turkey, Ukraine, Uzbekistan, WHO/EURO, IAEA, CEE Earthwatch Network and Ecologia (joint statement), International Association for Impact Assessment, Regional Environmental Center (REC), and Centre for Environmental Projects and International Public Network for Environmental Impact Assessment (joint statement), UNEP, The Convention on Biodiversity

Note:

This publication has been produced by the Ministry of Environment of Norway as the host authority of the First Meeting of the Parties under the EIA Convention. Please note that only statements which have been made available to the Ministry are included in the publication. The statements are available in the language they were delivered. Further copies may be obtained by contacting the Secretary of the UNECE EIA-Convention, United Nations, Geneva.

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 - The Convention on Biodiversity

Guro Fjellanger
Minister of the Environment, Norway

Opening Statement of the Ministerial Session
of the
First Meeting of the Parties
to the
UN ECE Convention on Environmental Impact Assessment in a
Transboundary Context

Holmenkollen Park Hotel Rica, Oslo (Norway), 18 -20 May 1998

Your Excellencies, Ladies and Gentlemen,

It is an honour for me on behalf of the Norwegian Government to open the Ministerial Session of the First Meeting of the Parties under the UN ECE Convention on Environmental Impact Assessment in a Transboundary Context.

The idea to start work on environmental impact assessment in a transboundary context was first launched by a Canadian delegate, Mr. Robert G. Connelly, at a seminar on Environmental Impact Assessment organised by the Polish Government in Warsaw in 1987. The idea was taken on by the ECE, and negotiations on a convention started in 1988. The Convention was signed in February 1991 in Espoo, Finland. It entered into force on 10 September 1997.

At the moment there are 20 Parties to the Convention, and the EU has also ratified. The latest country to become a party is Canada, who deposited its instruments of ratification only last week.

I note with pleasure that of the 55 member countries of the ECE, 46 are represented here today, many at high political level. All 20 Parties to the Convention and the EU are here. In addition, many international and non-governmental organisations as well as Norwegian institutions are present as observers. Altogether more than 150 participants have registered. I thank you all for coming to this meeting.

I am very much looking forward to listening to the policy statements of ministers and other heads of delegations.

I have been informed that the Senior Officials' Session yesterday went well, and that we should be in a position to adopt the decisions as set out in the agenda. In this connection, I would like to extend my thanks to all for the excellent work which has been done by the delegations in preparing the documents. Special thanks are extended to Canada for its work on the format of notification, to Poland, in co-operation with my own country, for work on the database, and to the UK for their efforts on the work-plan.

With regard to the work-plan - which I consider to be broad in scope and covering many interesting topics - I would like to thank all the countries which have offered to take on responsibilities as lead countries, or for financing activities. And of course my thanks are also extended to the Secretariat, which has done an excellent job with limited resources.

I would like also to say a few words about the situation on EIA in a transboundary context in Norway.

EIA has been a quite well regulated feature of Norwegian environmental policy since 1990, when such obligations were put in the Planning and Building Act. Since then about 50 projects - and these are the largest development projects - have been subject to EIA each year. In 1995 the Act was revised, and clauses to implement the EIA Convention were added. Currently we are working on the necessary regulations to implement the Convention to its full effect. These regulations will enter into force early next year.

With regard to the practical application of the Convention I think it fair to say that the principles of the Convention have been applied in a number of cases, for instance for a proposed military training area near the border of Sweden, and the opening of Skagerrak for offshore oil and gas exploration. The first fully fledged EIA Convention project is now under study, namely the improvement of the navigation passage of the Iddefjorden on the Swedish border, involving dredging and underwater work. Yesterday my State Secretary had very constructive talks with Mr. Porodin, Vice-Chairman of the State Committee of Environment in Russia, on projects of possible transboundary nature along our common border in the North, and the EIA Convention could be a useful instrument in this respect. In the time to come it may be of interest to consider bi-lateral agreements with Russia and other neighbouring countries.

Finally, with regard to the further perspectives, Norway will sign the new ECE Convention on «Access to Information, Public Participation and Access to Justice in Environmental Matters» at the Ministerial Conference in Århus next month. In many ways these two conventions are adopted to each other. It would therefore be of interest to look more closely at this relationship, in order to provide the general public with the best possible opportunities for participation in environmental assessment and decision-making processes.

With these words I give the floor to Mr. Yves Berthelot, Executive Secretary of the Economic Commission for Europe.

PROVISIONAL LIST OF SPEAKERS

1. **Norway**
Ms Guro Fjellanger
Minister
2. **ECE**
Mr. Y. Berthelot
Executive Secretary
3. **Albania**
Mr. M Deliana
Chairman, Committee on Environmental Protection
4. **Armenia**
Mr. S. Shahazizyan
Minister
5. **Bulgaria**
Ms. E. Maneva
Minister
6. **Hungary**
Dr. G. Lanyi
Deputy Secretary of State
7. **Italy**
Mr. V. Calzolaio
Secretary of State
8. **Kyrgyztan**
Mr. K. Bokonbaev
Minister
9. **Latvia**
Dr. I. Emsis
State minister
10. **Liechtenstein**
Mr. N. Marxer
Minister
11. **Lithuania**
Mr P. Juskevicius
Vice-Minister
12. **Poland**
Mr. M. Michalik
Vice Minister
13. **Rep. of Moldova**
Mr. S Fandofan
Minister
14. **Russian Federation**
Mr. A, Poryadin
First Deputy
Chairman, State Committee
15. **Slovakia**
Mr. J. Zlocha
Minister

16. **United Kingdom**
Mr. N. Raynsford MP
Parliamentary under Secretary of State
17. **Austria**
Ms. W. Petek
Head of Department
18. **Croatia**
Ms. G. Valcic
Deputy Director
19. **Canada**
Mr. R. Connelly
Vice-President
20. **Denmark**
Mr. N. Østergård
Director General
21. **Finland**
Ms. U-R Soveri
Special Adviser
22. **Greece**
Mr. E. Dimitrakopoulos
Ambassador
23. **Luxembourg**
Mr. C. Franck
Counsellor
24. **Netherlands**
Mr. J. Van der Heuvel
Director
25. **Spain**
Mr. E. Herranz
Head of EIA Area
26. **Sweden**
Mr. P. Nordstöm
Minister, Swedish embassy
27. **Switzerland**
Mr. V. Gianella
Head of Section
28. **EC**
Mr. C. Pleinevaux
Head of Unit
29. **Azerbaijan**
Ms. N. Gelman
Senior expert
30. **Belgium**
Mr. J. De Mulder
Assistant Director
31. **Czech Republic**
Mr. V. Obluk
Director

- | | | |
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| 32. | Estonia | Mr. O. Tammemäe
Director General |
| 33. | France | Mr. P. Henault
Ambassador |
| 34. | Georgia | Ms. C. Khmaladze
Head of Division |
| 35. | Germany | Dr. H. Mierheim
Deputy director |
| 36. | Kazakhstan | Mr. A. Dzhumadildaev
Leading Specialist |
| 37. | Romania | Mr. M. Croitoru
Ambassador |
| 38. | Slovenia | Dr. I. Vucer
Assistent to director |
| 39. | Ukraine | Mr. Y. Magedov
Director |
| 40. | Uzbekistan | Mr. I. Fakhrutdinov
Chief |
| 41. | NGO (common statement) | ? |
| 42. | International Association for
Impact Assessment (IAIA) | Ms. I. Swensen |

**MINISTERIAL SESSION OF THE FIRST MEETING OF THE PARTIES
TO THE CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT
IN A TRANSBOUNDARY CONTEXT**

**Statement by Mr. Yves Berthelot
Executive Secretary of the United Nations
Economic Commission for Europe**

Distinguished Ministers,
Excellencies,
Ladies and Gentlemen,

It is both an honour and a pleasure for me to address this Ministerial session of the first Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context. In my opinion this gathering is unique, not only because this is the first Meeting of the Parties and it takes place at ministerial level, but also because it provides a strong support to environmental impact assessment (EIA) as an important instrument in implementing and strengthening sustainable development. The participation of many Ministers and the decisions submitted to you for approval are proof of the importance of our meeting. I would like to use this opportunity to thank the Norwegian Minister for her statement and her kind words of encouragement, as well as for the excellent arrangements made to host this important event.

Environmental Impact Assessment (EIA) has become a major tool for the integrated approach to protecting our environment, since contrary to the traditional sectoral approach, it requires a comprehensive assessment of the impacts of an activity on the environment. Moreover, it looks into alternatives to the proposed activity and brings facts and information on environmental impacts to the attention of the decision makers and the public. EIA is already used as an effective instrument for improving the quality of the environment in a number of countries. I am confident that the Convention on Environmental Impact Assessment in a Transboundary Context (the EIA Convention) will lead to an improvement in our means to promote a sustainable development, in particular in a transboundary context.

This Convention is the first multilateral treaty to specify the procedural rights and duties of Parties with regard to the transboundary impact of proposed activities and to provide procedures, in a transboundary context, for the consideration of environmental impacts in decision-making procedures. The EIA Convention stipulates the obligations of Parties to assess the environmental impacts at an early stage of planning by stipulating that an EIA procedure has to be undertaken for a proposed activity planned by one Party if it is likely to have a significant transboundary impact on an area under the jurisdiction of another Party.

The EIA Convention also contains provisions on public participation. You may be aware that next month at the Ministerial Conference "Environment for Europe" a new Convention on access to information, public participation in decision-making and access to justice in environmental matters will be adopted and signed. I strongly believe that this new Convention will help to further strengthen public participation in general, and the implementation of the EIA Convention in particular.

The EIA Convention has influenced and will continue to influence other international instruments such as conventions and ministerial declarations. For instance, the ECE Conventions on the Transboundary Effects of Industrial Accidents and on the Protection and Use of Transboundary Watercourses and International Lakes also make reference to EIA in a transboundary context, as do provisions in other conventions, such as the Convention on the Protection of the Marine Environment of the Baltic Sea Area.

I have noted with interest the issues which are included in the work-plan which you are about to adopt, in particular the analysis of the practical application of the Convention, public participation, links with other Conventions and the database. The work-plan reflects the political will of Governments to take an active and forward-looking approaching to these issues. In this context one has to keep in mind that this Convention brings about a frame for concrete action. The work programme will give the Convention flesh to the bones. Hopefully, all of you will be ready to take on responsibilities in this work to jump-start the work under the Convention.

Particularly important, to my mind, would be to have a good number of best practices and experience of projects in the implementation of the Convention. Only then we can see the real impact on the environment and take measures to improve the implementation, as needed.

The Economic Commission for Europe, in cooperation with experts seconded by Governments and other international organizations, is ready to carry out the tasks that are requested from it in this context.

We, in the ECE secretariat, would like to reach also outside the governmental areas. The civil society must be involved. We also need to involve regional and local administrations. Finally, the individual citizens should feel that they have more to say, that they know more.

It is good to see that both Parties and non-Parties to the Convention participate in this meeting. I see this as a sign of interest to increase the number of ratifications and thus enlarge the cooperation. So, I welcome non-Parties to speed up their ratification procedures as much as they can.

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**STATEMENT OF THE ALBANIAN HEAD OF DELEGATION
AT THE FIRST MEETING OF PARTIES TO THE
CONVENTION ON ENVIRONMENTAL IMPACT
ASSESSMENT ON TRANSBOUNDARY CONTEXT.**

OSLO, NORWAY 18-20 MAY 1998

by

Mr. *MAKSIM DELIANA*

CHAIRMAN OF ENVIRONMENTAL PROTECTION COMMITTEE
COUNCIL OF MINISTERS
ALBANIA

Ministerial Session on 19. 05.1998

Honorable Mr. Chairman
Honorable Ministers
Ladies and Gentlemen

First of all I would like to thank you Mr. Chairman for giving the floor to the Albanian head of delegation. I would like to thank the organizers and specially the government of Norway for hosting this activity and for the excellent arrangements made available to all of us.

The political, economic and social changes in Albania during the last years, the orientation toward market economy, the extension of private activities, and the increase of foreign investments put forward the necessity that the environmental protection be treated as one of the most priority issues and their solution be reviewed in consistence with the experience of developed countries and international standards, by applying the important principle "*Sustainable Development*"

The Committee of Environmental Protection, under the authority of Council of Ministers as the central body, responsible for environmental issues in the Republic of Albania, is showing a serious commitment in its efforts for solving old and present environmental problems, succeeded in identifying the environmental priorities, building the necessary institutional framework and a completed legal framework.

Honorable Chairman

We agree in general with the proposed plan of work for the implementation of Convention up to the second meeting of the Parties. The structure of the present plan is very oriented and deals with very important issues as the exchange of the information, possibility to enter in bilateral and multilateral agreements, public participation and technical issues.

We find so useful the establishment of the Data Base on Environmental Impact Assessment. We hope very much that the level of application and coordination of such activities would make possible the upgrading of EIA procedures application in transboundary context in accordance with the provisions of the convention.

We support the recommendation that the principles of EIA in a transboundary context should be applied also to a strategic level (plans, programs policies). And specially in the sectors mentioned to the relevant document.

The CEP of Albania is now under the authority of Council of Ministers. This means more institutional power in order to be able to impose the integration of EIA principles into the national development strategy in different sectors. We are going to work better in this direction.

Specially we appreciate the attention paid to the countries in transition in order to supply much better financial, technical, administrative and legislative assistance. We need your help concerning a better enforcement of the existing EIA law, upgrading of the relevant legislative framework, capacity building etc..

On behalf of the Albanian delegation, I really do hope that this meeting of parties will put the efforts of the countries parties to this convention in bringing effective and appropriate issues and problems related to Environmental Impact Assessment in transboundary context.

AUSTRIA
Federal Ministry of Environment,
Youth and Family Affairs

**UNECE Convention on Environmental Impact Assessment
in a Transboundary Context**

**First Meeting of the Parties
18- 20 May 1998, Oslo**

POLICY STATEMENT BY THE AUSTRIAN DELEGATION

Austria is a small land-locked country in Central Europe with eight neighbouring states. Austria therefore needs to cooperate with her neighbours to avoid negative transboundary environmental impacts, particularly since a lot of pollution origins from sources outside Austria.

Austria has a great deal of interest to receive information about proposed activities in her neighbouring countries as early as possible. Furthermore, Austria is interested in exchanging information and to enter into consultation with her neighbours. The Austrian public is very concerned about the possible impacts of future activities in other countries (conf. e.g. the ongoing discussions about nuclear power plants close to the Austrian border). The public demands sufficient information and public participation in procedures of projects with transboundary impacts.

The Espoo Convention indeed establishes a mechanism for information and consultation procedures that involve the public and is therefore a useful instrument to fulfill Austrians interests.

Austria signed the Espoo-Convention on February 26, 1991 and ratified it as the sixth country on July 27, 1994. The Convention has been implemented in the Austrian Federal Act on Environmental Impact Assessment (Fed. Law Gaz. No. 697/1993). The provisions concerning the implementation of the Espoo-Convention require for projects that may have transboundary impact or on request of the affected country the transmission of the Environmental Impact Statement, information on the EIA procedure and give the affected country the possibility to submit comments. The respective provincial government is the competent authority. On the basis of the transmitted information and the results of the Environmental Impact Expertise which has to be elaborated in the EIA procedure, consultations have to be held on the possible transboundary impacts and on measures to prevent or reduce transboundary environmental impacts. The provisions of the EIA Act also regulate how public participation is organized in case of transmission of information on projects in other countries having a transboundary impact on Austria as an affected country.

Austria considers it important to enter into bi- or multilateral agreements with our neighbours to make the Convention work in practice without problems. Already in 1994 Austria established some elements for a bilateral agreement with Slovakia based on the principles of the Espoo-Convention. The draft includes arrangements for Austria and Slovakia to give full effect to the Espoo-Convention if an EIA has to be carried out for a proposed activity with transboundary impacts. We reported on these elements at an ECE workshop under the Espoo Convention on bilateral and multilateral cooperation in Baarn (Netherlands), November 1994.

Austria is highly interested in establishing bilateral agreements with its neighbouring countries and will try to accomplish them in the course of the years to come.

Austria has actively taken part in the preparation of the Convention and in the activities following its completion. Austria took part in working groups and preparatory meetings for the Meeting of the Parties and helped others in their activities, e.g. the seminar on Public Participation in Moscow 1995. We hope to continue our active support for activities under the Espoo Convention, as we did e.g. by supporting the Countries in Transition in their participation in activities under the Espoo Convention.

In the spirit of good neighbourhood, the Espoo-Convention enhances international cooperation in assessing environmental impacts in a transboundary context. This aspect is of particular importance for Austria as a country situated in Central Europe. The Convention therefore will strengthen the cooperation with our neighbouring countries and we are looking forward to its fruitful implementation in practice.

Finally, we would like to congratulate the Norwegian Government on the successful performance of this first Meeting of the Parties of the Espoo Convention and thank them for their kind hospitality.

STATEMENT

of the Minister of the Environment and Waters
of the Republic of Bulgaria

on the occasion of the First Meeting of the Parties to the Convention on
Environmental Impact Assessment in a Transboundary Context

Dear Chairman,
Your Excellencies,
Ladies and Gentlemen,

In Bulgaria, the legislative initiative on environmental impact assessment is strong and we have the necessary basis for the practical implementation of this important instrument in environmental management. The process of Environmental Impact Assessment follows the principal guidelines of European legislation (Directive 85/337 on EIA and the complementary Directive 97/11).

The Republic of Bulgaria is one of the countries which signed the Convention on EIA in a Transboundary Context in Espoo, Finland in 1991, and in March 1995 our country ratified the Convention.

The practical implementation of the environmental impact assessment includes the following key stages: screening of the projects; identification of the scope of the impacts; preparation of an EIA report by independent authorised experts; submission of the report for public discussion; taking of a balanced decision on EIA by the competent authority; possibility to appeal against the decision.

The requirements for EIA are included in a Special separate Chapter of the Environmental Protection Act (Chapter IV) and there are a Regulations developed on the terms and conditions for the practical implementation of EIA. There are three regulations developed and enforced in this area. The role and importance of EIA in the preventive control of environmental pollution are further strengthened with the implementation of this assessment at initial stage of project design and planing. The Environmental Protection Act, Chapter IV, provide for the mandatory assessment of development plans and programmes.

We have started the implementation of the requirements of the Convention by signing bilateral and multilateral agreements with our neighbouring countries (Romania, Greece and FYR). The implementation of joint EIA procedures for projects with transboundary impact has not yet started since the Convention entered into force in September 1997. We have achieved a principal agreement with Greece upon a trilateral meeting among Bulgaria, Greece and Romania in the end

of 1999. We envision to extend our cooperation with Romania in the field of EIA in the framework of the bilateral agreement signed in 1997.

It is also important to mention that until now the Convention has been ratified only by Greece of all our neighbouring countries. We hope that some other neighbouring countries, such as Romania and Ukraine will have joined the Convention by this First Meeting of the Parties in Oslo.

The provisions of the Convention are adopted entirely in our National Legislation on EIA and particularly in a new draft Regulation on EIA which is to be adopted. The implementing regulations are being continuously improved. We have developed and approved a Regulation on the Assessment of the Environmental Effect of Projects and Activities that are not Subject to Mandatory EIA, which will be implemented by the municipalities. We have developed and approved Guidelines for the Assessment of the Impact of Historical Pollution on the Environment.

As a party to this extremely important document, Bulgaria will strictly follow the requirements for its practical implementation, considering the fact that, due to the small territory and central location of our country in the Balkan peninsula, there are potential risks for us to cause transboundary pollution resulting from our industrial activities as well as to be subject of transboundary pollution from our neighbouring countries.

We consider that the regular exchange of views on the implementation and legislative practices is extremely useful. Accordingly, we fully support the pilot seminar included in the work plan, that is planned to take place in Bulgaria at the beginning of 1999, and we express our gratitude to Norway and the Secretariat for their readiness to provide financial support. We will make all necessary efforts to develop this initiative and make it useful not only for our country but also for the other countries in transition for which it is intended.

Policy Statement by the Government of Canada

First meeting of the Parties to the United Nations Economic Commission for Europe Convention on Environmental Impact Assessment in a Transboundary Context

**Mr. Robert G. Connelly
Vice President, Policy Development
Canadian Environmental Assessment Agency
Government of Canada**

Honourable Ministers, distinguished delegates.

On behalf of the Government of Canada, I would like to thank the Government of Norway, and to you Minister Fjellanger for the gracious welcome and hospitality while in Norway. I would also like to thank your competent officials and in particular Mr. Terje Lind for his leadership and excellent work in bringing this meeting together.

Although Canadian Environment Minister, the Honourable Christine Stewart was unable to attend personally, our Minister congratulates the Parties to the Convention for their efforts to bring the Convention into force within their countries.

She also passes on her best wishes to Parties and Signatories to the Convention for very productive discussions on this momentous occasion.

It is also a great pleasure for me to see how the instrument many of us started to develop some ten years ago has evolved to the point where the first meeting of Parties is now being held.

In 10 years considerable political and economic changes have occurred in Europe and North America.

For example, new countries have emerged in Europe and membership in the Economic Commission for Europe has increased. In North America, the North American Free Trade Agreement has resulted in increased exchange of information and goods and services between Canada, the United States and Mexico. Worldwide the fiscal situation of many countries is improving and resulting in increased economic growth and activity. This combined with growing

population has heightened attention to environmental problems of a transboundary nature.

In retrospect, we can conclude that this Convention is truly innovative and its content and obligations well suited to address effectively the environmental challenges of the future in a spirit of co-operation.

In North America, the Convention has served as a model in developing a proposed regional agreement on transboundary environmental impact assessment between Canada, Mexico and the United States.

Minister, Canada truly values the principles and respects the obligations embodied in the Convention. Indeed, in the past week as you noted in your remarks Canada has deposited with the United Nations its instrument of ratification to give effect to the Convention in Canada.

In ratifying the Convention, however, Canada has done so with a reservation limiting its application to proposed activities requiring an environmental impact assessment under federal legislation.

This is an interim measure which Canada hopes to lift following further domestic discussions.

Canada is proud to be among the community of nations gathered here today to mark the entry into force of the Convention.

Canada also looks forward to participating in the future work of the Parties to the Convention.

Thank you Minister.

First Meeting of the Parties under the UN ECE Convention on Environmental Impact Assessment in a Transboundary Context.

Item 5. Policy statements by Ministers and heads of delegations.

On behalf of Denmark I would like to express our gratitude to Norway for preparing and hosting this first meeting of the parties under the Espoo Convention.

Denmark recognises the importance of focusing and co-operating within the context of the Espoo-convention, and look forward to seeing the development of a new paradigm for dealing with projects which are likely to cause significant adverse transboundary impacts.

Especially the direct public involvement is one of the challenging aspects of this convention. We hope that the convention will improve democracy and ensure more legitimacy to decisions that are taken.

Therefore we consider the Espoo-convention as an important cornerstone for the discussions at the ministerial conference in Aarhus next month where we, as mentioned by several delegations, expect the adoption and signing of the new Convention on Access to information, Public Participation in Decisionmaking and Access to Justice in Environmental Matters.

From a Danish point the Espoo-convention follows a logical strategy by broadening and improving the scope of EIA, and by working along the recognition that sustainable development presupposes international and regional co-operation and solutions.

In Denmark environmental impact assessment is already a well known and integrated part of the spatial planning system which is the main arena for the Danish implementation of the EU-directive on EIA and the Espoo-convention.

At the strategic level we have since 1993 rules for strategic environmental assessment of bills and other government proposals. At other administrative levels the Ministry supports research and trial runs to practice environmental assessment.

The Danish work and priorities under the Espoo-convention must be seen as complementary to other environmental initiatives and regional co-operation which Denmark takes part in. We especially focus on environmental assistance for central and eastern Europe (The Danish Central and Eastern Europe Environmental Support Fund).

In this light my delegation is happy to announce that Denmark supports the revised line for the database which includes an evaluation of the trial-period. Denmark offers to contribute substantially and financially in co-operation with Hungary and UK in the evaluation of the database. My country will also consider to cover a couple of travels to work shops for experts from countries in transition.

Meeting of the Parties to the Convention on Environmental Impact Assessment in a
Transboundary Context
First meeting, Oslo 18-20 May 1998

Item 5: Policy statements by ministers and heads of delegations

Distinguished ministers
Ladies and Gentlemen

On behalf of the Finnish delegation, I would like to express our gratitude to the Norwegian government for hosting this important meeting. Additionally, I would like to thank all the countries who by ratifying the Convention have helped bring about this meeting.

Finland ratified the Convention in August 1995, and today our Act and Decree on Environmental Impact Assessment Procedure implement the Convention.

Environmental Impact Assessment is an effective instrument for enhancing sustainable development by integrating environmental issues into economic and sectoral policies. The Convention is an important tool in preventing and mitigating adverse transboundary environmental impacts of proposed projects. Because of the Convention, countries have greater opportunities to exchange information and to consult with each other during the early stages of project planning. Moreover, the Convention leads to better mutual co-operation and lessens the likelihood of possible disagreements over issues - disagreements which otherwise might arise during later stages of planning and implementation.

Since the Convention was signed in Espoo in 1991, Finland has applied the provisions of the Convention as far as possible. Even before the Convention came into force, Finland was putting the provisions into practice. During this period, we notified Sweden of the construction of a reservoir and of the enlargement of a ferrochrome and stainless steel works. In addition, Russia was notified of the construction of a power plant. These first cases, or trial runs, have been very important, because we gained valuable experiences for later applications of the Convention. The Convention is now being applied to a nuclear waste project, and three other projects are about to begin during this summer and autumn.

From our experience, countries need to be well informed of their respective national administrative systems and EIA procedures. Bilateral and multilateral co-operation cannot be overemphasized. Let me give a few examples of what can be done. Under the Nordic Council of Ministers, the Nordic countries have co-operated on case studies. Finland also acted as a lead country, under the Arctic Environmental Protection Strategy, in preparing guidelines for environmental impact assessment in the Arctic. We have also entered into negotiations with our neighbouring countries, Estonia and Russia, to draft respective bilateral EIA agreements.

Now that the Convention has come into force, the work of the Meeting of the Parties to the Convention is very important. In addition to the formal and financial framework, the tasks under the workplan will provide us with further guidance and more opportunities to exchange experiences - both of which are needed to apply the Convention more effectively. Finland will be acting as a lead country together with Sweden, and in co-operation with the European Commission, to carry-out the

item "Practical Application of the Convention" in the workplan.

The draft Oslo ministerial declaration recommends that the principles of environmental impact assessment in a transboundary context should also be applied on the strategic level. This is an important step forwards in integrating environmental issues into other policies, especially transport policies, in the ECE region. Let's take a moment to recall the Vienna Declaration and the Programme of Joint Action annexed to it. These were adopted at the Ministerial Conference on Transport and the Environment in Vienna last November. One item in the Programme of Joint Action is the integration of Strategic Environmental Impact Assessment into transport planning processes. Finland has taken the role of lead country for this item because we strongly support it.

To conclude, we are convinced that this will be a successful meeting. Finland also hopes that because of this meeting, those countries who have not yet ratified the Convention will be encouraged to do so. As soon as possible. Together, we can make the Convention effective in preventing and mitigating adverse transboundary environmental impacts in the whole ECE region. Today and in the future.

Statement
by Gábor Lányi
Deputy Secretary of State
Ministry for Environment and Regional Policy
Hungary

It is a great honour for me to take part in the first official session of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context. The constitution of this meeting is as important as the entry of the Convention into force last year which was crucial for international environmental protection. The decisions to be adopted at this meeting will contribute to the implementation process which started earlier by accelerating and widening it.

Environmental Impact Assessment is one of the most significant prevention methods used in the environmental protection in Hungary as well. The most advanced approach characterising environmental impact assessment is intended to be applied in Hungary both in domestic regulation and international relations as well and to this end compliance with the Espoo Convention is one of the instruments.

When in 1997 Hungary decided on ratification she was aware that the implementation of the basic ideas of the Convention - prevention of adverse environmental impacts, decision-making with due respect to environmental aspects, providing information for the concerned parties and public in time, taking the opinion of the other party into account - is the goal not only of the environmental policy but the policy in general in Hungary.

Hungary is convinced: the compliance with the Convention will promote not only the prevention and peaceful resolution of environmental conflicts based on mutual goodwill but it can open greater scope for fostering good neighbourly relations. Taking all this into account Hungary deposited the instrument of acceptance with the Secretary General of the UN in 1997 and began to elaborate the measures necessary for the implementation of the Convention.

On the one hand it includes the extension of the Hungarian regulation on impact assessment with the provisions which are to be used uniform way in any international procedure under the Convention. On the other hand we deem important to start negotiations with the neighbouring countries which are also Parties to the Convention

for the elaboration of new bilateral or multilateral agreements or for complementing the existing ones in accordance with the provisions of the Convention. These agreements may find common solutions to issues which the Convention only refers to.

With the Convention entering into force a new era began in the management of transboundary environmental impacts where co-operation among the concerned parties will become increasingly important. At the same time the common work under the auspices of the ECE by the member states towards the efficient implementation of the Convention cannot be concluded.

Hungary took an active part in the activity of the task forces promoting the entry into force and future application of the Convention organised by the signatories and the Secretariat of the UN ECE. According to our experiences these have been highly useful forums for exchange of information, for development of professional co-operation, for raising the most important issues and elaborating the proposals for solution. Therefore it is highly important to continue this type of activity and the draft work plan, as a result of lengthy debates, gives the right framework for that.

We attribute great significance to the elaboration of guidelines promoting bilateral and multilateral agreements, analysis of application experiences just as to the development, provision and operation of the data base for environmental impact assessment. Regarding the latter one, hereby I confirm that Hungary is ready in close co-operation with Denmark and the United Kingdom to lead the group evaluating the performance of the data base.

Finally I want to express my greatest appreciation to the representatives of Norwegian government for their long lasting and patience demanding work necessary to organise a meeting like this and for the hospitality they demonstrated.

Thank you for your attention.

STATEMENT

of Secretary of State of the Ministry of Environment of Italy

on the occasion of the First Meeting of Parties to the Convention on Environmental Impact Assessment in a Transboundary Context

Honorable chairperson, distinguished delegates,

First, we would like to express our gratitude to the Norwegian government for the organisation of this meeting.

The implementation of Espoo Convention represents an important step towards the strengthening of the process of international co-operation in the field of environmental prevention and protection. It also represents a significant extension in the area of democratic participation and greater public involvement in the decision-making process. With the binding status of an international legal tool the Convention affirms the principle that public authorities make decisions, on the authorisation and realisation of investment projects, in public interest and that therefore citizens have the right to access the relevant information in the decision making process and express their opinion.

Environment does not recognize international borders as pollution, ecosystem like lakes, basins and rivers, transport, climate change, all of them does not have borders and it is therefore appropriate that the democratic participation of citizen, without distinction as to nationality or domicile, should be without borders.

Italy attributes great importance to the Convention's application, as is known, made the decision on ratification by the European Union one of the items on its schedule during the six months Precedency of the Union in the first half of 1996 and you well know the role played by Mr. La Camera in this respect.

A lot of work has been done during the years between the signature of the Convention and its entry into force to facilitate its practical application and I would like to express my gratitude to the countries which have provided leadership or financial support.

A particular degree of appreciation is to the Secretariat of the ECE for his competent and continual support.

Now it is time for action! Rio and its follow up is behind us, we have to use the Holmenkommen sky jump to launch the Espoo Convention.

Much has been accomplished but much remains to be done. Above all the overview of the countries ratifying the Convention should be completed.

It is also necessary to involve everyone in the implementing process. The priorities:

- open the Convention to non-member of ECE - Italy attributes special importance to the involvement of the Mediterranean countries;

- to provide support, including financial support, to those countries whose economies are in transition for their complete participation in all activities in the work-plan and in this respect we welcome the offer of Bulgaria to host the Th meeting of parties and we are ready to contribute covering the travel cost of countries in transition;
- to develop bilateral and multilateral agreement;
- to develop the database providing an easy access by citizens in electronic form;
- to encourage and support the participation of non-governmental environmental organisations in the activities under the Convention.

It is then necessary to examine the need to adapt the Convention on the basis of recent developments both from a legal point of view and from the point view of environmental policy. The 97/11/CE introducing a wider range of annex I projects, and some major procedural changes such as the scoping phase, just as the progress in environmental legislation in newly industrialized countries should be considered to improve the efficiency of the Espoo Convention.

It is necessary to strengthen links between the Espoo Convention and the Convention on access to information, public participation in decision making and access to justice in environmental matters which is due to be signed next June during the Aarhus Ministerial Conference. We are convinced that matters concerning to public participation could be dealt with in a unique context.

Coming to the end I would like to say how much I appreciate Norway's organisation of this meeting and the burden of leadership shouldered over the past years. We consider a privilege to have been witness to the splendid organisation of this absolutely memorable meeting and wish to guarantee our support to your commitment to the future.

Thank you for your attention.

Statement

by H.E. Mr. Indulis Emsis
Head of the Latvian Delegation
State Minister of Environment

First Meeting of the Parties under the UN ECE Convention
on Environmental Impact Assessment in a Transboundary Context

*Holmenkollen, Oslo, Norway
18-20 May 1998*

Mr. President, (Madam Chairperson,)
Excellencies, distinguished delegates,

I would like to start with expressing my gratitude to our host - Norwegian Government, as well as to the United Nations Economic Commission for Europe, for the excellent organisation of this noticeable meeting. Convention on Environmental Impact Assessment in a Transboundary Context is an instrument of ultimate power and significance, and it is fully understood in Latvia. For Latvia, a small country with many neighbours, transboundary environmental issues are of an utmost importance.

Let me briefly introduce recent developments in Latvia regarding environmental impact assessment. First, I have the pleasure to inform you, that in these very days Parliament of the Republic of Latvia is considering the ratification of the Convention. It was made possible because much have been done during last years in order to develop modern system of environmental impact assessment in our country, so already this year Latvia will be able to meet strict requirements set by the Convention.

One of the most important accomplishments is a new draft Environmental Impact Assessment Law, which was prepared recently. Here I would like to express our gratefulness to the Finnish Ministry of Environment, which provided considerable support to the development of this Law. The new Law will be fully compliant with the amended EU Council Directive of the Environmental Impact Assessment, will also pay much more attention to the public participation issues, and fully consider transboundary issues. This Law will establish a sound basis for the new EIA system in the country, in compliance with West European systems. This Law forms a sound basis also for encouraging co-operation with the neighbouring countries in the field of the environmental assessment.

Another significant milestone is the Agreement between the Governments of Estonia and Latvia on the EIA in a transboundary context. This Agreement is fully based on the provisions of the Convention and establishes detailed procedure for such EIA cases. It was signed in March 1997, and since then the Joint Commission on EIA in a transboundary context has also been established. The Commission had already started its work. We believe, that this agreement is a significant step

towards environmentally sound development of the Baltic Sea area. This also serves a good example of close relations with our Northern neighbor - Estonia.

The next envisaged step is the preparation of the similar agreement with Lithuania. It is of utmost importance for Latvia, because we share a significant number of transboundary environmental problems with our southern neighbours, and for this reason involvement of both sides is necessary for the issues to be solved effectively. Issues for concern are such as transboundary air pollution, transboundary water pollution, as well as pollution of the sea. With Lithuania, for instance, Latvia shares several large rivers, we also share the Baltic Sea. Environmental impact assessment could serve there as a mighty tool to minimise environmental damage from the rapid economic development, and would also facilitate greater transparency in decision making, that might have significant impact on the environment of a neighboring country. I would like to state that Latvia is ready to start the preparation of similar agreement with its eastern neighbors – Belarus and Russia.

Before concluding, Mr. President (Madam Chairperson), let me state that Latvia is fully prepared to do its best to ensure environmentally sound and sustainable development, and there is absolutely no doubt that the Convention will play its crucial role in it.

Policy Statement of the Minister of the Environment of Lithuania

The status of the ratification of the Convention by the Lithuanian Government

The Government of Lithuania approved relevant documents regarding ratification of the Convention, e.g. opinions and approvals by other Lithuanian Ministries, request for ratification by the Ministry of the Environment, etc. The Lithuanian Parliament is supposed to ratify the Convention in one or two months.

In May 1997 Lithuania organised an International Conference on the Ratification of the Convention on Environmental Impact Assessment in a Transboundary Context in which took part representatives from Estonia, Latvia, Lithuania, Poland and Russia. They have agreed to encourage their Governments to ratify the Convention and to further implement its provisions.

The existence of, or preparation for, bi- or multilateral agreements

International co-operation via bilateral and multilateral agreements was emphasised during the above-mentioned Conference.

A bilateral agreement with Poland has been drafted already. Two meetings between experts of Lithuanian Ministry of the Environment and Polish Ministry of Environmental Protection, Natural Resources and Forestry took place in Lithuania (May, 1996 and April, 1998).

Although there were no official meetings with representatives of Latvian Ministry of Environmental Protection and Regional Development, a bilateral agreement is drafted as well.

A general co-operation agreement between the Byelorussian Ministry of Natural Resources and Environmental Protection, and Lithuanian Ministry of the Environment was signed in April, 1995, in Minsk. Byelorussian representatives were invited and have promised to participate in the International Conference. Unfortunately, they did not come.

A general co-operation agreement between the Russian Committee of Environmental Protection and Lithuanian Ministry of the Environment is to be signed in the same period of one month.

Finnish Ministry of the Environment has decided to finance a seminar on EIA in a Transboundary Context for the Baltic States and Finland. The seminar would focus on exchanging experiences and developing practices to support preparation of bilateral agreements. The seminar is hosted by the Lithuanian Ministry of the Environment and will take place in July, 1998.

The implementation/transposition of the Convention in national legislation

The Law on Environmental Impact Assessment was adopted in August, 1996. However, there are no provisions to meet the requirements of the Convention. An amendment to the Lithuanian Law on EIA, taking into account requirements of the Convention and relevant EU Directives, is currently under preparation. The amendment is supposed to be ratified until September, 1998.

Support needed:

- practical assistance and financial support for preparation of bilateral agreements with Russia and Byelorussia;
- to provide technical means to access the computer databases relating to EIA in a transboundary context;
- practical assistance for applying the requirements of the Convention in practice (case studies).

**First Meeting of the Parties under the UN ECE Convention on Environmental Impact Assessment in a transboundary Context
Holmenkollen, Oslo, Norway 18-20 May 1998**

**POLICY STATEMENT
The Netherlands**

First I would like to express our feeling of gratitude to the Norwegian government for the warm welcome and for the excellent organisation of this meeting. In particular my delegation would like to thank Mr Terje Lind and his staff for their efforts in preparing this memorable meeting. Our gratitude also for the ECE secretariat.

The Netherlands has always attached great importance to the entering into force of the Convention on Environmental Impact Assessment in a transboundary Context.

Reason for this might be that our country is situated downstreams great rivers which implies environmental impacts from abroad. Besides this, the Dutch climate is dominated by western winds so we might also cause problems to other countries.

We favoured the initiative taken over ten years ago at the ECE Seminar in Warsaw to start of the negotiations on a Convention on Environmental Impact Assessment in a transboundary Context. Since that moment we have been actively involved in the preparatory work.

After signing the Convention we have tried to apply the Convention to the extent possible in order to gain experience with the application in practice.

In 1994 a special section dealing with Environmental Impact Assessment in a transboundary context was added to the existing EIA legislation. In case a planned activity in the Netherlands may have a significant impact on the environment of another country, the decision making authority, in most cases the provincial government will play a leading role in the transboundary exchange of information. Furthermore the Minister of Housing, Spatial Planning and Environment is entrusted with the general coordinating role in the process of EIA in a transboundary context.

If a proposed activity in another country may have a significant impact on the environment in the Netherlands, the Ministry of Housing, Spatial Planning and Environment will be the contact point for the other country, unless decided otherwise in bilateral agreements or arrangements.

In February 1995 the Netherlands ratified the Convention.

The Convention provides a useful framework but some practical questions with regard to the application still have to be answered.

From our practical experience we are learning a lot. As always we learned most from our mistakes or from misunderstandings. Problems mostly resulted from the differences between the administrative cultures, from a lack of understanding of the national legal and administrative systems and procedures of the concerned countries or from a difference in interpreting the provisions of the Convention. However we became also convinced that these problems can be overcome by good communication. The establishment of good working relations on national and regional level between government authorities appeared of crucial importance .

Therefore the Netherlands attaches importance to the formulation of bilateral or multilateral agreements or arrangements. The Convention opens the possibility for those agreements.

At an early stage we started discussions with our neighbouring countries on those agreements. Now we have a draft agreement with the Flanders region in Belgium for a trial period. After this period the experiences with this agreement will be evaluated. With Germany we also are working out a draft arrangement.

In general we agree with the Workplan for the implementation of the Convention and will be glad to participate and provide information where possible.

We are happy to see that the Workplan contains an item devoted to aspects of bilateral and multilateral cooperation. The Netherlands is willing to act as lead country.

Also we support the project devoted to recent EIA developments and links with other ECE Conventions. In particular we think of the link with the Convention on Access to Information, Public Participation in decisionmaking and Access to Justice in Environmental Matters which is ready for signing next month.

With regard to the financial arrangements for the Convention I would like to state that, in order to guarantee continuity of the work under the Convention, the Netherlands is in favour of a structural way of funding by the Parties according percentage for contribution to the ECE.

Finally I would like to express the hope that we will be able to make the Convention really work. We consider as a main feature of the Convention the opportunity it creates to establish contacts between (neighbouring) countries. The consistent application of the Convention will in the end lead to openness and better decisions in favour of a sustainable development.

STATEMENT TO THE FIRST MEETING OF THE PARTIES TO THE ESPOO CONVENTION BY NICK RAYNSFORD MP, PARLIAMENTARY UNDER SECRETARY OF STATE, DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS

Thank you Madam Chairman.

On behalf of the United Kingdom, may I also express my thanks to the Government of Norway for hosting this inaugural Meeting of the Parties to the Espoo Convention on environmental impact assessment in a transboundary context. May I also express my appreciation to them and their officials for all the work they have done on the many preparatory meetings to take forward the work of the Convention. I would, of course, also wish to recognise and include in my thanks the contributions made by delegates from all of the countries involved with the Convention and by the UNECE Secretariat.

The United Kingdom has also played an active and constructive part in these discussions and negotiations. We are an island nation with only one land based border with a neighbouring country, the Republic of Ireland. We may be an island nation - but there is never anything insular about our approach and commitment to addressing problems on a continental or global scale.

As has been remarked many times pollution, like the wind and rivers and seas, does not recognise or respect national boundaries. And the adverse effects on the environment of development in one country cannot necessarily be confined within its borders or to those of its land based neighbours. It requires international action and cooperation if the problems are to be addressed properly.

Like all of the countries present at this meeting, we are wholly committed to the principles of sustainability. We all want to live, work and prosper in a clean, healthy and pleasant environment. And we want to encourage each other to strive for improvements which will help us attain, maintain and then improve on that goal.

We have the privilege of holding the Presidency of the European Union at an important and exciting time for Europe. This is particularly so in the environment field. At the start of the year, we identified three key themes for our Presidency: environment, jobs and crime. Three issues of real concern to the people of Europe. We are giving a strong lead by developing European policies that will make a real difference for people throughout Europe.

Integration of environmental issues into all policy areas is an important objective. It is what sustainable development is all about. And this Convention makes an important contribution towards that goal.

A number of delegations have referred to a need to give consideration to transport and environmental issues. In the UK we have recognised this need for greater integration. To facilitate this we have created a single Government Department - Environment, Transport and the Regions - which will help ensure these issues are considered together.

In the United Kingdom, Environmental Impact Assessment plays a significant role in the decision making process for major infrastructure projects. Its role is not to prevent such activities from taking place. Indeed many of these projects are essential to our economic development. But it ensures the environmental effects of the proposed activities are fully understood by all concerned. That they are taken into account before a decision is taken on whether the projects should go ahead. And it informs the measures which may be taken to avoid, reduce or remedy any unavoidable adverse impacts.

Where activities affect environments other than their own it is vital that the decision making process is open and transparent. And that the views of the authorities and the public in those countries which may be adversely affected are given a full opportunity to comment and have their views taken into account before decisions are taken.

The Convention has set itself an ambitious - yet achievable - work programme for the next two years. It is one in which all Parties, and non-Parties, should be able to take an active part. I was pleased to note it has focussed on defined outputs and has been costed to show the likely resource implications. With all of us facing ever increasing demands for limited resources it is essential that the plan is challenging enough to address the key issues and needs of the Convention, yet at the same time maintains a tight control over costs and the contributions Parties may have to find to meet those costs.

I said that the UK was committed to the success of the Convention. Through our Environmental Know How Fund we have supported a number of initiatives related to environmental impact

assessment - and also to wider environmental issues - in many countries in Central and Eastern Europe with economies in transition. We will continue to do so.

We have agreed to lead in preparing proposals for a non-compliance procedure for the Convention. As part of this we expect to meet the costs of travel and subsistence of delegates from countries in transition who travel to London to take part in the task group events.

I also note the proposal to establish - initially for a two year trial period - a database to support the Convention. I understand such an initiative is unusual for a new UNECE Convention so this is breaking new ground. The development of the database owes much to Norway and to Poland. I know that Poland is to host the database during the trial period and will meet certain costs associated with this, as will Germany and Italy. The United Kingdom is also prepared to contribute to the costs of the trial period. With support from Denmark, Hungary is to lead on work to evaluate the trial period. We believe a thorough evaluation is essential if the next meeting of the Parties, which will take important decisions on the future of the database, is to be fully informed. I am pleased to announce that the United Kingdom has agreed to work with Hungary and Denmark on this work. And we are prepared to contribute up to US\$ 10,000 towards these costs.

Finally, Madam Chairman, I am sure that if we were to ask people to describe their idea of «the perfect environment» it is likely the images they conjure up would involve woodlands, forests, open countryside, rivers, and mountain air. The setting for this first Meeting of the Parties of the Espoo Convention provides all of these - and more. This first meeting is taking place in surroundings many people would consider a perfect environment. May it serve as a reminder to all of the delegates present that the purpose of the Espoo Convention is to help safeguard and protect our environment so that in all of our countries future generations will be able to enjoy such rich and rewarding pleasures as this one.