Economic Commission for Europe
Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context

Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context serving as the Meeting of the Parties to the Protocol on Strategic Environmental Assessment

Working Group on Environmental Impact Assessment and Strategic Environmental Assessment

Tenth meeting
Geneva, 1–3 December 2021
Item 1 of the provisional agenda
Adoption of the agenda

Annotated provisional agenda for the tenth meeting

To be held at the Palais des Nations, Geneva, starting at 10 a.m. on Wednesday, 1 December 2021 *

I. Provisional agenda

1. Adoption of the agenda.
2. Status of ratification.
3. Compliance and implementation.
4. Promoting practical application of the Convention and the Protocol:
   (a) Subregional cooperation and capacity-building;
   (b) Capacity-building;

* Delegates participating at the meeting, in-person or remotely, are requested to register online no later than by 25 October 2021, through the following link: https://indico.un.org/event/34758/, indicating their intended mode of participation. Due to coronavirus disease (COVID-19) pandemic-related restrictions, the number of delegates in the room will be limited. Others will be able to participate online. For detailed information on registration and other practical matters, please see the meeting web page (https://unece.org/info/Environmental-Policy/Environmental-Impact-Assessment/events/350793) or contact the secretariat by email (maricar.delacruz@un.org; eia.conv@un.org) for assistance. Other specific instructions will be disseminated to registered participants closer to the time of the meeting.
(c) Exchange of good practices.

5. Seminar on sustainable infrastructure.
7. Management, coordination and visibility of intersessional activities.
8. Inputs to related international processes.
9. Preparations for the next sessions of the Meetings of the Parties.
10. Other business.
11. Presentation of the main decisions taken and closing of the meeting.

II. Annotations to the provisional agenda

1. Adoption of the agenda

Tentative timing: Wednesday, 1 December, 10–10.15 a.m.

1. The Chair of the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and its Protocol on Strategic Environmental Assessment will invite the Working Group to adopt the agenda for its tenth meeting, as set out in the present document. The provisional agenda was prepared by the secretariat in agreement with the Bureau of the Meetings of the Parties to the two treaties.¹

Documentation
Annotated provisional agenda for the tenth meeting (ECE/MP.EIA/WG.2/2021/1)

Informal document
Informal notes on the agenda (ECE/MP.EIA/WG.2/2021/INF.1)

2. Status of ratification

Tentative timing: Wednesday, 1 December, 10.15–11 a.m.

2. The secretariat will report on the status of the Convention and its two amendments. Delegations will be invited to report on planned ratifications. The Chair will invite each Party to the Convention that has not yet ratified the two amendments to report on its preparations for ratification. In particular, the delegations of Armenia, Belgium, North Macedonia, the United Kingdom of Great Britain and Northern Ireland and Ukraine will be invited to provide detailed information on steps taken towards the ratification of the first (2001) amendment to the Convention. The missing ratifications from these five countries are necessary for the first amendment to have effect, opening accession to the Convention to all States Members of the United Nations. Subsequently, the representatives of the nine Parties that have not yet ratified the second (2004) amendment – Armenia, Belarus, Bosnia and Herzegovina, Ireland, Kazakhstan, Kyrgyzstan, North Macedonia, Ukraine and the United Kingdom of Great Britain and Northern Ireland – will be invited to report on their progress towards that end. The completion of those ratifications is important to ensure unified application of the Convention by all its Parties.

¹ All meeting documentation will be made available on a dedicated web page for the meeting on the United Nations Economic Commission for Europe (ECE) website (unece.org/environmental-policy/events/working-group-eia-and-sea-espoo-convention-10th-meeting). Please note that documents with symbols ending in “INF.” and a number are informal documents and can be located in the documents table by clicking on the “Informal Documents” tab.
3. The secretariat will also report on the status of the Protocol. Delegations will be invited to report on planned ratifications. The Chair will invite each signatory State that has not completed its ratification process of the Protocol (Belgium, France, Georgia, Greece, Ireland and the United Kingdom of Great Britain and Northern Ireland) to report on its preparations for ratification.

4. Lastly, Romania, as the depository of the Multilateral Agreement among the Countries of South-Eastern Europe for Implementation of the Convention on Environmental Impact Assessment in a Transboundary Context (Bucharest Agreement), will be expected to report on the status of that agreement. The signatory States Croatia and Greece will be invited to report on their plans to ratify the Bucharest Agreement, and Bosnia and Herzegovina on its plans to accede thereto.

5. The Working Group will be invited to propose actions that could be taken to encourage accession to or ratification of the Convention, its amendments and the Protocol and, in particular, to accelerate the operationalization of the first amendment as soon as possible.

**Documentation**

*Informal document*

Status of ratification of the Convention, its amendments and its Protocol (ECE/MP.EIA/WG.2/2021/INF.2)

3. **Compliance and implementation**

Tentative timing: Wednesday, 1 December, 11 a.m.–1 p.m.

6. The Chair of the Implementation Committee will report on compliance and implementation. He will present the main outcomes of the Committee’s forty-ninth, fiftieth and fifty-first sessions (Geneva (online), 2–5 February; Geneva (online), 4–7 May; and Geneva (online), 4–7 October 2021, respectively)\(^2\) and the main objectives of its fifty-second session (Geneva (online), 1–4 February 2022). The Working Group may wish to comment on the information.

7. The Implementation Committee Chair or the secretariat will present modifications proposed by the Committee to the questionnaires for the report on implementation of the Convention and the Protocol in the period 2019–2021, with a view to maximizing their usefulness, as required by the current workplan, including for collecting and disseminating good practice.\(^3\) In modifying the questionnaires, the Committee also took account of comments by the Bureau. The Working Group is expected to consider and agree on the draft modified questionnaires and their subsequent circulation by the end of December 2021 for Parties to complete and return by the end of April 2022. It is also expected to agree a timetable for the preparation by the secretariat, with support from consultants, of the draft seventh review of implementation of the Convention and the draft fourth review of implementation of the Protocol. The Working Group will also be informed of the reporting templates that the Implementation Committee has prepared to fit the context and the competencies of the European Union to facilitate its reporting.

8. The secretariat will report on its publication of the sixth review of implementation of the Convention and the third review of implementation of the Protocol, in electronic format, and the informal publication and periodic revision of the opinions of the Implementation Committee.\(^4\)

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\(^2\) Reports on the Implementation Committee’s 2021 sessions are available at https://unece.org/sessions-3.

\(^3\) ECE/MP.EIA/30/Add.1—ECE/MP.EIA/SEA/13/Add.1, decision VIII/2–IV/2, annex I, item II.B.1.

9. The secretariat will also report on its publication of the Guidance on the applicability of the Convention to the lifetime extension of nuclear power plants.\(^5\)

10. The delegations of Belarus, Kazakhstan, the Republic of Moldova, Tajikistan and Uzbekistan will be invited to report on progress in establishing compliant legislation to implement the Convention and the Protocol, and, as appropriate, in ratifying or acceding to the two instruments further to technical advice they have received. The delegations of Ukraine and Romania are invited to report on progress in finalizing a draft bilateral agreement. The secretariat will be invited to complement the information, as needed.

**Documentation**

Proposed modifications to the questionnaire for the report on implementation of the Convention in 2019–2021 (ECE/MP.EIA/WG.2/2021/3)

Proposed modifications to the questionnaire for the report on implementation of the Protocol in 2019–2021 (ECE/MP.EIA/WG.2/2021/4)

**Informal documents**

Workplan implementation status (ECE/MP.EIA/WG.2/2021/INF.3)

Timetable for the preparation of the draft reviews of implementation (ECE/MP.EIA/WG.2/2021/INF.4)

Reporting template for the European Union for the implementation of the Convention (ECE/MP.EIA/WG.2/2021/INF.5)

Reporting template for the European Union for the implementation of the Protocol (ECE/MP.EIA/WG.2/2021/INF.6)

### 4. Promoting practical application of the Convention and the Protocol

_Tentative timing: Wednesday, 1 December, 3–6 p.m._

(a) **Subregional cooperation and capacity-building**

_Tentative timing: Wednesday, 1 December, 3–4 p.m._

11. The delegation of Italy and (a consultant to) the secretariat are invited to report on progress in planning and implementing an activity in marine regions for identifying synergies and possible future cooperation activities with interested regional seas conventions and bodies, further to guidance from the Bureau. The Working Group will also be informed about initial feedback from interested regional seas convention and body secretariats, and, if held before the meeting of the Working Group, on the outcomes of an initial joint technical meeting. The Working Group is invited to comment and to provide advice on the implementation of the activity.

12. Delegations from the countries concerned and the secretariat will be invited to report on the outcomes of, or preparations for, subregional cooperation and capacity-building activities in the following subregions foreseen in the workplan for 2021–2023:

   (a) Baltic Sea subregion, with meetings to be organized by Estonia (preliminarily scheduled to be held online, in December 2021); and by Poland (in 2022), as needed, with support from the secretariat;

   (b) Central Asia, with a final subregional conference preliminarily planned to be organized in November 2021 through the joint Organization for Security and Cooperation in Europe (OSCE)/ECE project “Strengthening national and regional capacities and co-

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\(^5\) United Nations publication, ECE/MP.EIA/31.
operation on Strategic Environmental Assessment in Central Asia, including as a response to climate change” funded mainly by Germany and Switzerland, and hosted by Uzbekistan (possibly in a hybrid format);

(c) Eastern Europe and the Caucasus, with provisional plans for a subregional event in 2022 with funding from the EU4Environment programme.

13. The Working Group is expected to take note of the information and, as needed, to provide advice and agree on actions to ensure the implementation of or follow-up to these activities.

Documentation

Identification of synergies and possible cooperation activities in marine regions (ECE/MP.EIA/WG.2/2021/5)

Informal documents

Workplan implementation status (ECE/MP.EIA/WG.2/2021/INF.3)

Update on the implementation of the activity on cooperation in marine regions (ECE/MP.EIA/WG.2/2021/INF.7 (to be confirmed))

(b) Capacity-building

Tentative timing: Wednesday, 1 December, 4–5.30 p.m.

14. As requested by the Meetings of the Parties, the Working Group is invited to consider the way forward regarding an outstanding activity from the previous workplan, namely, the draft guidance on assessing health impacts in strategic environmental assessment, taking into account the recommendations by the Bureau. The draft guidance, which was prepared by consultants with funding from the European Investment Bank and inputs from a task force consisting of Austria, Finland, Ireland and Slovenia, was submitted to the Working Group at its ninth meeting (Geneva, 24–26 August 2020). The Working Group, however, decided not to forward the draft document for consideration of the Meeting of the Parties to the Protocol at its eighth session (Vilnius (online), 8–11 December 2020), based on the view of the delegation of the European Union that the draft document required further revision, and its suggestion to postpone the decision on the guidance to the 2023 session of the Meeting of the Parties. In 2020, the Meetings of the Parties committed to finalizing the work in the present intersessional period, subject to the availability of resources, and invited Parties to contribute in-kind expertise to that end. As agreed by the Bureau, the delegations are invited to provide textual revisions to the draft guidance document by 1 October 2021, for the Working Group to consider at its meeting.

15. The secretariat and delegations from the countries concerned will be invited to report on the following capacity-building activities, funded through the EU4Environment programme, undertaken, in progress or planned since January 2021 in accordance with the workplan for 2021–2023 to promote the practical application of the Protocol and the Convention:

(a) The development of national guidance documents on strategic environmental assessment (Republic of Moldova and Ukraine);

(b) Training workshops (Azerbaijan, Republic of Moldova, Ukraine);

(c) National awareness-raising events (Republic of Moldova);

6 ECE/MP.EIA/30–ECE/MP.EIA/SEA/13, para. 33.
7 ECE/MP.EIA/WG.2/2020/7.
8 ECE/MP.EIA/WG.2/2020/2, para. 41, and comments to documents submitted by the delegations.
9 ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/3–IV/3, annex, Vilnius Declaration, para. 13.
10 ECE/MP.EIA/30–ECE/MP.EIA/SEA/13, para. 33.
(d) Pilot projects on strategic environmental assessment (Armenia, Azerbaijan, Georgia, Republic of Moldova and Ukraine);

(e) A model database on strategic environmental assessment;

(f) Translating the video on the application of the Convention (completed for the national languages of Belarus, Republic of Moldova and Ukraine; in progress for those of Armenia, Azerbaijan and Georgia).

16. The Working Group will also be informed of the support provided to Kazakhstan at its request (instead of a pilot project listed in the workplan) for establishing compliant environmental impact assessment and strategic environmental assessment systems, through cooperation with the OSCE office in Nur-Sultan and the European Union-funded Partnership for Action on Green Economy (involving training workshops, the development of a road map for the implementation of the Convention and terms of reference for a database).

17. The delegations from the countries concerned, a representative of OSCE and/or the secretariat will report on the completion of the activities to promote the Protocol’s implementation in the Central Asian countries that had been initiated during the previous intersessional period (2017–2020) through the joint OSCE/ECE project, involving needs assessment exercises, the development of road maps and national awareness-raising events.

18. A representative of the International Association for Impact Assessment (IAIA) will be invited to provide an update on the preparation by IAIA of two-page informal pamphlets, or “FasTips”, on key issues in strategic environmental assessment practice.

19. The Working Group is expected to take note of the information and, as relevant, provide advice for the implementation or follow-up of the capacity-building activities.

Documentation

Informal document

Workplan implementation status (ECE/MP.EIA/WG.2/2021/INF.3)

(c) Exchange of good practices

Tentative timing: Wednesday, 1 December, 5.30–6 p.m.

20. The secretariat and lead countries or organizations will be invited to describe their plans for thematic half- or full-day workshops or seminars during the meetings of the Working Group in 2022 and 2023 and/or the sessions of the Meetings of the Parties in 2023 that relate to the exchange of good practices on the selected topics in the workplan. The Chair or the Chair of the Bureau may wish to report on any advice by the Bureau on that matter. The Working Group is invited to provide guidance on the organization of the events, starting with the event to be held during the eleventh meeting of the Working Group (Geneva, 19–21 December 2022).

21. Delegations are invited to put forward proposals for the preparation of fact sheets on the practical application of the Convention and the Protocol, to be presented during the meetings of the Working Group and posted on the ECE website.

22. Delegations may wish to propose funding for an online database of Parties’ good practice or for the collection and compilation of good practice, which is foreseen in the workplan, subject to the identification of additional resources and funding for consultants.

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11 ECE/MP.EIA/30/Add.1−ECE/MP.EIA/SEA/13/Add.1, decision VIII/2–IV/2, annex I, items III.C.1–III.C.7.

12 Available at www.iaia.org/fasttips.php.

13 ECE/MP.EIA/30/Add.1−ECE/MP.EIA/SEA/13/Add.1, decision VIII/2–IV/2, annex I, item III.B.3.
5. Seminar on sustainable infrastructure

*Thursday, 2 December, 10 a.m.–1 p.m. and 3–6 p.m.*

23. The delegation of Switzerland will be invited to chair a seminar on sustainable infrastructure that it has co-organized together with the secretariat. The seminar aims to provide a platform for the exchange of good practice and sharing of challenges and lessons learned in the application of the Protocol and the Convention to infrastructure plans and projects, including to raise awareness on the treaties’ role and benefits in this field.

24. The seminar aims to explore, for example, the contribution of the treaties to: supporting green recovery from the coronavirus disease (COVID-19) pandemic; greening infrastructure plans and projects, including those related to the “Belt and Road” initiative; and the achievement of Sustainable Development Goals. The Working Group may wish to join the Bureau in inviting Parties to report on the seminar’s outcomes to the Ninth Environment for Europe Ministerial Conference (Nicosia, 5–7 October 2022), which will discuss “Greening the economy in the pan-European region: working towards sustainable infrastructure”.

25. Detailed information on the seminar will be made available in advance.

26. Delegations may wish to actively take part in the seminar. The Working Group will be invited to note the Chair’s conclusions on the seminar to be presented and agree on possible follow-up actions based on the seminar outcomes.

**Documentation**

Draft programme for the seminar on sustainable infrastructure (ECE/MP.EIA/WG.2/2021/INF.8)

6. Financial arrangements

*Tentative timing: Friday, 3 December, 10 a.m.–noon*

27. The secretariat will report on contributions and expenditures with regard to the Convention’s and Protocol’s trust fund. The Working Group may wish to review and comment on any discrepancies between the agreed budgetary requirements for the present period and Parties’ (pledged) contributions to fund them. As requested by the Meetings of the Parties, it may then invite the secretariat in consultation with the Bureau to prepare a first annual financial report in the intersessional period 2021–2023, extending until the end of 2021.

28. Further to the decision of the Meetings of the Parties that all Parties had “a duty to take part in the sharing of the workplan costs” , all Parties that have not yet pledged funding for the current period are invited to inform the Working Group about their plans to do so. The Working Group is expected to comment on and note the information, as well as to invite the secretariat to write to all Parties whose contribution has not been received by 31 December 2021, as requested by the Meetings of the Parties.

29. The Chair will report on the Bureau’s initial further reflections on the insufficiency, uneven distribution and unpredictability of contributions for the implementation of the workplan for 2021–2023. The Meetings of the Parties had requested the Bureau to continue to reflect on the previously presented possible solutions to these matters, considering also experiences of the other ECE multilateral environmental agreements, and to present the results to the Working Group in 2022. The secretariat will also brief the Working Group on possible new financial arrangements recently adopted under the other ECE agreements. The Working Group is invited to consider and comment on the information provided, including the Bureau’s recommendation for Parties to sponsor a junior professional officer and its

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14 ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VII/1–IV/1, para. 1.
15 Ibid., para. 12 (d).
16 Ibid., para. 13.
suggestion to include in the questionnaires for the report on Parties’ implementation of the Convention and the Protocol a question on funding (see also para. 7 above).

30. Subsequently, the Chair or the Chair of the Bureau will brief the meeting on the Bureau’s initial discussions on another request by the Meetings of the Parties for the Bureau, with the assistance of the secretariat, to develop a system “to recognize in-kind contributions in a proper manner within the financial scheme”. The past practice in this respect has been to acknowledge in-kind contributions in the annual financial reports and at each meeting of the Bureau, the Working Group and the Meetings of the Parties, and to record them in the corresponding meeting reports. The Bureau considered that the Meetings of the Parties’ request lacked clarity. It also agreed that systematically “monetarizing” all in-kind contributions would not be feasible as it would be too complex (for example, time spent by various countries’ officials taking into account different salary levels and national currencies). To facilitate future deliberations on the matter, the Bureau invited the Working Group to consider and clarify, for example, the following issues:

(a) The determination of monetary values of in-kind contributions;
(b) The establishment of possible thresholds/minimum values for the acknowledgement of in-kind contributions (for example, organizing a workshop versus delivering a presentation at the workshop);
(c) The extent to which secretariat support or other expenditure from the trust fund was required for the implementation of the activity for which in-kind contributions were available.

31. Lastly, the Chair or the Chair of the Bureau will brief the Working Group on the Bureau’s consideration of criteria for financial support to meeting participants and its selection of experts from the following non-governmental organizations to receive, subject to the availability of funds, financial assistance for their participation in meetings under the Convention and its Protocol: the Caucasus Environmental NGO Network, the European ECO-Forum/Society and Environment (Ukraine), the European Environmental Bureau, IAIA and Nuclear Transparency Watch.

7. Management, coordination and visibility of intersessional activities

Tentative timing: Friday, 3 December, noon–1 p.m.

32. At their past sessions, in December 2020, the Meetings of the Parties acknowledged the informal note on procedural matters of relevance to meetings with remote participation due to extraordinary circumstances, which had been prepared by the Bureau with the support of the secretariat and in agreement with the Treaty Section of the Office of Legal Affairs. Further to the proposal by the delegation of the European Union, the secretariat, in consultation with the Bureau, was requested to assist the Meetings of the Parties and their subsidiary bodies in possible further clarification of procedural matters of relevance to meetings with remote participation for consideration by the Meetings of the Parties at their next sessions, preliminarily scheduled to take place in December 2023.

33. After discussing the matter at its meeting in June 2021, the Bureau invited the delegation of the European Union, and possible other delegations, to clarify the possible
further development needs of the informal note and to provide textual proposals well in advance of the meeting of the Working Group for consideration at the meeting. The Working Group is invited to comment on any textual proposals and agree on further actions to be taken, if any, and their timeline.

8. Inputs to related international processes

Tentative timing: Friday, 3 December, 3–3.30 p.m.

34. The secretariat will report on events of relevance to the Convention and its Protocol, including:

   (a) Relevant outcomes of the meeting of the Regional Forum on Sustainable Development for the United Nations Economic Commission for Europe Region (Geneva, online), 10–18 March 2021;

   (b) Relevant outcomes of the sixty-ninth session of the Economic Commission for Europe, focusing on circular economy and sustainable use of natural resources in the ECE region (Geneva, 20 and 21 April 2021);

   (c) Organization of the Ninth Environment for Europe Ministerial Conference (Nicosia, 5–7 October 2022).

35. The Working Group will be invited to comment on the information provided and, as relevant, to advise on further actions to be taken.

9. Preparations for the next sessions of the Meetings of the Parties

Tentative timing: Friday, 3 December, 3.30–4 p.m.

36. Delegations may wish to put forward offers to host the next sessions of the Meetings of the Parties, preliminarily scheduled to take place in December 2023.

10. Other business

Tentative timing: Friday, 3 December, 4–4.30 p.m.

37. Delegations wishing to raise other business should contact the Chair and the secretariat as soon as possible ahead of the meeting.

11. Presentation of the main decisions taken and closing of the meeting

Tentative timing: Friday, 3 December, 4.30–6 p.m.

38. The Working Group is expected to agree on the main decisions taken at its tenth meeting, to authorize the secretariat to complete the report thereon after the meeting under the guidance of the Chair, and to confirm the date and venue of its next meeting (preliminarily scheduled to take place in Geneva, from 19 to 21 December 2022).

III. Organization of work

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