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## 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

**Ninth meeting**  
Geneva, 24–26 August 2020

## Report of the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment on its ninth meeting

### I. Introduction

1. The ninth meeting 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 was held from 24 to 26 August 2020 in Geneva. Due to the coronavirus disease (COVID-19) pandemic, the meeting had been postponed from its originally scheduled dates of 9–11 June 2020 and was held in a hybrid mode that allowed for participation either remotely, via an online interpretation platform, or in-person.

#### A. Attendance

2. The meeting was attended by delegations from the following Parties to the Convention and the Protocol and other member States of the United Nations Economic Commission for Europe (ECE): Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Kazakhstan, Latvia, Lithuania, Luxembourg, Malta, Montenegro, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine and United Kingdom of Great Britain and Northern Ireland. The European Union was represented by the European Commission. Statements on behalf of the European Union and its member States were made



by both the European Commission and Germany, which held the Presidency of the Council of the European Union in the second half of 2020.

3. Representatives of the European Investment Bank, the Nuclear Energy Agency of the Organization for Economic Cooperation and Development and the World Health Organization (WHO) attended the meeting. Representatives of the following non-governmental organizations (NGOs) were present: the Analytical Environmental Agency "Greenwomen", the Caucasus Environmental NGO Network; the Centre for Sustainable Production and Consumption (Kazakhstan), ClientEarth, the European Eco-Forum/the Centre for Environment and Sustainable Development "Eco-Accord" (Russian Federation), the International Association for Impact Assessment; the Irish Environmental Network, Nuclear Transparency Watch, ÖKOBÜRO - Alliance of the Austrian Environmental Movement, PA EcoContact (Republic of Moldova), Society and Environment (Ukraine); and Volgograd-Ecopress Information Centre (Russian Federation). In addition, academics from the National University of Singapore and Hokkaido University (Japan) attended the meeting.

## **B. Organizational matters**

4. The Chair of the Working Group, Ms. Vesna Kolar-Planinšič (Slovenia), opened the meeting. She expressed her appreciation to all the delegations for their flexibility and willingness, in the exceptional circumstances of the pandemic, to proceed with the preparations for the Meetings of the Parties' sessions in a hybrid format.

5. The Chair reminded the Working Group that it had been necessary to shorten the official meeting agenda (ECE/MP.EIA/WG.2/2020/1/Rev.1)<sup>1</sup> by six hours, in keeping with the maximum authorized duration of hybrid or virtual meetings with interpretation organized at the Palais des Nations.<sup>2</sup> The Working Group adopted its reduced agenda for the meeting (ECE/MP.EIA/WG.2/2020/INF.1\_rev), which had been prepared by the secretariat in agreement with the Bureau, ensuring that the meeting would cover, as a priority, the draft documents and the preparatory work for the next sessions of the Meetings of the Parties to the Convention and the Protocol (Vilnius, 8–11 December 2020). The Chair stressed that the objective of the current meeting was to agree on the draft documents to be forwarded to the Meetings of the Parties, for the secretariat to process and submit for translation shortly after the meeting.

6. Before moving to the substantive agenda items, the Chair recalled that, at its eighth meeting (Geneva, 26–28 November 2019), the Working Group had requested that any written comments to the meeting documents be shared as early as possible in advance of the meeting to help delegations prepare and coordinate their views in advance, to ensure efficient preparations of the meeting and to facilitate consensus on outstanding issues.<sup>3</sup> The Chair pointed out that, for the current meeting, the secretariat had issued the documents five months beforehand. Consequently, she expressed regret at the fact that it had not been possible for the delegations to share their comments on those documents in advance. Advance information on delegations' amendment proposals would have been particularly helpful considering the challenging circumstances in which the meeting was held, involving: considerably reduced meeting hours; the predominantly remote participation of the delegations; and the very tight time schedule for the subsequent processing of the documents for the Meetings of the Parties' sessions. The delegation of the European Union pointed out that, having been unable to hold physical meetings, it had been confronted with considerable challenges in coordinating and preparing its positions. Moreover, the delegation reserved the right to react at a later stage to any new developments that might arise during the meeting.

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<sup>1</sup> Official and informal documents for the meeting, background documents and presentations provided to the secretariat are available at <https://unece.org/environmental-policy/events/working-group-eia-and-sea-espoo-convention-9th-meeting>.

<sup>2</sup> Two sessions of two hours each per day.

<sup>3</sup> See ECE/MP.EIA/WG.2/2019/2, para. 49.

## II. Financial arrangements

7. The secretariat and delegations provided updates on contributions to and expenditures from the trust fund of the Convention and the Protocol in the intersessional period 2017–2020. The secretariat also reported on additional pledges and contributions by several Parties following the letters sent by the Executive Secretary of ECE to all Parties in December 2019 at the request of the Working Group.<sup>4</sup> That additional funding was expected to suffice to cover the minimum costs of one professional staff member in the secretariat during the unbudgeted six-month extension of the intersessional period. Consequently, together with the savings realized in travel support costs for the Working Group’s meeting, it would ensure the functioning of the treaties and the secretariat until the end of 2020, including the organization of the next sessions of the Meetings of the Parties. The Working Group took note of the information and expressed its appreciation for the additional funding received or pledged by several Parties to close the budgetary gap. It requested the secretariat, in consultation with the Bureau, to prepare for the consideration of the Meetings of the Parties the report on the budget and financial arrangements in the period since the seventh session of the Meeting of the Parties to the Convention and the third session of the Meeting of the Parties to the Protocol (Minsk, 13–16 June 2017).

8. The secretariat presented initial information provided by a few Parties in advance of the meeting on their expected financial contributions to the trust fund for the next intersessional period 2021–2023. During the meeting, representatives of several other Parties also pledged funds. The Working Group expressed its appreciation for the pledges made that far, noting, however, that they covered only some 50 per cent of the resource requirements for the implementation of the proposed workplan for 2021–2023, in annex I to draft decision VIII/2–IV/2.<sup>5</sup> It invited all the remaining Parties to inform the secretariat of their expected contributions well in advance of the next sessions of the Meetings of the Parties, and by no later than 2 November 2020. It noted, moreover, that in her invitation letters to the Meetings of the Parties’ next sessions, the ECE Executive Secretary would invite Parties to take part in the cost-sharing and pledge financial contributions for the next period. The Working Group stressed that advance information on the total amount of expected funding was crucial in allowing the Meetings of the Parties to agree on a realistic and implementable workplan for the next period.

9. The secretariat presented draft decision VIII/1–IV/1 on financial arrangements for 2021–2023<sup>6</sup> prepared by the Bureau taking into account the conclusions of the Working Group at its last meeting. The Chair reported that the Bureau had deplored the long-lasting financial difficulties and the secretariat’s staffing constraints under the two treaties, which had been further aggravated by the unbudgeted extension of the intersessional period and the organization of an intermediary session of the Meetings of the Parties (Geneva, 5–7 February 2019). Such a situation in terms of resources strongly contrasted with the treaties’ proven benefits and the continuing multiplication of their Parties, related meetings and activities. Therefore, the Bureau had supported the Working Group in recommending that the Meetings of the Parties agree on decisive corrective actions, including by asking all Parties without exception to contribute to the trust fund and, to the extent possible, to increase the level of their contributions. The Bureau had also emphasized that, should sufficient resources not be forthcoming, Parties should reduce the scope of the activities and cut some of the secretariat’s tasks and services to the treaties.<sup>7</sup>

10. The Working Group then reviewed and revised the text of draft decision VIII/1–IV/1 and agreed to forward it to the Meetings of the Parties for further consideration at their next sessions. It noted that the proposed voluntary use of the adjusted United Nations scale of assessment by Parties as a reference basis for their decision on the level of their minimum contributions to the trust fund remained open and was to be decided by the Meetings of the

<sup>4</sup> Ibid., para. 9.

<sup>5</sup> See ECE/MP.EIA/WG.2/2020/3.

<sup>6</sup> Ibid.

<sup>7</sup> See Bureau meeting report, paras. 43–47, available at <https://unece.org/environmental-policy/events/bureau-espoo-convention-0>.

Parties. It agreed that the draft workplan for the period 2021–2023 should correspond to the expected future funding for its implementation to ensure that the demand for activities and services matched the offer of resources. Lastly, the Working Group again reiterated the invitation to delegations to consider sponsoring a Junior Professional Officer to supplement the secretariat's staffing.

### **III. Preparations for the next sessions of the Meetings of the Parties**

#### **A. Practical arrangements**

11. The delegation of Lithuania and the secretariat reported on progress in the practical arrangements for the next sessions of the Meetings of the Parties, foreseen to be held in Vilnius, including on the selection of the Radisson Blu Hotel Lietuva as the meeting venue and on the strict application of the COVID-19-related sanitary and physical distancing measures at that venue. The Working Group was informed that the relevant practical information could be accessed from a host country web page that would be set up shortly and that a detailed host country agreement between Lithuania and ECE was expected to be finalized soon. The secretariat specified that, in accordance with the agreement, the host country would provide for an online interpretation platform to allow for remote participation of delegates who could not attend the meeting in person.

12. The Working Group agreed on the time schedule for the preparatory work for the next sessions of the Meetings of the Parties (ECE/MP.EIA/WG.2/2020/INF.4), including that Parties should submit any revision proposals or comments to the meeting documents by 16 November 2020 for the secretariat to make them available on the meeting web page. The Chair invited the delegations to improve the timeliness of their commenting on the documentation in advance of the sessions, taking into account the lessons learned, and in particular the Parties' past failures to reach consensus. She pointed out that it was not feasible for the delegations to react to amendment proposals, particularly to extensive and substantive ones, if they had only become aware of them 24 hours before the start of a meeting at which they were to be discussed – despite that being the minimum deadline for the submission of proposals as stipulated in rule 32 (1) of the rules of procedure of the Meetings of the Parties.<sup>8</sup> The Working Group also invited any Party or organization wishing to organize a side event on the margins of the next sessions of the Meetings of the Parties to inform the secretariat by 7 September 2020.

#### **B. Provisional agenda**

13. The Working Group agreed on the provisional annotated agenda for the two sessions of the Meetings of the Parties, based on a draft prepared by the Bureau with support from the secretariat (ECE/MP.EIA/WG.2/2020/INF.5). The secretariat was invited to process the provisional agenda as an official document. Based on the recommendation of the Bureau, the Working Group agreed that panel discussions during the general segment should focus on the role in particular of strategic environmental assessment in sustainable infrastructure development planning, considering also energy transition and climate change issues. It invited offers from Parties or stakeholders to organize the panel discussions, agreeing that, in the absence of such offers by 15 September 2020, the panel could not be included in the provisional agenda.

14. The Working Group invited delegations to submit, by 30 September 2020 and through the secretariat, their proposals for speakers and moderators for the high-level event marking the thirtieth anniversary of the Convention's adoption, as well as provide pictures and brief

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<sup>8</sup> Rules of procedure available at [https://unece.org/DAM/env/eia/Publications/2012/Rules\\_of\\_Procedure\\_to\\_the\\_Convention/Rules\\_of\\_procedure\\_for\\_publication-as\\_amended\\_by\\_V.1\\_I.1\\_23.05-esa\\_ta\\_em\\_25.05\\_GRI\\_Electronic\\_publication.pdf](https://unece.org/DAM/env/eia/Publications/2012/Rules_of_Procedure_to_the_Convention/Rules_of_procedure_for_publication-as_amended_by_V.1_I.1_23.05-esa_ta_em_25.05_GRI_Electronic_publication.pdf).

quotes or stories on the benefits of the Convention that would allow the secretariat to prepare an informal electronic publication for that event.

15. The Working Group noted that the Bureau was scheduled to meet in Vilnius, on Monday, 7 December 2020, from 10 a.m. to noon, back-to-back to the sessions of the Meetings of the Parties, with a view to addressing any last-minute issues in connection with the sessions, including delegations' comments on the documentation.

### **C. Draft workplan for 2021–2023**

16. The secretariat presented the draft workplan for 2021–2023 prepared by the Bureau, with support from the secretariat, considering the Working Group's comments to a previous informal document on possible activities for the draft workplan (ECE/MP.EIA/WG.2/2019/INF.11).<sup>9</sup> The draft workplan had been considerably modified from the past workplans. To better link the workplan with the budget, the financial and human resource requirements had been placed in annex II to decision VIII/2–IV/2 on the adoption of the workplan (ECE/MP.EIA/WG.2/2020/3), with the workplan activities being placed in annex I to the same decision, rather than having a separate decision on financial arrangements. The estimated resource requirements currently specified not only the dollar amounts but also the minimum necessary human resources available and required for the implementation of the activities. Furthermore, the new draft workplan comprehensively listed all the secretariat's tasks, including those for the general management, coordination and visibility of the work under the treaties. Such a listing intended to clarify the workload of the secretariat and to help Parties identify those tasks and services that would have to be cut if sufficient funding was not forthcoming in the next period.

17. The Working Group reviewed the text of draft decision VIII/2–IV/2 on the adoption of the workplan and its annexes I–III. Based on a proposal by the delegation of Belarus, the Working Group agreed on a slight restructuring of the workplan. Moreover, as suggested by the delegation of the European Union, the workplan was to more clearly indicate which elements were required by the two treaties and/or necessary for their functioning. As a rule, the workplan (in annex I) should contain only activities covered by the budget or through in-kind contributions, and should include information on the sources of funding/contributions. The delegation of the European Union also proposed the deletion of annex III, listing activities requiring additional resources, including secretariat staff, to be implemented, considering that such a "wish-list" would result to uncertainty about the activities to which Parties would commit themselves for the intersessional period. However, as other delegations, including Switzerland, considered annex III as a useful basis for fund raising for the activities for which Parties and future Parties had expressed a need, the Working Group decided not to delete annex III but rather to place it between square brackets. It invited the secretariat to forward draft decision VIII/2–IV/2 and its annexes to the Meetings of the Parties after incorporation of the changes proposed during the meeting.

18. The Working Group agreed that it was possible to ensure that the draft workplan was realistic and implementable only once full information on Parties' expected contributions for the intersessional period 2021–2023 was available. It again urged all Parties that had not yet done so to provide the secretariat with information on their contributions by 2 November 2020.

### **D. Draft declaration**

19. The secretariat presented minor updates and editorial changes proposed by the Bureau to the previous informal version of the draft Vilnius declaration

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<sup>9</sup> Available at [https://unece.org/fileadmin/DAM/env/eia/documents/WG2.8\\_Nov2019/Informal\\_docs/ECE.MP.EIA.WG.2.2019.INF.11\\_Possible\\_workplan\\_activities\\_2021-2023\\_FINAL.pdf](https://unece.org/fileadmin/DAM/env/eia/documents/WG2.8_Nov2019/Informal_docs/ECE.MP.EIA.WG.2.2019.INF.11_Possible_workplan_activities_2021-2023_FINAL.pdf).

(ECE/MP.EIA/WG.2/2019/INF.10)<sup>10</sup> that had been tabled for the Working Group's eighth meeting, but on which no delegation had commented at that time (ECE/MP.EIA/WG.2/2019/2, para. 55). After extensive deliberations, the Working Group agreed on an amended text of the draft Vilnius declaration to be forwarded for further consideration by the Meetings of the Parties. It noted that the final wording of some elements in the draft depended on the outcomes of the Meetings of the Parties' sessions and was therefore to be left open (placed in square brackets) until then.

## **E. Chairs of the sessions**

20. The Working Group welcomed the proposed nominations of the Minister of the Environment and Climate Change of Finland, Her Excellency Ms. Krista Mikkonen, as a candidate for chairing the high-level segment of the Meetings of the Parties' sessions, and of the Bureau Chair, Mr. George Kremlis, as a candidate for chairing the general segment of the sessions.

## **F. Provisional schedule of meetings 2021–2023**

21. The Working Group noted the updated provisional schedule of meetings for 2021–2023 (ECE/MP.EIA/WG.2/2020/INF.7) and requested the secretariat to forward it to the Meetings of the Parties.

## **G. Officers for the next intersessional period**

22. The Working Group welcomed the following nominations of officers to be elected by the Meetings of the Parties for the next intersessional period that Parties had put forward thus far:

- (a) Switzerland for membership of the Bureau;
- (b) Belarus and Italy for Vice-Chairs of the Working Group.

23. The Working Group invited other Parties to provide information by 2 November 2020 through the secretariat on the following missing nominations:

- (a) The Chair of the Working Group;
- (b) The Chair of the Bureau;
- (c) Five permanent and five alternate members in the Implementation Committee, and, as needed, their alternates for the Protocol matters.

24. The Working Group welcomed the availability of the Bureau Chair, Mr. Kremlis, to continue chairing the Bureau for another intersessional period.

25. The Working Group then considered election criteria for officers and other procedural guidance regarding the Bureau (ECE/MP.EIA/2020/INF.6, annex), prepared by the Bureau with the support of the secretariat, and agreed to forward them to the Meetings of the Parties. It noted the concerns expressed by the delegations of Armenia and Belarus that the requirement for the Bureau members to be fluent in English would have a negative impact on the possibilities of the Russian-speaking Parties to be represented in the Bureau in the future, and also that Russian interpretation at the Bureau meetings had been discontinued as from the beginning of 2020. The secretariat explained that the corresponding decision, taken on budgetary grounds, had been beyond its control. With all the other Bureaux administered by the ECE Environment Division functioning in English only, the Bureau under the Espoo Convention and its Protocol could not continue to exceptionally benefit from interpretation services. Lastly, the Working Group noted concerns and questions from the delegation of

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<sup>10</sup> Available at [https://unece.org/fileadmin/DAM/env/eia/documents/WG2.8\\_Nov2019/Informal\\_docs/ECE.MP.EIA.WG.2.2019.INF.10\\_Draft\\_declaration\\_2020\\_FINAL.pdf](https://unece.org/fileadmin/DAM/env/eia/documents/WG2.8_Nov2019/Informal_docs/ECE.MP.EIA.WG.2.2019.INF.10_Draft_declaration_2020_FINAL.pdf).

Belarus regarding the terms of office of the European Commission in the Bureau, as well as the explanations provided by the Bureau Chair.

## **IV. Compliance and implementation**

### **A. Review of compliance and related draft decisions**

26. The Chair and the First Vice-Chair of the Implementation Committee informed the Working Group of the main outcomes of the Committee's forty-sixth and forty-seventh sessions (Geneva, 10–13 December 2019, and 16–19 March 2020, respectively),<sup>11</sup> and the main objectives for the Committee's forty-eighth session (Geneva, 1–4 September 2020). They focused on presenting the draft decisions on compliance with the Convention and the Protocol (ECE/MP.EIA/WG.2/2020/INF.11), for possible comments by the delegations.

27. The Working Group took note of the reports of the Committee's Chair and First Vice-Chair and welcomed the Committee's work in addressing numerous complex compliance issues. It also noted several comments by the delegations of Armenia, Belarus, the European Union and Ukraine and invited the Committee to consider them, as relevant, when finalizing the draft decisions on the review of compliance with the Convention and the Protocol at its session in September for their subsequent consideration by the Meetings of the Parties.

### **B. Draft guidance on the applicability of the Convention to the lifetime extension of nuclear power plants**

28. The delegations of Germany and of the United Kingdom of Great Britain and Northern Ireland presented draft guidance on the applicability of the Convention to the lifetime extension of nuclear power plants (ECE/MP.EIA/WG.2/2020/INF.12) developed by an ad hoc working group chaired jointly by those countries and translated into Russian by Germany. The Co-Chairs emphasized that, despite their and the ad hoc group's best efforts over the previous months, the draft guidance was not yet ready to be submitted to the Meetings of the Parties nor "validated" by all members of the group. Given the opposing views represented in the group and the pandemic that had impeded the preparatory work, the draft was nevertheless an important achievement. The ad hoc group had been obliged to cancel three of its meetings in the first half of 2020 and to conduct its work via written comments, bilateral consultations and online meetings (the secretariat had organized seven online meetings in May and June). The Co-Chairs outlined the main remaining points of disagreement amongst the members of the group, pointing out that a significant amount of further work was still required.

29. The Working Group thanked the ad hoc group and its Co-Chairs for their intensive efforts over the previous three years to develop draft guidance, in consultation with stakeholders and with support from the secretariat. It thanked those members of the ad hoc group that had hosted the group's meetings outside Geneva: Austria, Germany, the European Commission (twice), Netherlands, Portugal and United Kingdom of Great Britain and Northern Ireland. It expressed regret at the fact that the meetings that Bulgaria, Finland and Italy had offered to host could not take place because of the pandemic.

30. The Working Group welcomed the draft document and thanked Germany for its in-kind Russian translation of the draft. The Chair of the Implementation Committee once again reiterated that the Committee urgently needed guidance to complete its deliberations on a large number of compliance cases in relation to the lifetime extension of nuclear power plants, with a view to assisting Parties to comply fully with their obligations under the Convention. The Working Group thanked the Committee for its inputs to the ad hoc group's

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<sup>11</sup> For the relevant Implementation Committee meeting reports, see documents ECE/MP.EIA/IC/2019/6 (forty-sixth session) and ECE/MP.EIA/IC/2020/2 (forty-seventh session).

work and agreed on the urgent need to provide guidance to the Parties and the Implementation Committee. Moreover, it fully recognized the difficulties in reaching consensus on the topic in question owing to Parties' and stakeholders' differing or opposing positions, concerns and interests. It called for Parties to display willingness to compromise and to make all efforts to provide guidance that would be as useful as possible and address the concerns of the Parties and of the public.

31. The Working Group took note of the comments on the draft guidance provided by the delegations of Canada, Switzerland, Ukraine and the United Kingdom of Great Britain and Northern Ireland, as well as by observer organizations before and during the meeting. The delegation of Ukraine asked the secretariat to record in the meeting report that Ukraine applied the Convention to the lifetime extensions of all its nuclear power plants as had been requested by the Meeting of the Parties to the Convention at its sixth session (Geneva, 2–5 June 2014).<sup>12</sup> Consequently, should the draft guidance not be finalized and adopted by the Meetings of the Parties in December 2020, Ukraine would request the Meetings of the Parties to decide that, temporarily, until 2023, the Convention applied to all lifetime extensions of nuclear power plants in order to ensure the equal application of the Convention by all its Parties.

32. The secretariat announced that the United Nations Documents Management Section had exceptionally accorded a later deadline for the translation of the draft guidance into French and Russian in advance of the Meetings of the Parties. In the light of that development, and as suggested by the Co-Chairs of the ad hoc group, the Working Group invited delegations to provide by 31 August 2020, any additional substantive (non-editorial) proposals for further amending and shortening the draft guidance, in track-changes and preferably prepared jointly with other delegations. The ad hoc group was invited to finalize the draft by 19 October, considering the comments made and the maximum word count for official documents, for the secretariat to process and forward to the Meeting of the Parties to the Convention.

33. The secretariat presented draft decision VIII/6 on the applicability of the Convention to the lifetime extension of nuclear power plants (ECE/MP.EIA/WG.2/2020/4). The Working Group agreed, however, that the text of the draft decision should be considered and finalized by the Meeting of the Parties based on the final version of the draft guidance, yet to be completed.

### **C. Reporting and review of implementation**

34. The Working Group reviewed and revised draft decisions VIII/5 (ECE/MP.EIA/WG.2/2020/4) and IV/5 (ECE/MP.EIA/WG.2/2020/5) on reporting and review of implementation of, respectively, the Convention and the Protocol. It noted that the text of the decisions replicated the general findings of the draft sixth review of implementation of the Convention and draft third review of the Protocol in the period 2016–2018,<sup>13</sup> which summarized Parties' actual responses to questionnaires. The Working Group had agreed on the draft reviews of implementation at its previous meeting in November 2019 and forwarded them for consideration and adoption by the Meetings of the Parties. It noted that, as a result of the revisions, the draft decisions currently differed somewhat from the general findings.

### **D. Draft long-term strategy and an action plan for future application of the Convention and the Protocol**

35. The Working Group considered the draft long-term strategy and action plan for the Convention and the Protocol (ECE/MP.EIA/WG.2/2020/8), which had been revised based

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<sup>12</sup> See ECE/MP.EIA/20/Add.1-ECE/MP.EIA/SEA/4.Add.1, decision VI/2, paras. 68–71 regarding the Rivne nuclear power plant.

<sup>13</sup> ECE/MP.EIA/2020/8 and ECE/MP.EIA/SEA/2020/8.



on the comments made at the Working Group's previous meeting. It expressed its appreciation to Austria, the Netherlands and Poland for having led the development of the various drafts, with support from the secretariat, during the intersessional period, as well as to the other delegations that had contributed to that work. The last of the three informal preparatory meetings held had taken place in Warsaw, on 23 and 24 January 2020, chaired jointly by the Netherlands and Poland.

36. The delegation of the European Union put forward several further proposals for amendments to the draft document with a view to making it shorter and focused on the priority goals and objectives at a more abstract level, including through the deletion of the related actions and clarifying examples. The delegation also suggested that the draft strategy be further developed by a drafting group taking its comments into account. The Chair and the secretariat reminded the Working Group that, in accordance with the agreed preparatory schedule for the official documents of the Meetings of the Parties, the secretariat needed to process and submit them for translation without delay after the Working Group's meeting. The Working Group agreed to forward the draft document with the proposed amendments in between square brackets to the Meetings of the Parties for further consideration.

37. The Working Group then reviewed and agreed on the text of draft decision VIII/3–IV/3 on the adoption of the long-term strategy and the action plan for the Convention and the Protocol, to be forwarded to the Meetings of the Parties.

## **V. Promoting ratification and application of the Protocol and the Convention**

### **A. Draft guidance on assessing health impacts in strategic environmental assessment**

38. The Chair presented draft guidance on assessing health impacts in strategic environmental assessment (ECE/MP.EIA/WG.2/2020/7), which had been substantially revised by two consultants to the European Investment Bank and a task force composed of representatives of Austria, Finland, Ireland and Slovenia taking into account comments provided during and after the Working Group's previous meeting on an earlier draft (ECE/MP.EIA/WG.2/2019/5). The draft had also been supplemented with case studies from Czechia, Estonia and the Netherlands that had been presented during the workshop held on 27 November during the Working Group's previous meeting. The Bureau had agreed on the draft document at its previous meeting (Geneva, 25 and 26 February 2020) with some adjustments thereto<sup>14</sup>. In spring 2020, after the outbreak of the pandemic, the consultants had proposed complementing the draft guidance with a few sentences on how strategic environmental assessment could serve for consultation and coordination of the relevant actors at various levels regarding preparedness for and responses to disease outbreaks. The secretariat had made the proposed language available on the meeting web page.

39. The Bureau had noted that the consultants could not have based the guidance more on Parties' practical experience in assessing health and in involving the health sector in strategic environmental assessment, as the delegation of the European Union had requested, because Parties to the Protocol had not made such experience available. Moreover, the concept note for the guidance that the Working Group had welcomed in May 2018<sup>15</sup> had not foreseen the collection and inclusion of practical experience from Parties into the guidance document.

40. The Working Group thanked the consultants, the European Investment Bank, WHO, the task force composed of representatives from Austria, Finland, Ireland and Slovenia and the secretariat for their contribution to the preparation of the draft guidance. It agreed on the importance of assessing health and of involving health authorities in strategic environmental

<sup>14</sup> See Bureau meeting report, para. 65, available at [www.unece.org/net4all.ch/index.php?id=53201](http://www.unece.org/net4all.ch/index.php?id=53201).

<sup>15</sup> ECE/MP.EIA/WG.2/2018/INF.9, available at <https://unece.org/environmental-policy/events/working-group-eia-and-sea-espoo-convention-7th-meeting>.

assessment, as required by the Protocol, in particular, given the need for countries to ensure healthy and green recovery from the pandemic.

41. The delegation of the European Union considered that the document had significantly improved but that its previous comments were not fully reflected and that, therefore, a comprehensive further revision of the document was still needed. The delegation announced that it could not endorse the draft document in its current state and suggested postponing the decision on the guidance to the Meeting of the Parties' session in 2023. More specifically, the delegation considered the draft document to be too abstract and theoretical to efficiently assist countries in addressing relevant health issues in strategic environmental assessment procedures. It was also of the view that the WHO definition of the term "health", which was the generally accepted definition within the United Nations system, was too broad in the context of the Protocol, which, in its view, was limited to addressing relevant environment related health aspects that were specific to a plan and programme. It deemed it important to avoid overburdening and adding uncertainties to the assessment procedures.

42. The representative of WHO, in turn, pointed to the urgent need for guidance to countries for ensuring a healthy recovery from the pandemic and expressed a wish to see the document adopted in December 2020. WHO also aspired to further case studies and best practices by Parties and offered its support in that respect. She underlined that the environment and health sectors were on the "same side" and needed to join forces to address the increasing pressures on environment and health through more informed decisions. WHO stood ready to support the two sectors in learning to speak the same language and in using their respective expertise in a coordinated manner to avoid time and resource consuming overlaps.

43. The representatives of the International Association for Impact Assessment and the Nuclear Transparency Watch also made statements. The Working Group noted all the comments made and invited the secretariat to post on the website those that had been made available to it in writing.

44. Since not all delegations supported forwarding the draft guidance for consideration by the Meetings of the Parties in December 2020, the Working Group agreed that a revised draft should be produced for the Working Group's next meeting, preliminarily scheduled for December 2021. The Chair noted that, to accurately reflect the comments from the European Union, it would be necessary to have specific proposals for amendments to the text. Recalling that the consultants were no longer available, after the expiry of their contract with the European Investment Bank, the Working Group invited volunteering members of the task force to work further on the draft electronically and via online meetings. Only one member, representing Slovenia, confirmed her willingness to do so, however. In the absence of other task force members, the Working Group invited volunteering Parties and stakeholders to indicate their wish to join the task force by 15 October 2020.<sup>16</sup> The representative of WHO offered to support the work.

45. The secretariat presented draft decision IV/6 on the adoption of the guidance (ECE/MP.EIA/WG.2/2020/5). The Working Group decided not to consider that decision given the current circumstances.

46. The Working Group invited Parties to submit through the secretariat good practice in assessing health and in involving the health sector in strategic environmental assessment, to be published online.

## **VI. Presentation of the main decisions taken and closing of the meeting**

47. The Working Group endorsed the main decisions agreed at the meeting, as presented by the secretariat, and requested the secretariat to post them on the meeting web page. It noted, in addition, that all the comments and statements that delegations had provided in

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<sup>16</sup> Note from the secretariat: No further delegation volunteered for the task after the meeting.

writing to the secretariat had been made available on that web page. The secretariat was invited to prepare the report on the meeting under the guidance of the Chair.

48. The Chair officially closed the meeting on Wednesday, 26 August 2020.

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