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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

Implementation Committee

Fifty-fifth session

Geneva, 31 January–3 February 2023

Report of the Implementation Committee on its fifty-fifth session

Introduction

1. The fifty-fifth session of the Implementation Committee under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and its Protocol on Strategic Environmental Assessment was held online from 31 January to 3 February 2023.

A. Attendance

2. The following members of the Implementation Committee for Convention and Protocol matters attended the session: Mr. Christian Baumgartner (Austria), Mr. Anders Bengtsson (Sweden), Mr. Ralph Bodle (Germany), Mr. Joe Ducombe (Luxembourg), Ms. Maria do Carmo Figueira (Portugal), Ms. Barbora Pavlačič Doneva (Slovakia), Ms. Zsuzsanna Pocsai (Hungary) and Mr. Lasse Tallskog (Finland). Azerbaijan was not represented.

B. Organizational matters

I. Adoption of the agenda

3. The Chair of the Committee opened the session.
4. The Committee adopted its agenda as set out in document ECE/MP.EIA/IC/2023/1.



5. The Secretary to the Convention and the Protocol briefed the Committee on the outcomes of the eleventh meeting of the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment (Geneva, 19–21 December 2022).¹ She also reported on the steps ahead to prepare for the next sessions of the Meetings of the Parties to the Convention and the Protocol (Geneva, 12–15 December 2023), involving the meeting of the Bureau (Geneva, 22–23 February 2023) that would agree on the preparatory work, and draft documents and decisions, aside from those to be prepared by the Committee, for consideration and finalization by the Working Group at its twelfth meeting (Geneva, 13–15 June 2023) prior to their submission to the next sessions of the Meetings of the Parties. The Committee acknowledged the critical resource constraints of the secretariat for its core functions, including for supporting the review of compliance-related work under the Convention and the Protocol, and the need for Parties to fund additional staffing to strengthen the secretariat’s capacities.

6. The Committee reviewed a list of draft decisions on compliance and other official documents that it would submit for the information of the Working Group at its twelfth meeting, and, subsequently, at the Committee’s fifty-seventh session (Geneva, 29 August–1 September 2023), finalize for consideration of the next sessions of the Meetings of the Parties. It noted that the deadline for the finalized draft documents for the Meetings of the Parties was 19 September 2023.

II. Follow-up to decisions VIII/4a–c

7. The discussions under the agenda item were not open to observers, in accordance with rule 17 (1) of the Committee’s operating rules.²

A. Armenia (EIA/IC/CI/1)

8. The Committee continued its follow-up to decision VIII/4a on compliance by Armenia with its obligations under the Convention in respect of its national legislation.

9. It noted the response of Armenia, dated 27 December 2022, to the Committee’s letter of 21 October 2022, informing the Committee that the draft legislation that had been prepared was not yet adopted and that, in the absence of the transposition of the Convention and its Protocol into the national legislation, they would be applied directly in Armenia. The Committee asked its Chair to write to Armenia with a view to:

(a) Reminding Armenia of paragraph 28 of annex II to decision IV/2 of the Meeting of the Parties of 2008, which stated that the provision in the Constitution of Armenia to directly apply international agreements was “insufficient for proper implementation of the Convention without more detailed provisions in the legislation”,³ and, that, since then, Armenia had been repeatedly requested to adopt legislation that would ensure full compliance with and implementation of the Convention, building on legislative assistance provided to it (decisions: IV/2, annex II, para. 33 (b); V/4, para. 27;⁴ VI/2, para. 31;⁵ IS/1a, paras. 4 and 6;⁶ and VIII/4a, para. 4);

(b) Expressing regret that, despite over 13 years of technical assistance provided by the secretariat to Armenia to bring its legislation into line with the Convention and the Protocol and multiple decisions by the Meetings of the Parties requesting it to do so, Armenia has not yet adopted fully compliant legislation or secondary legislation;

¹ ECE/MP.EIA/WG.2/2022/2 (advance copy), available at https://unece.org/sites/default/files/2023-01/ece_mp.eia_wg.2_2022_2_adv_copy.pdf.

² Available at <https://unece.org/sites/default/files/2021-02/Implementation%20Committee%20structure%20functions%20procedures%20rules.e%202020.pdf>

³ ECE/MP.EIA/10, para. 64.

⁴ ECE/MP.EIA/15.

⁵ ECE/MP.EIA/20/Add.1–ECE/MP.EIA/SEA/4/Add.1.

⁶ ECE/MP.EIA/27/Add.1–ECE/MP.EIA/SEA/11/Add.1.

(c) Reminding Armenia that, in 2019 and 2020, the Meeting of the Parties had requested Armenia to adopt its amended law and the relevant secondary legislation as soon as possible (respectively, decisions IS/1a, para. 6, and VIII/4a, para. 4), and, once adopted, to provide their English translations to the Committee (decision VIII/4a, para. 5);

(d) Informing Armenia that, at its fifty-sixth session (Geneva, 2–5 May 2023) the Committee would prepare the text of a draft decision regarding the compliance by Armenia with its obligations under the Convention in respect of its national legislation and that, pending the adoption of compliant legislation and secondary legislation, Armenia would not be in fulfilment of its obligations under the Convention nor would it have met the repeated requests by the Meetings of the Parties;

(e) By 31 March 2023, inviting Armenia to update the Committee on the progress made.

B. Azerbaijan (EIA/IC/CI/2)

10. The Committee continued its follow-up to decision VIII/4b on compliance by Azerbaijan with its obligations under the Convention in respect of its national legislation.

11. The Committee noted with regret that, after the adoption of six regulatory acts on environmental impact assessment and strategic environmental assessment in 2022, Azerbaijan had not provided the Committee with their translation into English, as required in decision VIII/4b, paragraph 8, despite the support for translation provided by the European Union for Environment programme.

12. Consequently, the Committee expressed regret at the fact that it had not been able to analyse the recently adopted legislation.

13. The Committee agreed to continue its follow-up to decision VIII/4b at its fifty-sixth session, and, to that end, asked its Chair to write to Azerbaijan to:

(a) Urge Azerbaijan to provide, for the Committee's evaluation, the text of the recently adopted legislation and relevant secondary legislation, along with the English translation thereof, at the latest by 31 March 2023;

(b) Inform Azerbaijan about the Committee's intention to prepare at its next session, a draft decision for submission to the Meeting of the Parties that would draw conclusions on compliance by Azerbaijan with regard to its national legislation for the implementation of the Convention, and indicate that the availability of the new legislation in the working language of the Committee would be critical.

C. Belarus (EIA/IC/S/4)

14. The Committee followed up on decision VIII/4c on compliance by Belarus with its obligations under the Convention in respect of the Belarusian nuclear power plant in Ostrovets. On 18 November 2022, further to informal online consultations with Belarus and Lithuania, which, at the request of Lithuania, the Committee had held separately with each of the Parties during its fifty-fourth session (Geneva, 4–7 October 2022),⁷ both Parties submitted comments on each other's statements based on the recordings. While the Committee welcomed the submission of comments, it noted that, without direct contacts between them, the possibilities for the two Parties to improve their dialogue and cooperation were limited.

15. The Committee asked its Chair to write to the Parties concerned with a view to:

(a) Urging once again the Parties to cooperate and asking Lithuania whether it was willing to hold a bilateral expert meeting with Belarus, either in-person or online, possibly chaired by an independent chair to be identified by the Parties concerned;

⁷ ECE/MP.EIA/IC/2022/7, paras. 12–17.

(b) Asking them to inform the Committee whether they had agreed on the minutes from the expert meeting on 3 February 2022, and requesting that those be provided to it in English through the secretariat by 31 March 2023;

(c) Informing them that, at its next session, the Committee would prepare the text of a draft decision regarding the follow-up to decision VIII/4c on compliance by Belarus with its obligations under the Convention in respect of the Belarusian nuclear power plant in Ostrovets, in which it would, amongst other things:

(i) Express appreciation for the delivery by the Parties of their annual reports, despite the occasional delays;

(ii) Recall decision VIII/4c, paragraph 4, requiring both Parties to conclude a bilateral agreement for the implementation of the Convention further to article 8 of the Convention, to carry out a post-project analysis, and to continue bilateral expert consultations on issues of disagreement;

(iii) Acknowledge that, during the intersessional period, the Parties had held one bilateral expert meeting with the aim of discussing remaining differences and to make progress in accordance with decision VIII/4c, noting, however that said meeting's outcomes had still not been agreed at the current time, and considering that, irrespective of the pandemic, the Parties would have had ample opportunities to hold other online meetings;

(iv) Inform the Meeting of the Parties about the Committee's informal online consultations with Belarus and Lithuania held during its fifty-fourth session, and express appreciation for the comments by both Parties after that meeting, which indicated some willingness to continue the cooperation;

(v) Express regret, however, at the lack of progress in implementing the requirements set out in decision VIII/4c;

(vi) Urge both Parties to improve the bilateral cooperation with a view to complying with the requirements of decision VIII/4c, at the latest by the tenth session of the Meeting of the Parties;

(vii) Request both Parties to continue their annual reporting to the Implementation Committee on the progress made;

(d) Informing also the Parties that the Committee had agreed to put the consideration of the issue on hold until the Parties concerned informed the Committee that they were willing to have a direct dialogue with each other.

III. Submissions⁸

16. The discussions under the agenda item were not open to observers, in accordance with rule 17 (1) of the Committee's operating rules.

A. Albania (EIA/IC/S/7)

17. The Committee continued its consideration of the submission by Montenegro expressing its concerns about compliance by Albania with its obligations under the Convention and the Protocol with respect to the planned construction of several small hydropower plants on the Cijevna River, received by the secretariat on 25 September 2019.

18. The Committee reviewed the updated information provided by Albania and Montenegro on 1 December 2022 and 13 January 2023, respectively, in response to the Committee's letter of 21 October 2022, taking note that the dialogue between the Parties concerned was still ongoing. It also noted the wish of Montenegro for the "UNECE Implementation Committee" – understood by the Implementation Committee under the

⁸ See <https://unece.org/submissions-overview>.

Espoo Convention as referring to the Implementation Committee under the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) – to mediate the matter in question further. Taking into account the updated information and the fact that the advisory procedure under the Implementation Committee under the Water Convention was in progress, the Implementation Committee under the Espoo Convention decided to close its considerations and agreed on its draft findings and recommendations by using its electronic decision-making procedure following the current session.

19. Once agreed, the Committee asked the secretariat to transmit the completed draft to Albania and Montenegro for their comments or representations by 31 March 2023, with a view to finalizing its findings and recommendations at its fifty-sixth session, taking into account the comments made. The findings and recommendations would be referred to in the draft decision on compliance to be submitted to the Meeting of the Parties to the Convention at its ninth session (Geneva, 12–15 December 2023). Any recommendations would also be included in the draft decision itself.

B. Bosnia and Herzegovina (EIA/IC/S/8 - SEA/IC/S/1)⁹

20. The Committee continued its consideration of the submission by Montenegro expressing its concerns about compliance by Bosnia and Herzegovina with its obligations under the Convention and the Protocol in respect of the construction of Buk Bijela hydropower plant on the Drina River, received by the secretariat on 11 December 2020.

21. The Committee took note of the comments and representations from Bosnia and Herzegovina and Montenegro, dated 13 and 17 January 2023, respectively, on the draft findings and recommendations previously transmitted to them. Taking into consideration the comments received, the Committee finalized its findings and recommendations further to the submission and requested the secretariat to issue them as an official document in advance of its fifty-sixth session; and to bring them to the concerned Parties' attention. Subsequently, the secretariat was to transmit the findings and recommendations to the Meeting of the Parties to the Convention at its ninth session for consideration and to be taken into account when considering the related draft decision.

C. Serbia (EIA/IC/S/6)

22. Having finalized its findings and recommendations further to the submission by Bulgaria expressing its concerns about compliance by Serbia with its obligations under the Convention with respect to several mining-related activities in Karamanica, Popovica, Podvirovi and the Grot mine at its fifty-fourth session,¹⁰ the Committee agreed on a related draft decision on compliance to be submitted to the Meeting of the Parties to the Convention at its ninth session. The Committee requested the secretariat to submit the draft decision for information to the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment at its twelfth meeting, as an informal document.

IV. Committee initiatives¹¹

23. The discussions under the agenda item were not open to observers, in accordance with rule 17 (1) of the Committee's operating rules.

⁹ See <https://unece.org/environment-policy/environmental-assessment/eiaics8seaics1>.

¹⁰ ECE/MP.EIA/IC/2022/7, para. 28; and ECE/MP.EIA/IC/2022/8.

¹¹ See <https://unece.org/environment-policy/environmental-assessment/committee-initiative-overview>.

A. Bulgaria (EIA/IC/CI/8)

24. The Committee continued its consideration of its initiative on compliance by Bulgaria with its obligations under the Convention with respect to the lifetime extension of units 5 and 6 of Kozloduy nuclear power plant.

25. The Committee took note of the comments from Romania, of 29 November 2022, from Austria, of 9 December 2022, and from Bulgaria, of 3 January 2023, on the draft findings and recommendations previously transmitted to them. Taking into consideration the comments received, the Committee finalized its findings and recommendations further to the Committee initiative by using its electronic decision-making procedure following the current session and requested the secretariat to: issue them as an official document in advance of its fifty-sixth session; bring them to the concerned Parties' attention; and subsequently transmit the findings and recommendations to the Meeting of the Parties to the Convention at its ninth session for consideration and to be taken into account when considering the related draft decision.

B. Belgium (EIA/IC/CI/9)

26. The Committee, in the absence of its member nominated by Luxembourg, continued its consideration of its initiative on compliance by Belgium with its obligations under the Convention with respect to the lifetime extension of unit 1 of Tihange nuclear power plant. It agreed on the main points in its draft findings and recommendations on the matter. It decided to agree on the text of the draft findings and recommendations using its electronic decision-making procedure following the current session. Once agreed, it asked the secretariat to transmit the completed draft findings and recommendations to Belgium and Germany for comments or representations by 31 March 2023. Subsequently, the Committee would finalize them at its fifty-sixth session, taking into account the comments and representations provided. The findings and recommendations would be referred to in the draft decision on compliance to be submitted to the Meeting of the Parties to the Convention at its ninth session. Any recommendations would also be included in the draft decision itself.

C. Czechia (EIA/IC/CI/10)

27. The Committee continued its consideration of its initiative on compliance by Czechia with its obligations under the Convention with respect to the lifetime extension of units 1–4 of Dukovany nuclear power plant. It agreed on the main points in its draft findings and recommendations on the matter. It decided to agree on the text of the draft findings and recommendations using its electronic decision-making procedure following the current session. Once agreed, it asked the secretariat to transmit the completed draft findings and recommendations to Austria, Czechia and Germany for comments or representations by 31 March 2023. Subsequently, the Committee would finalize them at its fifty-sixth session, taking into account the comments and representations provided. The findings and recommendations would be referred to in the draft decision on compliance to be submitted to the Meeting of the Parties to the Convention at its ninth session. Any recommendations would also be included in the draft decision itself.

D. Serbia (SEA/IC/CI/1)

28. Further to the finalization and publication of the Committee's findings and recommendations on compliance by Serbia with its obligations under the Protocol in respect of the Energy Sector Development Strategy of the Republic of Serbia for the Period up to 2025 with Projections up to 2030 and the Programme for the Implementation of the Strategy for the Period 2017–2023 at its fifty-third session (Geneva (online), 10–13 May 2022),¹² the Committee, in the absence of its member nominated by Hungary, agreed on the text of the

¹² ECE/MP.EIA/IC/2022/5.

related draft decision on compliance to be submitted to the 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 at its fifth session (Geneva, 12–15 December 2023). The Committee requested the secretariat to submit the draft decision for information to the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment at its twelfth meeting, as an informal document.

V. Information gathering¹³

Convention matters

29. Discussions under the agenda item were not open to observers, in line with rule 17 (1) of the Committee's operating rules.

A. Belarus (EIA/IC/INFO/21)

30. Following the Committee's informal consultations with Belarus regarding its law on State ecological expertise, strategic environmental assessment and environmental impact assessment during the Committee's fifty-fourth session,¹⁴ the Committee continued its consideration of the matter.

31. It noted the letter by Belarus dated 17 January 2023, informing the Committee about proposed amendments to the above-mentioned law, including a timetable of the legislative process, according to which the submission to the Belarusian House of Representatives was expected in March 2023.

32. Having reviewed the analysis of the draft amendments contained in the letter of Belarus, the Committee found inconsistencies with the Convention and its previously expressed concerns, as well as with the recommendations by consultants to the secretariat funded through the European Union for Environment programme.

33. The Committee asked its Chair to write to Belarus with a view to:

(a) Thanking Belarus for the information provided, but expressing regret that Belarus had not yet adopted compliant legislation to implement the Convention;

(b) Informing Belarus, that, since 2016, the Committee had gathered sufficient information (through its written communication with Belarus, as well as written communications from the international consultants to the secretariat and the informal consultations with Belarus during the Committee's fifty-fourth session) to give rise to a profound suspicion of non-compliance by Belarus with its obligations under article 2 (2) of the Convention in respect of not having taken the necessary legal, administrative or other measures to implement the provisions of the Convention;

(c) Informing also Belarus that, in the absence of progress by Belarus in adopting compliant legislation by its next session, the Committee would open a Committee initiative in accordance with paragraph 6 of its structure and functions, based on the profound suspicion of non-compliance by Belarus with its obligations under the Convention, and would prepare, at that session, a draft decision of the Meeting of the Parties that would draw conclusions about the non-compliance by Belarus with regard to its national legislation for the implementation of the Convention;

(d) Urging Belarus to provide the Committee with the text of the amended legislation once adopted, along with the English translation thereof within 30 days after said adoption.

¹³ See <https://unece.org/information-other-sources-0>.

¹⁴ ECE/MP.EIA/IC/2022/7, paras. 41–43.

B. Netherlands (EIA/IC/INFO/15)

34. The Committee continued its consideration of the information it had gathered further to the information, dated 7 May 2014, from the NGO Greenpeace Netherlands concerning the lifetime extension of Borssele nuclear power plant in the Netherlands.

35. The Committee reviewed, in the light of the criteria of the *Guidance on the Applicability of the Convention to the Lifetime Extension of Nuclear Power Plants* (the Guidance),¹⁵ all information made available to it on the matter by the Netherlands, as the Party of origin, Germany, as a potentially affected Party, and the NGO.

36. In the light of other lifetime extension cases currently being finalized by the Committee and the workload of the Committee, it decided to continue its consideration of the matter at its next session in May 2023.

C. France (EIA/IC/INFO/32)

37. The Committee continued its consideration of the information it had gathered further to the information received on 9 March 2020 and supplemented on 7 May 2020 from Greenpeace France regarding the planned lifetime extension by France of 32 units of eight nuclear power plants.¹⁶

38. The Committee noted the answer by France, dated 15 January 2023, that the screening decision for unit 1 of Tricastin nuclear power plant by the nuclear safety authority of France had been delayed and was now expected to be taken in the first semester of 2023. It further noted the information from France that the indicative timetable it had provided to the Committee in its letter of 15 April 2022 on the long-term operation of the units with a capacity above 900 megawatt electric (Mwe) was still valid and did not require any update so far.

39. The Committee recalled that it had evaluated that indicative timetable regarding the units with a capacity above 900 Mwe (namely Belleville, Cattenom, Chooz, Civaux, Flamanville, Golfech, Nogent, Paluel, Penly and St Alban) already at its fifty-third session¹⁷ and noted that the update on the units with a capacity below 900 MWe (namely Blayais, Bugey, Chinon, Cruas, Dampierre, Gravelines, St. Laurent and Tricastin) had not been provided.

40. The Committee invited its Chair to write to France with a view to:

(a) Thanking France for the timely submission of the information, dated 15 January 2023;

(b) Reiterating its request to inform the Committee about the expected screening decision for unit 1 of Tricastin nuclear power plant as soon as it was made and to provide the Committee with sufficient justification for the decision of the Government of France on the need to conduct a transboundary environmental impact assessment procedure for the unit in line with the Convention.¹⁸ Should the decision not be made by 31 March 2023, France should inform the Committee on the status of the decision, including the expected date of its adoption;

(c) Reiterating the Committee's request to be provided with updated information on the units with a capacity below 900 MWe (namely Blayais, Bugey, Chinon, Cruas, Dampierre, Gravelines, St. Laurent and Tricastin) and provide an update on the units with a capacity above 900Mwe (namely Belleville, Cattenom, Chooz, Civaux, Flamanville, Golfech, Nogent, Paluel, Penly and St. Alban), if any;¹⁹

¹⁵ United Nations publication, ECE/MP.EIA/31.

¹⁶ For more information about the number of the units, see ECE/MP.EIA/2020/4–ECE/MP.EIA/SEA/2020/4, table 4.

¹⁷ ECE/MP.EIA/IC/2022/4, paras. 27–30.

¹⁸ *Ibid.*, para. 29 (b).

¹⁹ *Ibid.* para. 29 (c).

(d) Requesting France to submit the requested information through the secretariat in English by 4 April 2023.

41. Lastly, the Committee asked the secretariat to share with the NGO – in the absence of any objections based on reasonable grounds from France – the information from France concerning the activity, dated 15 January 2023.

VI. Review of implementation

A. Examination of general and specific compliance issues from the sixth review of implementation of the Convention

42. The Committee recalled that, following its deliberations at its fifty-fourth session, the Committee had requested Kyrgyzstan to provide further clarification by 3 January 2023 on potential compliance issues identified in the sixth review of implementation of the Convention (ECE/MP.EIA/2020/8).²⁰ The Committee noted that Kyrgyzstan had not replied to the Committee's letter dated 21 October 2022, despite several reminders from the secretariat.

43. The Committee invited its Chair to write again to the Party with a view to reiterating the Committee's initial request, from 14 April 2022, to provide clarification on the implementation of the Convention by Kyrgyzstan, through the secretariat in English, at the latest by 31 March 2023, for the Committee to be able to evaluate the implementation at its next session.

B. Examination of general and specific compliance issues from the second review of implementation of the Protocol

44. The Committee continued its consideration of the specific compliance issue regarding Serbia identified in the second review of implementation of the Protocol (ECE/MP.EIA/SEA/2017/9).

45. At its fifty-fourth session, the Committee had been informed by Serbia, in a letter dated 28 July 2022, that the adoption of the revised Law on Strategic Environmental Assessment was foreseen by the end of 2022.²¹ The Committee noted with regret that, since July 2022, no new information had been provided by Serbia.

46. The Committee invited its Chair to write to Serbia with a view to reminding it to provide to the Committee the amended law and the English-language translation thereof once adopted, by 31 March 2023.

C. Examination of general and specific compliance issues from the third review of implementation of the Protocol

47. The Committee continued its considerations of general and specific compliance issues identified in the third review of implementation of the Protocol (ECE/MP.EIA/SEA/2020/8), noting the responses by Armenia and Bosnia and Herzegovina to its letters of 21 October 2022, and the lack of response thereto from North Macedonia.

48. The Committee reviewed the response by Armenia from 27 December 2022, informing it that the draft legislation was expected to be approved by the Government at the end of 2022, and stating that: "The Draft law provides for the regulation of making changes to the constituent documents subject to the [Strategic Environmental Assessment] (regardless of whether the latter are minor modifications or not), according to which the subject of projects related to amendments to the constituent documents or the planning of territories

²⁰ ECE/MP.EIA/IC/2022/7, paras. 55–56.

²¹ *Ibid.*, para. 57.

before the [Strategic Environmental Assessment] and examination is decided by the authorized body-initiator as a result of joint consultations”.

49. The Committee expressed regret at the lack of clarity in the response by Armenia and asked the Chair to also include in its letter to Armenia on Committee initiative EIA/IC/CI/1 (see para. 9 above) a request to clarify its response to the Committee’s letter of 21 October 2022, at the latest, by 31 March 2023.

50. Next, the Committee reviewed the response by Bosnia and Herzegovina, dated 27 December 2022. It agreed that the clarification provided by Bosnia and Herzegovina was satisfactory, concluding that there were no concerns of implementation in relation to article 4 (4) of the Protocol and there was no need for it to continue consideration of the matter.

51. The Committee agreed to ask its Chair to write to Bosnia and Herzegovina to thank it for the satisfactory clarification provided and inform it about the conclusion. In his letter, the Chair should also request Bosnia and Herzegovina to agree that its correspondence with the Committee be placed on the Convention’s website as an illustration of the Committee’s approach to the consideration of the matter.

52. Next, turning to North Macedonia, the Committee noted with regret the lack of a reply from North Macedonia to its letter of 21 October 2022, despite several reminders from the secretariat. The Committee asked its Chair to write to North Macedonia with a view to reiterating its request for clarifications on the matter, already requested twice, to be sent through the secretariat, in English, by, at the latest, 31 March 2023.

D. Templates for the European Union to report under the Convention and the Protocol²² and SEA/IC/SCI/1/4

53. The Committee finalized its consideration of the draft reporting templates for the European Union for the implementation of the Convention and the Protocol, taking into account the outcomes of the online consultations of 12 December 2022 with representatives of the European Commission and, as observers, of Czechia, which held the presidency of the Council of the European Union in the second half of 2022, as well as further comments by the European Commission submitted on 21 December 2022.

54. Further to the request of the Working Group at its tenth session (Geneva, 1–3 December 2021), the Committee invited the secretariat to submit the templates as official documents for consideration of the Working Group at its twelfth meeting and to share them with the European Commission and Sweden, which held the presidency of the Council of the European Union in the first half of 2023.

55. Concerning SEA/IC/SCI/1/4 – specific issues of compliance by the European Union with the Protocol identified in the first review of implementation of the Protocol – owing to time constraints, the Committee deferred the consideration of the matter to its next session.

VII. Work methods and rules of procedure

56. Further to the Committee’s deliberations at its fifty-fourth session²³ and in accordance with decision VIII/4²⁴ of the Meetings of the Parties to the Convention, decision IV/4²⁵ of the Meetings of the Parties to the Protocol and the workplan for 2021–2023,²⁶ the Committee continued its review of its structure and functions and its operating rules, and agreed on a

²² Template for the report of the European Union under the Convention in 2019–2021 (ECE/MP.EIA/WG.2/2021/INF.5); and Template for the report of the European Union under the Protocol in 2019–2021 (ECE/MP.EIA/WG.2/2021/INF.6). Available at <https://unece.org/environmental-policy/events/working-group-eia-and-sea-espoo-convention-10th-meeting>.

²³ ECE/MP.EIA/IC/2022/7, para. 69.

²⁴ ECE/MP.EIA/30/Add.2–ECE/MP.EIA/SEA/13/Add.2, para. 18.

²⁵ ECE/MP.EIA/30/Add.3–ECE/MP.EIA/SEA/13/Add.3, para. 14.

²⁶ ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/2–IV/2, annex I, subsect. II.A.3.

preliminary proposal for possible amendments for consideration by the Meeting of the Parties to the Convention at its ninth session, to be finalized at its next session.

VIII. Other business

57. Regarding Ukraine, the Committee welcomed the conclusion of a bilateral agreement between Ukraine and Romania on the implementation of the Convention on 18 November 2022, as requested by the decision of the Meeting of the Parties in paragraph 14 of decision IV/2 (ECE/MP.EIA/10) in 2008 and repeated subsequently. Recalling its decision at its fifty-second session (Geneva (online), 29–31 March 2022),²⁷ considering the invasion of Ukraine by the Russian Federation, to postpone to its subsequent sessions its consideration of all compliance issues concerning Ukraine,²⁸ the Committee agreed to reassess the situation at its next meeting. It asked its Chair to invite Ukraine to provide the Committee with any new information on the compliance issues under consideration, currently on hold, if there had been any progress that Ukraine might wish to share for the Committee's consideration at its fifty-sixth session.

58. The Committee confirmed the dates and formats of its fifty-sixth and fifty-seventh sessions (respectively, Geneva (in-person), 2–5 May 2023, and Geneva (in-person), 29 August–1 September 2023).

IX. Presentation of main decisions taken and closing of the session

59. The Committee reviewed the main decisions taken. The Chair then formally closed the fifty-fifth session. The Committee adopted the draft report of its session, prepared with the support of the secretariat, using its electronic decision-making procedure, on 8 February 2023.

²⁷ ECE/MP.EIA/IC/2022/2, para. 3.

²⁸ Follow-up on decision VIII/4d on compliance by Ukraine with its obligations under the Convention in respect of the Danube-Black Sea Deep Water Navigation Canal in the Ukrainian sector of the Danube Delta (EIA/IC/S/1); follow-up on decision VIII/4e on compliance by Ukraine with its obligations under the Convention in respect of extension of the lifetime of units 1 and 2 of Rivne nuclear power plant (EIA/IC/CI/4); Committee initiative (EIA/IC/CI/7) concerning compliance by Ukraine regarding its obligations under the Convention in respect of the construction of a large tourism complex (Svydovets mountains, Ukraine); information gathering procedures concerning the planned construction of nuclear reactors 3 and 4 at Khmelnytsky nuclear power plant (EIA/IC/INFO/10), activities at the Muzhiyevo goldmine (EIA/IC/INFO/13) and lifetime extension of Rivne (units 3 and 4), South Ukrainian, Zaporizhzhya and Khmelnytsky nuclear power plants in Ukraine (EIA/IC/INFO/20).