



Economic and Social Council

Distr.: General
13 July 2023

Original: English

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

Twelfth meeting

Geneva, 13–15 June 2023

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

I. Introduction

1. The twelfth 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 in Geneva, in person, from 13 to 15 June 2023.

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, Bulgaria, Croatia, Czechia, Estonia, Finland, France, Georgia, Germany, Greece, Ireland, Italy, Kyrgyzstan, Latvia, Lithuania, Luxembourg, Malta, Montenegro, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and Uzbekistan. The European Union was represented by the European Commission. Statements on behalf of the European Union and its member States were made by Sweden, which held the presidency of the Council of the European Union in the first half of 2023.

3. Representatives of the following United Nations bodies participated: the United Nations Development Programme and the World Health Organization (WHO). The European Public Law Organization was also represented. Representatives of the following non-governmental organizations (NGOs) were present: the Caucasus Environmental NGO Network; the European ECO-Forum; the International Association for Impact Assessment



(IAIA); and Nuclear Transparency Watch. The meeting was also attended by two consultants to the secretariat.

B. Organizational matters

4. The Chair of the Working Group, Ms. Dorota Toryfter-Szumańska (Poland), opened the meeting.

5. The Working Group adopted its agenda for the meeting (ECE/MP.EIA/WG.2/2023/1).¹

II. Status of ratification

6. The secretariat reported on the status of ratification of the Convention, its two amendments and the Protocol (ECE/MP.EIA/WG.2/2023/INF.2). The Working Group recalled that the treaties' wider implementation and their unified application were priority goals under the Long-term strategy adopted in 2020.²

7. The Working Group welcomed the ratification by Ukraine of the two Convention amendments (in force for it since 15 March 2023), and by Ireland of the first amendment (in force for it since 20 April 2023). It noted the information from the representative of Kyrgyzstan and the written report from Belgium on the steps taken towards ratification of the amendments, with the ratification process in Belgium having advanced the furthest regarding the first amendment. The Working Group regretted the lack of any information from Armenia, Belarus, Bosnia and Herzegovina, Kazakhstan, North Macedonia and the United Kingdom of Great Britain and Northern Ireland in that respect.

8. Overall, the Working Group expressed regret that, to date, some Parties had not yet ratified the Convention amendments that they had adopted some 20 years previously. It also recalled that, at the Bureau's request, the Executive Secretary of the United Nations Economic Commission for Europe (ECE) had last written to the ministers for environment and ministers for foreign affairs of all concerned countries in December 2022 to raise the issue of the missing ratifications.³

9. The Working Group once again urged Armenia, Belgium, North Macedonia and the United Kingdom of Great Britain and Northern Ireland to complete their ratification of the first amendment by the next sessions of the Meetings of the Parties, (Geneva, 12–15 December 2023), to allow for the global opening of the Convention, which the Meetings of the Parties had decided on in 2001.⁴ It reiterated its expectation that, by 2024–2026, the Convention would become a global instrument.

10. The Working Group also once again urged Armenia, Belarus, Belgium, Bosnia and Herzegovina, Kazakhstan, Kyrgyzstan, North Macedonia and the United Kingdom of Great Britain and Northern Ireland to ratify the second amendment within the same timeline to ensure unified application of the Convention.

11. Failing the completion of the ratifications by the timeline set out in paragraphs 9 and 10 above, the Working Group asked the concerned countries to announce during the next sessions of the Working Group their firm commitment, with a clear timeline, to take the necessary steps in the next intersessional period (2024–2026).

12. The Working Group also regretted that several signatories to the Protocol were yet to become Parties to the Protocol, and urged Belgium, France, Georgia, Greece, Ireland and the

¹ All official and informal documentation for the meeting and other information, such as presentations and statements provided to the secretariat, is available at <https://unece.org/info/Environmental-Policy/Environmental-Impact-Assessment/events/364361>.

² ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/3–IV/3, annex.

³ Informal notes on the Bureau meeting (Geneva, 9–10 June 2022), para. 10, available at <https://unece.org/environmental-policy/events/bureau-espoo-convention-12>.

⁴ ECE/MP.EIA/4, annex XIV, decision II/14, third preambular para.

United Kingdom of Great Britain and Northern Ireland to ratify that instrument. It noted the aim of France and Greece to become Parties to the Protocol by December 2023. It also recalled that, at the past meeting of the Working Group, Kazakhstan had announced its plans to accede to the Protocol in 2024.⁵

13. The Working Group strongly encouraged beneficiary countries of technical assistance and capacity-building in Eastern Europe, the Caucasus and Central Asia to accede to the Convention and/or the Protocol. It noted the national preparatory steps reported on by the delegations of Azerbaijan towards acceding to the Protocol and of Uzbekistan towards acceding to both instruments.

14. The Working Group requested that, in the invitation letters to the next sessions of the Meetings of the Parties, the ECE Executive Secretary convey the Working Group's above conclusions to the ministers for environment and the ministers for foreign affairs of the concerned Parties, urging their countries to complete their ratifications.

15. The Working Group thanked Romania for its report on the ratification status 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). It invited Croatia and Greece to ratify the Bucharest Agreement and noted their plans to do so (in the case of Croatia, possibly before the next sessions of the Meetings of the Parties). The Working Group also encouraged Bosnia and Herzegovina to accede to the Agreement.

III. Financial arrangements

A. Status of the trust fund 2021–2023

16. The Working Group recalled that, at their past sessions (Vilnius (online), 8–11 December 2020), the Meetings of the Parties had decided that all Parties had a duty to contribute to the sharing of the workplan costs not covered by the United Nations regular budget.⁶ It took note of the information from the secretariat on contributions to the trust fund under the Convention and the Protocol received until 19 May 2023 from 35 of the 45 Convention Parties (ECE/MP.EIA/WG.2/2023/INF.3), which were mostly small, with only 3 Parties covering half of the total revenue and 6 Parties covering 70 per cent of it. It was informed that a large budgetary deficit was to be expected at the end of the period 2021–2023.

17. The Working Group expressed regret at the persisting uneven distribution of the burden of cost sharing, and the overall insufficiency and unpredictability of the contributions. It confirmed its previous conclusion that the financial scheme adopted in 2020 had not been successful in remedying the long-standing and increasingly critical resource constraints under the Convention and the Protocol.⁷ The Working Group invited the following 10 Parties that had thus far not yet contributed in the present period 2021–2023, Belarus, Bosnia and Herzegovina, Croatia, Greece, Kazakhstan, Kyrgyzstan, Liechtenstein, Serbia, Ukraine and the United Kingdom of Great Britain and Northern Ireland, to do so, as per decision VIII/1–VI/1 (ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1), contacting the secretariat as soon as possible, if they had not yet done so. It noted the information from the secretariat that the contributions from Croatia, Greece and Ukraine were on the way.

18. The Working Group also invited all Parties to pay their pledged contributions in full, avoiding arrears, and, if possible, to make additional unpledged contributions in the current period. To streamline and simplify the practice regarding invoicing, the Working Group agreed that, in the future, starting from the next period, the secretariat should send out annual payment requests automatically to all Parties at the same time, and no longer upon request by Parties.

⁵ ECE/MP.EIA/WG.2/2022/2, para. 7.

⁶ ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/1–IV/1, para.1.

⁷ ECE/MP.EIA/WG.2/2022/2, para. 16.

19. The Working Group invited the secretariat to prepare the financial report for 2021–2023 for the next sessions of the Meetings of the Parties.

B. Secretariat staffing resources

20. The secretariat reported on its staffing resources, pointing out that, since 2001, Parties had funded only one professional staff position and no administrative support for the delivery of the core secretariat functions under the Convention and the Protocol. In the current period, extended sick leaves of a staff member and a staff change through temporary contractual arrangements had added further challenges, particularly for the servicing of the compliance- and implementation-related work. To maintain secretariat services to the treaties and to avoid cancellation of activities and meetings, including the next sessions of the Meetings of the Parties, the following temporary emergency measures until the end of the year had been taken: an individual contractor had been engaged with funding from Italy, and, as of 1 March, an ECE staff member from another team had been assigned part-time to support the secretariat. Over a few months, an intern had also been charged with certain administrative tasks. The secretariat emphasized the temporary and inadequate nature of those solutions for the conduct of its regular core work. By March 2024, with the closure of the European Union-funded EU4Environment project, the employment of the project manager and the project assistant would also end, and the secretariat's capacity-building work would be phased out. On the positive side, the secretariat expressed its thanks to Italy for its recently announced decision to sponsor a Junior Professional Officer to the secretariat for 1–2 years.

21. The Chair of the Working Group thanked the secretariat for its professionalism and resilience, having been permanently overstretched and under pressure for such a long period of time. She noted that fulfilling the core mandate of a two-treaty secretariat objectively took more than two professionals, as was also demonstrated by the comparison with the other ECE multilateral environmental agreement secretariats, which had 3–8 times more human resources. She understood that the secretariat's extensive tasks were no longer manageable without stable additional staffing.

22. The Working Group acknowledged that secretariat resources were critically low and unstable, hindering the preparations of the sessions of the Meetings of the Parties, and, as of 2024, preventing the fulfilment of the secretariat's core mandate. It thanked Italy for its plans to sponsor a Junior Professional Officer for 1–2 years and encouraged other Parties to follow that example. The Working Group recognized, however, that temporary solutions for filling staffing gaps were not sustainable, noting also that hiring consultants to carry out the secretariat's core tasks was not permitted by the United Nations. It also recognized that donor-funded capacity-building projects could not finance the delivery of the core secretariat functions and would also add burden on the secretariat, implying tasks that would exceed its current capacities, such as fundraising, project preparation, recruitment and training of staff, as well as reporting, audit and evaluation requirements by the donor. Consequently, the Working Group acknowledged that the secretariat could no longer fundraise or implement activities for capacity-building purposes.

23. The Working Group reiterated its conclusions from its previous meeting (Geneva, 19–21 December 2022) that, by the next intersessional period 2024–2026, Parties should collectively fund at least one additional professional staff post and part-time administrative support for the performance of the core secretariat functions; and, should that prove not to be achievable to the Parties, due to other national funding priorities, they should cut the secretariat's tasks under the workplan 2024–2026 to better align them with its limited resources.⁸

C. Pledges for funding and financial arrangements for 2024–2026

24. The secretariat and several delegations provided initial information on Parties' expected funding for the next intersessional period 2024–2026. The Working Group thanked

⁸ Ibid., paras. 24–26.

the 26 out of 45 Parties for the information they had provided before and during the current meeting. It noted, however, that the funding pledged by Parties to date for the period 2024–2026 amounted to only around \$1.1 million, which still fell considerably short of the proposed budget of \$1,928,610 for covering the resource requirements for the workplan for 2024–2026 (ECE/MP.EIA/WG.2/2023/3, decision IX/2–V/2, annex II).

25. The Working Group expressed regret regarding the missing information from the remaining 19 Parties on their expected contributions, which complicated and delayed the preparation of a realistic workplan that would match the funding available. It invited those Parties (Albania, Armenia, Belgium, Belarus, Bosnia and Herzegovina, Cyprus, Czechia, Finland, Kazakhstan, Kyrgyzstan, Liechtenstein, Montenegro, North Macedonia, Poland, Portugal, Serbia, Slovakia, Ukraine and the United Kingdom of Great Britain and Northern Ireland) to inform the secretariat of their pledges for funding as early as possible in advance of the next sessions of the Meetings of the Parties, and by no later than 15 October 2023, so that Parties could agree on a workplan that matched the resources available.

26. The Working Group also expressed regret at the lack of, or only limited increase in, the amounts of the pledges that Parties had made thus far, in comparison with their previous years' contributions, with a few exceptions (including, in particular, that of France), despite the pleas from the Bureau and the Working Group, and the letters sent by the ECE Executive Secretary to Parties (letters of 7 December 2022). Consequently, the expected revenue for the next period was likely to be insufficient to cover the proposed budgetary requirements for that period. Therefore, the Working Group thanked the national focal points for their efforts to mobilize further funding within their Governments and encouraged them to continue those efforts with a view to increasing their pledges for 2024–2026. Moreover, if feasible, in order to improve predictability of funding and to reduce the administrative burden and costs, it recommended that the Working Group invite Parties to consider making multi-year contributions in 2024 (i.e. issuing single payments covering the contributions for the years 2024, 2025 and 2026).

27. The Working Group then reviewed and agreed on the text of draft decision IX/1–V/1, as revised, and invited the secretariat to forward it to the Meetings of the Parties at their next sessions. It again reiterated that the draft workplan for the period 2024–2026 should correspond to the expected future funding for its implementation to ensure that the demand for activities and services matched the offer of resources and that, pending receipt of the required additional resources, only a reduced amount of activities and services could be delivered.

28. The delegation of Belarus made a unilateral statement, in which it “pointed out the impact of the unprecedented unilateral coercive measures against its country, politization of this forum and non-engagement of its country to the workplan activities on the possibilities of Belarus to contribute financially or in-kind in the current intersessional period”. The delegation requested that its statement be included in the report on the meeting.

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

A. Practical arrangements

29. The Working Group considered practical arrangements for the ninth session of the Meeting of the Parties to the Convention and the fifth session of the Meeting of the Parties to the Protocol, scheduled to start on Tuesday, 12 December at 10 a.m. and to close on Friday, 15 December 2023, at 1 p.m., with the high-level segment taking place on Thursday, 14 December from 1 to 3 p.m. and on Friday, 15 December from 10 a.m. to 1 p.m. It noted that the sessions would be held at the Palais des Nations, Geneva, as no Party had offered to host them.

30. The secretariat presented information on the preparations for the next sessions of the Meetings of the Parties and their related time schedule, as well as the provisional list of draft decisions and documents (ECE/MP.EIA/WG.2/2023/INF.4). The Working Group took note

of the information. It also noted the Bureau meeting scheduled to be held back-to-back with the sessions of the Meetings of the Parties, on Monday, 11 December 2023, to address any last-minute issues in connection with the sessions, including delegations' comments on the documentation.

31. The Working Group agreed that comments to the official documents should be provided by 16 November 2023 (three weeks before the sessions). The Chair recalled that the timely submission of comments would help delegations to prepare and coordinate their views ahead of the sessions, to ensure efficient preparation of the items on the agenda and to facilitate the reaching of a consensus on outstanding issues.

B. Provisional agenda

32. The Working Group reviewed and agreed on the provisional annotated agenda for the next sessions of the Meetings of the Parties (ECE/MP.EIA/WG.2/2023/INF.5), and invited the secretariat to process it as an official document ahead of the sessions.

33. The Working Group then focused on discussing the sessions' high-level thematic event on the role of the Convention and the Protocol regarding energy transition, circular economy and green financing. It thanked Italy for funding the preparation of the event and its background paper, with the support of two consultants to the secretariat. The Chair recalled that, initially, at its past meeting, the Working Group had considered the organization of two separate thematic events during the sessions of the Meetings of the Parties, including one during the high-level segment on energy transition and circular economy and another one during the general segment on green financing.⁹ The Bureau had, however, decided to propose that, in the absence of a volunteering lead country or organization for the general segment event, only the high-level segment should be held, with a focus on all three interlinked topics.

34. The consultants presented outlines of the background paper and the programme for the high-level event (ECE/MP.EIA/WG.2/2023/INF.6), which they had prepared taking into account the recommendations from the Bureau and the Working Group and in consultation with representatives of volunteering Parties and stakeholders.

35. The representative of Spain welcomed the points of discussion suggested in the paper and stated the country's intention to address the issues in the second half of 2023, when it would hold the Presidency of the Council of the European Union. The Chair of the Bureau (Greece) welcomed the work and emphasized the need to highlight the importance of the Convention and the Protocol in addressing the issues raised in the background paper at the high-level event in December. In addition, the Chair of the Bureau, as well as the Chair of the meeting and the representative of IAIA, recommended that emphasis be placed on the role and contribution of the Protocol. The rationale to support that proposal included the need to develop climate plans and renewable energy plans subject to social acceptance, the alignment of the Protocol with strategic green financing decisions, and also when planning to rebuild Ukraine once the ongoing military aggression of the Russian Federation against that country had ended. The representative of IAIA further recommended the conduct of a higher-level strategic environmental assessment spanning sectoral strategic environmental assessments. The representative of WHO welcomed the background paper and indicated willingness to support the paper's further development, including an emphasis on health issues.

36. The Chair of the Bureau cautioned that the questions, as currently framed in the background paper, might require proposals to amend the Convention and Protocol and/or the introduction of guidance, in order to positively respond to them.

37. Following discussions, the Working Group welcomed the background paper and invited the consultants to take into account the comments made in its further development. No specific suggestions were made for changes to the key questions associated with the role

⁹ Ibid., paras. 58–59.

of the instruments in relation to the topics of the energy transition, circular economy and green financing.

38. The Working Group noted the following proposed panellists for the high-level event from: Italy, the Republic of Moldova and an NGO (to be nominated by the NGOs active under the Convention and the Protocol to present their coordinated views), as well as statements from the floor (with a recommended time limit of 3 minutes) from Switzerland and WHO. It also noted the indicative timeline for the preparatory steps, including the deadlines of 19 September 2023 for finalizing the background document and 29 September 2023 for finalizing the high-level event programme.

39. The Working Group invited delegations to suggest further panellists and statements from the floor.

C. Draft workplan for 2024–2026

40. The secretariat presented draft decision IX/2–V/2 on the workplan for 2024–2026 and its annexes I and II containing workplan activities and the corresponding resource requirements, respectively, prepared by the Bureau, with support from the secretariat (ECE/MP.EIA/WG.2/2023/3). Following deliberations, the Working Group agreed on the draft decision and its annexes, as revised, including specifying cuts in the secretariat tasks starting from 2024, should Parties fail to fund additional staffing resources (at least one professional staff member and administrative support at 50 per cent).

41. The Working Group requested the secretariat to forward the draft decision on the workplan for 2024–2026 with its annexes to the Meetings of the Parties as an official document. It reiterated that, in order for the Meetings of the Parties to adopt a realistic and implementable workplan, it was necessary to know well in advance whether the workplan would be backed by matching resources. It again urged all Parties to provide information on their contributions by 15 October 2023.

42. The Working Group noted the information from the secretariat that the proposed, somewhat increased, joint budget for the Espoo Convention and its Protocol was by far the smallest of all the budgets of the ECE multilateral environmental agreements (with the aggregated budgets of the other Conventions and their Protocols being up to 10 times larger).

D. Draft declaration

43. The Working Group reviewed the draft Geneva declaration prepared by the Bureau with support from the secretariat (ECE/MP.EIA/WG.2/2023/4), and considered changes to its text proposed by the delegations of the European Union and its member States, the European ECO-Forum, Nuclear Transparency Watch and WHO.

44. The delegation of Belarus expressed its concerns “in regard to the politicized, unjustified and unbalanced wording of several parts of the draft declaration (preamble and para. 7),” stressing that, for that reason, it could not support the draft declaration as presented.

45. Following extensive deliberations, the Working Group agreed on the text of the draft declaration, as revised, to be forwarded, with a few remaining square brackets, for consideration of the Meetings of the Parties.

E. Chairs of the sessions

46. The Working Group welcomed the proposed nominations of the current Chair of the Bureau for Convention Matters, Mr. George Kremlis (Greece), as a candidate for the post of Chair of the general segment of the sessions of the Meetings of the Parties, and, as needed, of the Chair of the Bureau for Protocol Matters, Ms. Vesna Kolar-Planinšič (Slovenia), as a Co-Chair candidate responsible for Protocol Matters, should Greece still not be a Party to the Protocol by that time.

47. The Working Group noted that Spain had withdrawn its previously announced candidacy for chairing the high-level segment, due to the country's general elections. It invited other Parties to explore opportunities to chair the high-level segment.

F. Officers for the next intersessional period

48. The Working Group welcomed the nominations of officers to be elected by the Meetings of the Parties for the next intersessional period that Parties had put forward thus far (ECE/MP.EIA/WG.2/2023/INF.7), including the willingness for the current Bureau and Working Group Chairs to continue in their roles, if needed. In addition, with regards to the Implementation Committee membership, the Working Group noted that Poland was considering nominating an alternate member for Protocol matters to the member that Canada had nominated for Convention matters, but that information was to be confirmed at a later stage, and also that Montenegro would confirm its candidacy for the Implementation Committee as soon as possible.¹⁰

49. The Working Group invited Parties to submit to the secretariat, at the latest by 15 October 2023, the missing nominations for officers to be elected, including, one member for the Implementation Committee, and, if the candidacy of Poland was not confirmed, one member for Protocol matters.

G. Provisional schedule of meetings 2024–2026

50. The Working Group noted the indicative schedule of meetings for 2024–2026 to be held subject to the availability of resources (ECE/MP.EIA/WG.2/2023/INF.8), and asked the secretariat to forward it to the Meetings of the Parties, with the 2024 meetings of the Working Group and the Bureau in between square brackets.

V. Compliance and implementation

A. Review of compliance and related draft decisions

51. The Chair of the Implementation Committee reported on the main outcomes of the Committee's fifty-fifth and fifty-sixth sessions (Geneva (online), 31 January–3 February, and Geneva, 2–5 May 2023) respectively¹¹ and the main objectives for the Committee's fifty-seventh session (Geneva, 29 August–1 September 2023). He presented initial draft decisions on compliance with the Convention and the Protocol (ECE/MP.EIA/WG.2/2023/INF.10), for possible comments by the delegations. He pointed out that those draft decisions would be complemented with a few remaining ones to be completed by the Committee at its fifty-seventh session, upon receipt of information still pending from Parties. He also presented initial amendment proposals to the Committee's structure and functions and its operating rules (ECE/MP.EIA/WG.2/2023/INF.10/Add.1) for information and possible comments by the Working Group. The amendment proposals aimed to improve the Committee's work methods and practice in the light of its experience, including regarding issues of conflict of interest and quorum, transparency and efficiency of its communications and the use of videoconferencing/online meetings.

52. The Working Group took note of the report of the Committee's Chair, welcoming the progress made and acknowledging the volume of the Committee's workload ahead of the next sessions of the Meetings of the Parties.

53. The Working Group also took note of the statements and revision proposals to the draft decisions on compliance provided by the delegations of Azerbaijan, Belarus, Bulgaria, the European Union and its member States and Montenegro. It invited the Implementation

¹⁰ The candidacy of Montenegro was confirmed shortly after the meeting.

¹¹ The reports of the Implementation Committee on its sessions are available at <https://unece.org/sessions-3>.

Committee to take those inputs into account, as relevant, in the finalization of the draft decisions on compliance and the amendment proposals to the Committee's structure and functions and its operating rules at its fifty-seventh session, prior to forwarding them to the Meetings of the Parties at their next sessions.

B. Reporting and review of implementation

54. The Working Group reviewed, revised and agreed on draft decisions IX/5, on reporting and review of implementation of the Convention (ECE/MP.EIA/WG.2/2023/5), and V/5, on reporting and review of implementation of the Protocol (ECE/MP.EIA/WG.2/2023/6), to be forwarded to the Meetings of the Parties at their next sessions.

55. The Working Group recalled that it had agreed on the draft seventh review of implementation of the Convention (ECE/MP.EIA/WG.2/2022/3) and the draft fourth review of implementation of the Protocol (ECE/MP.EIA/WG.2/2022/4) at its previous meeting in December 2022.¹² It reviewed the additional amendment proposals of a procedural nature that the European Union and its member States had submitted after that meeting to section II on methodology of the draft seventh review of implementation of the Convention and section I on methodology of the draft fourth review of implementation of the Protocol. At its meeting in Geneva, on 22–23 February 2023, the Bureau had considered those proposals to be acceptable, subject to agreement by the Working Group. The Working Group agreed on the additional amendment proposals and invited the secretariat to take them into account in the finalized draft reviews of implementation to be forwarded to the Meetings of the Parties at their next sessions.

56. The Working Group then considered the templates that the Implementation Committee had finalized in consultation with the European Commission, to facilitate reporting of the European Union under the Convention and the Protocol, and asked the secretariat to submit them for the Meetings of the Parties to take note of at their next sessions.

C. Legislative assistance to support implementation and ratification

57. The Working Group reviewed progress in the provision of legislative assistance envisaged in the workplan for 2021–2023 with a view to promoting the implementation of or accession to the two treaties.¹³

58. The delegations of Azerbaijan, the Republic of Moldova and Uzbekistan reported on progress in establishing compliant legislation to implement the Convention and the Protocol, and, as appropriate, in ratifying or acceding to the treaties further to technical advice received.

59. The secretariat briefly outlined the timeline for providing assistance for drafting secondary implementing legislation in the Republic of Moldova. The Working Group noted the progress reports and welcomed the further efforts of the Republic of Moldova to develop secondary implementing legislation, particularly relating to quality control aspects.

60. The Working Group expressed its appreciation to the European Union for the EU4Environment programme funding (2019–end of March 2024). It invited Parties and future Parties that had benefited from legislative assistance to proceed with the finalization of their legal reforms in accordance with the Convention and the Protocol.

¹² *Ibid.*, para. 42.

¹³ ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/2–IV/2, annex I, item II.C.

VI. Promoting practical application of the Convention and the Protocol

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

61. The Working Group agreed on the importance of assessing health impacts and of involving health authorities in strategic environmental assessment, as required under the Protocol.

62. The secretariat recalled that the development of guidance on assessing health impacts in strategic environmental assessment had been included in the treaties' workplan for 2017–2020, because countries in Eastern Europe, the Caucasus and Central Asia had identified that issue as a regionwide priority at a regional workshop in 2015.¹⁴ The Chair reminded the Working Group that, to fulfil that mandate, draft guidance had been prepared in the period 2018–2020 with support from consultants funded by the European Investment Bank, in consultation with WHO and a task force composed of representatives of Austria, Finland, Ireland and Slovenia, but that the Working Group had not forwarded the draft document for consideration of the Meeting of the Parties, based on the view of the delegation of the European Union that it required further revision.¹⁵ At its fourth session (Vilnius (online), 8–11 December 2020) the Meetings of the Parties had declared that they “commit to finalizing that work in the next intersessional period, subject to the availability of resources, prior to the formal adoption of a guidance document at the next session of the Meeting of the Parties to the Protocol”¹⁶ and had invited Parties to contribute in-kind expertise for that purpose.¹⁷

63. The Working Group considered the text of the draft guidance, as last revised by the European Union and its member States and, subsequently agreed by the Bureau (ECE/MP.EIA/WG.2/2023/8). It recognized the extensive efforts that had been made for finalizing the guidance during over four years, and thanked the delegations and the Bureau Chairs and members that had contributed towards achieving that goal.

64. The European Union and its member States stated that the main objective of their suggested improvements to the draft had been to ensure that the document did not go beyond the provisions of the Protocol, but that, in their view, even with those additional revisions, the document was still too generic. Acknowledging the importance for that document to be used to the extent possible, the European Union and its member States proposed that the current version of the document be published on the ECE website as a document for information purposes, without its formal endorsement by the Meeting of the Parties to the Protocol at its forthcoming session.

65. The Working Group expressed regret that, although all the comments from the European Union and its member States had been accommodated in the current version of the draft document, the endorsement of the guidance by the Meeting of the Parties to the Protocol at its forthcoming session continued to be objected to. In their interventions, the representative of WHO and the secretariat expressed regret at the suggested non-endorsement of the document and also the lack of explanations on the rationale for such non-endorsement, other than the document's generic nature. It was considered that further clarifications in that respect would be helpful for any country wishing to refer to the document when developing its legislation and practice on the assessment of health impacts in strategic environmental assessment.

¹⁴ See section 4.2 of the report on the subregional workshop on enhancing strategic environmental assessment in selected countries of Eastern Europe, the Caucasus and Central Asia (Kakheti, Georgia, 3–6 November 2015), held with funding from the European Union under the Greening Economies in the European Union's Eastern Neighbourhood programme, available at: <https://unece.org/info/Environmental-Policy/Environmental-Impact-Assessment/events/352848>.

¹⁵ ECE/MP.EIA/WG.2/2020/2, para. 41.

¹⁶ ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, VIII/3–IV/3, annex, Vilnius declaration, para. 13.

¹⁷ ECE/MP.EIA/30–ECE/MP.EIA/SEA/13, para. 33.

66. In conclusion, the Working Group agreed on a “document for information purposes on health in strategic environmental assessment” to be forwarded to the Meeting of the Parties to the Protocol at its next session in December 2023. It accepted the adjustments proposed by the European Union and its member States to document ECE/MP.EIA/WG.2/2023/8 during the meeting, to change its title and to remove all references to the term “guidance” from the body of the text.

67. Lastly, the Working Group reviewed and agreed on the text of draft decision V/6 on assessing health impacts in strategic environmental assessment (ECE/MP.EIA/WG.2/2023/6), as revised, and asked the secretariat to forward it to the Meeting of the Parties to the Protocol.

B. Subregional cooperation and capacity-building

68. The Working Group considered progress with the subregional cooperation and capacity-building activities envisaged in the current workplan.

69. The Working Group welcomed the outcomes of the activity funded by Italy for identifying synergies and possible future cooperation activities in marine regions, involving six regional sea conventions or commissions, and supported by the secretariat and consultants. It considered document ECE/MP.EIA/WG.2/2023/9, which presented the synergies identified, including obligations and practice of the respective regional sea conventions related to environmental impact assessment and strategic environmental assessment, and put forward proposals for activities that could be included in the workplans starting with the next period 2024–2026. The priority proposals for future action were presented by a representative of the United Nations Development Programme (and a former consultant to the secretariat for the activity in question).

70. The Working Group agreed on the report and its proposed activities for cooperation in marine regions. It invited delegations to volunteer to contribute to the implementation of the proposed activities and/or to propose others, informing the secretariat before the next sessions of the Meetings of the Parties. It also agreed on the selected priority activities proposed for the draft workplan for 2024–2026 (see subsect. IV.C. above and ECE/MP.EIA/WG.2/2023/3, decision IX/2–V/2, annex I, item III.A), including informal subregional meetings on cooperation on the Convention and the Protocol in marine regions to exchange information on the planned or ongoing application of the treaties and to discuss any topical issues of relevance to the marine environment and coastal areas in question. It noted the following proposals by delegations to lead, sponsor and host such informal meetings:

(a) In the Baltic Sea subregion: by Latvia in 2024 (to be confirmed); by Poland, in cooperation with Germany, in May/June 2025, with the invitation extended also to representatives of other regional seas (to be confirmed); and by Lithuania, in 2026 (to be confirmed);

(b) In the Mediterranean region: Italy committed to organizing the first informal meeting in that region, (Rome, second quarter of 2024), extending also the invitation to all regional sea convention focal points and to participants from North Africa; and Slovenia committed to organizing a second informal meeting (Portorož, Slovenia, September 2025). For 2026, first Greece, then France expressed an interest in hosting a meeting, subject to confirmation.

71. The secretariat summarized the outcomes of the third, and last, joint technical meeting on synergies and possible cooperation activities in marine regions, that it had organized (Geneva (online), 16 May 2023), bringing together representatives of the regional sea conventions and commissions and interested focal points under the Espoo Convention and the Protocol. For more information, the delegations were invited to consult the meeting report and other information presented at the third joint technical meeting, including the good

practice case studies on the application by Estonia of the Convention to the Saare offshore wind farm and the application of the Protocol by Italy to its maritime spatial plans.¹⁸

72. The Working Group noted the outcomes of the joint technical meeting. It welcomed the good practice presented thus far in the application of the treaties in marine regions by Estonia, Italy, twice by Poland and Slovenia. It invited further Parties to propose good practice with a view to the development of case study fact sheets, following a template prepared for that purpose, to be made available on the ECE website.

73. Lastly, the Working Group reviewed and agreed on draft decision IX/3–V/3 on cooperation in marine regions (ECE/MP.EIA/WG.2/2023/3) and invited the secretariat to forward it together with the report on synergies and possible cooperation activities in marine regions to the Meetings of the Parties, as official documents.

C. Exchange of good practices

74. The Working Group noted the lack of volunteers for proposing fact sheets on the treaties' practical application and for funding an online database or a compilation of good practice, foreseen in the current workplan for the exchange of good practices (decision IX/2–V/2, annex I, subsect. III.A.3., item 3). It encouraged Parties to submit good practice fact sheets in the next period.

D. Capacity-building

75. The Working Group welcomed the reports on the activities implemented or planned for, in accordance with or in relation to the workplan, in the field of capacity-building.

76. It noted the update by the secretariat on the planning and implementation of the EU4Environment-funded capacity-building activities, including in particular:

(a) Two strategic environmental assessment online training workshops for Ukraine with a focus on spatial planning and greening of the country's post-war reconstruction in that area that had been attended by over 500 participants in May 2023;

(b) The planning of two strategic environmental assessment workshops for Armenia in the autumn of 2023;

(c) The progress of the strategic environmental assessment projects in Azerbaijan and the Republic of Moldova;

(d) The ongoing development of a strategic environmental assessment database model, including based on responses by the beneficiary countries to related questionnaires.

77. The Working Group also took note of the information on the pilot project, including the planning of two back-to-back public consultation and awareness-raising events in Ganja, Azerbaijan, in September 2023, provided by the delegation of Azerbaijan, and the update about the guidelines on quality control of strategic environmental assessment and environmental impact assessment documentation, including an online workshop on quality control held on 24 May 2023, from the delegation of the Republic of Moldova.

78. The Working Group also noted the written update of the Organization for Security and Cooperation in Europe on its planned follow-up activities to its joint project with ECE (2019–2021) in Central Asia, which aimed to further enhance competencies of key institutions for finalizing countries' legal reforms on strategic environmental assessment and to enhance capacities of key stakeholders to conduct strategic environmental assessment.

79. The representative of IAIA reported on the preparation of two-page informal pamphlets, or "FasTips", on key issues in strategic environmental assessment practice.¹⁹ Thus far, IAIA had issued 27 such pamphlets, with the 4 most recent ones from 2023 concerning:

¹⁸ See <https://unece.org/info/Environmental-Policy/Environmental-Impact-Assessment/events/376908>.

¹⁹ For FasTips in English, see www.iaia.org/fastips.php; for their translations, see www.iaia.org/translated-documents.php.

food security in impact assessment; compliance and enforcement; human rights in impact assessment; and psychosocial impact assessment. She also informed the Working Group about the forty-third annual conference of IAIA, on “Impact Assessment for a Just Transformation” (Dublin, 24–27 April 2024),²⁰ encouraging the delegations to attend. The Working Group took note of the information.

VII. Management, coordination and visibility of intersessional activities

80. The Working Group considered the amendment proposals by the European Union and its member States to the informal note from 2020 on procedural matters of relevance to meetings with remote participation due to extraordinary circumstances, which the Bureau had agreed on at its meeting in February 2023 (ECE/MP.EIA/WG.2/2023/INF.11).

81. The Working Group agreed on the revised version of the note, as presented in the informal document for its meeting, and recommended to the Meetings of the Parties that said version be applied, and, as needed, further adapted, should the extraordinary circumstances arise again. It clarified that said procedural note would not be tabled or be relevant for the next sessions of the Meetings of the Parties, which would take place in-person and in accordance with the rules of procedure as adopted, and subsequently amended, by the Meetings of the Parties.²¹

82. The Working Group agreed with the Bureau that any broader revision proposal concerning the format of the sessions of the Meetings of the Parties or their subsidiary bodies, or any other procedural aspects of their functioning would require a specific mandate from the Meetings of the Parties to revise the applicable rules of procedure, as well as additional financial and staffing resources.

VIII. Related events

83. The representative of WHO informed the meeting about the preparations and expected outcomes of the Seventh Ministerial Conference on Environment and Health (Budapest, 5–7 July 2023),²² convened by the WHO Regional Office for Europe in close collaboration with ECE and the United Nations Environment Programme and hosted by the Government of Hungary. She reported that the Conference would culminate in the adoption of a negotiated ministerial declaration (the Budapest declaration) with concrete commitments by ministers of environment and ministers of health to accelerate progress towards: addressing health challenges related to climate change, environmental pollution, land degradation and biodiversity loss by building partnerships for joint action; improving governance for environment and health; and investing in human resources and capacities, innovation and research while recovering from the coronavirus disease (COVID–19) crisis. She pointed out that, according to the thus far agreed text of the draft declaration, the ministers were expected to specifically acknowledge the need for integrating the assessment of environmental, including health, effects, into decision-making and planning procedures by leveraging the Protocol on Strategic Environmental Assessments under the Espoo Convention and utilizing tools such as health impact assessment. The Working Group took note of the information.

²⁰ For more information, see <https://2024.iaia.org/>.

²¹ Rules of procedure of the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context (ECE/MP.EIA/2, annex I, decision I/1), as amended in 2011 by decision V/1 by the Meeting of the Parties to the Convention (ECE/MP.EIA/15) and decision I/1 by the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol (ECE/MP.EIA/SEA/2). Available as an informal publication at <https://unece.org/environment-policy/environmental-assessment/meeting-parties-convention>.

²² See www.who.int/europe/event/seventh-ministerial-conference-on-environment-and-health.

IX. Other business

84. The representative of Nuclear Transparency Watch made a presentation on nuclear prevention related to warzone threats, referring to the risks associated with the mere existence of operating nuclear power plants in the warzones and the critical circumstances of the nuclear power plants in Ukraine; and stressing the importance of respecting the safety protocols in the highly volatile situation of a war. She also stated that, in line with guidance from the International Atomic Energy Agency, the security of nuclear facilities from the threat of attacks by terrorists or military forces was not included in the operation licence design basis requirements, and recommended that decisions on nuclear facilities be informed by a prior assessment of the related potential impacts. The Working Group took note of the presentation.

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

85. 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 the comments and statements that delegations had provided in writing to the secretariat had been made available on that web page, upon agreement by the delegations.

86. The Working Group invited the secretariat to prepare the meeting report under the guidance of the Chair.

87. The Chair officially closed the meeting on Thursday, 15 June 2023.
