

IMPLEMENTATION COMMITTEE
CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY
CONTEXT
PROTOCOL ON STRATEGIC ENVIRONMENTAL ASSESSMENT

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Ref. Sixth Review of implementation of the Convention

14 April 2022

Dear Mr. Kündig,

I am writing to you on behalf of the Implementation Committee under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991) and its Protocol on Strategic Environmental Assessment (Kyiv, 2003).

At its fifty-second session, held in Geneva from 29 to 31 March 2022, the Committee considered the general and specific compliance issues identified in the Sixth Review of Implementation of the Convention (ECE/MP.EIA/2020/8), prepared based on questionnaires returned by Parties.

The Committee noted the following responses to the questionnaire by Switzerland that might raise concerns of its compliance with the Convention:

- (a) The response to question I.20 stating that in Switzerland it is a responsibility of the applicant to ensure that environmental impact assessment documentation meets the required quality standard and that, subsequently, the authority does not review their its contents;
- (b) The response to question I.29. – regarding the implementation of article 7 of the Convention – indicating that the legislation of Switzerland does not contain provisions for post-project analysis and clarifying that *“under Swiss law [it is required] to introduce in the decision [certain] conditions designed to verify, once the project has been completed, whether there has been real compliance with the environmental protection legislation”*;

.../...

Mr. Florian Kündig
Focal Point for Administrative Matters
regarding the Espoo Convention
Federal Office for the Environment (FOEN)
Berne

At the request of the Committee, I am now writing to you to invite the Government of Switzerland to clarify:

- (a) The role of the governmental authorities in ensuring that the environmental impact assessment documentation referred to in article 4 of the Convention contains, as a minimum, information listed in Appendix II of the Convention;
- (b) How a post project analysis procedure under Article 7 of the Convention is implemented within its national legal and administrative frameworks.

You are kindly invited to provide the requested information through the secretariat by 15 June 2022 to enable the Committee to continue its consideration of the matter at its fifty-fourth session (Geneva, 4–7 October 2022).

Yours sincerely,



Joe Ducombe
Chair of the Implementation Committee