



Economic and Social Council

Distr.: General
3 October 2023

Original: English

Economic Commission for Europe

Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context

Ninth session

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

Fifth session

Geneva, 12–15 December 2023
Item 4 of the provisional agenda

Review of the workplan

Summary report on technical assistance and capacity- building activities

Note by the Bureau

Summary

The present report summarizes the results of technical assistance and capacity-building activities in the workplan for the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context and its Protocol on Strategic Environmental Assessment for 2021–2023 (ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/2–IV/2, annex I) for countries of Eastern Europe and the Caucasus. It describes the results from January 2021 to September 2023, and notes the results of joint Organization for Security and Cooperation in Europe/United Nations Economic Commission for Europe activities in support of Central Asian countries in 2021.

The Meetings of the Parties to the Convention and the Protocol are invited to take note of the report, and any updates provided by the secretariat, and, as needed, to comment on and complement the information.



I. Introduction

1. The present report summarizes the results of technical assistance and capacity-building activities undertaken in the period January 2021 to September 2023 in accordance with the workplan for the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and its Protocol on Strategic Environmental Assessment for 2021–2023 (ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/2–IV/2, annex I). Section II provides a brief summary of the main achievements of technical assistance during this period provided to Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine, financed mainly by the European Union through the “European Union for Environment” (EU4Environment) programme. The annex to the present document contains a list of European Union EU4Environment programme-funded activities by country and subregional events implemented in the period January 2021–September 2023.

2. Additionally, the report notes the results achieved in 2021 in the context of technical advice and support offered to Central Asian countries under the project implemented jointly by the United Nations Economic Commission for Europe (ECE) and the Organization for Security and Cooperation in Europe (OSCE) (2019–2021).¹ These results include: (a) the finalization of needs assessment reports for the introduction of strategic environmental assessment systems in Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan and the related awareness-raising events held in the above-mentioned Central Asian countries; and (b) the Final Subregional Conference on Strategic Environmental Assessment (online, 10 November 2021). At the Final Subregional Conference, countries identified the following priority needs for further support for establishing compliant environmental impact assessment and strategic environmental assessment systems: assistance in finalizing legal reforms; and comprehensive capacity-building and institution building, including pilot projects and training-of-trainers courses. With the remaining project funding, OSCE translated into the national languages of the five above-mentioned Central Asian countries the following materials: the transcripts for the video on the Protocol,² the brochure entitled “Protocol on Strategic Environmental Assessment: Facts and Benefits”³ and the OSCE cartoon format guide to the Convention and the Protocol (“The Espoo Convention: Selected elements in pictures”).⁴

3. In 2021, the secretariat assisted Kazakhstan in cooperation with OSCE and the European Union Partnership for Action on Green Economy regarding, in particular: the preparation of a road map for the establishment of environmental impact assessment and the related implementing instruction; and a series of over 12 online workshops on strategic environmental assessment and environmental impact assessment, including in a transboundary context, organized with funding from OSCE, Switzerland, the European Union and ECE.

II. Technical assistance to countries of Eastern Europe and the Caucasus (January 2021–September 2023)

A. Background

4. The workplan for the implementation of the Convention and the Protocol for the period 2021–2023 contains many technical assistance and capacity-building activities

¹ For more information on the joint project “Strengthening national and regional capacities and cooperation on strategic environmental assessment (SEA) in Central Asia, including as a response to climate change” funded by the Government of Germany, the Organization for Security and Cooperation in Europe (OSCE) and the United Nations Economic Commission for Europe (ECE), see <https://unece.org/central-asia>.

² See www.youtube.com/watch?v=KTHKqx-C_C8.

³ See <https://unece.org/info/Environment-Policy/Environmental-assessment/pub/21615>.

⁴ See www.osce.org/occea/488110.

targeting countries of Eastern Europe and the Caucasus. This document presents activities from January 2021 to September 2023. The ECE secretariat to the Convention and the Protocol ensured the implementation of these activities mainly through project funding from the European Union under the EU4Environment programme. EU4Environment is a large regional programme that is being implemented from 2019 to 2023⁵ by the ECE secretariat and four other partner organizations – the United Nations Industrial Development Organization, the United Nations Environment Programme, the Organisation for Economic Co-operation and Development and the World Bank, targeting six beneficiary countries – Armenia, Azerbaijan, Belarus,⁶ Georgia, the Republic of Moldova and Ukraine. The programme is financed by the European Commission and the five implementing organizations.

5. The general objective of the EU4Environment programme is to help the beneficiary countries preserve their natural capital and increase people’s environmental well-being by supporting environment-related action, demonstrating and unlocking opportunities for greener growth, and setting mechanisms to better manage environmental risks and impacts. The programme component that ECE is in charge of implementing aims to ensure that the newly established national legislative frameworks on strategic environmental assessment and environmental impact assessment are: complemented with detailed secondary legislation, as relevant; fully aligned with the Protocol, the Convention, the European Union Directive on Strategic Environmental Assessment⁷ and the European Union Directive on Environmental Impact Assessment;⁸ and systematically and effectively applied by the countries of Eastern Europe and the Caucasus. The above-mentioned programme component implemented by ECE is expected to reinforce and sustain the results achieved under the “Greening Economies in the Eastern Neighbourhood” (EaP GREEN) programme.⁹

6. The activities implemented by ECE with EU4 Environment funding build on the workplan for 2021–2023 under the Convention and the Protocol,¹⁰ reflecting beneficiary countries’ requests. The activities contribute to the workplan objectives of promoting compliance with and implementation of the Convention and the Protocol, the ratification of the two instruments and their practical application. The key focus is on:

(a) Assistance in finalizing legal reforms on strategic environmental assessment and transboundary environmental impact assessment;

(b) Comprehensive capacity-building and institution building on strategic environmental assessment and transboundary environmental impact assessment.

7. Section B below provides a brief overview of the main achievements of the above-mentioned technical assistance. Further information on the EU4Environment-funded assistance is available on the ECE website.¹¹

⁵ In the case of ECE, the implementation period of EU4Environment is in the process of a short no-cost extension into 2024 (most likely until the end of April 2024).

⁶ The European Union suspended further funding to project activities in Belarus as of late September 2021.

⁷ Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment, *Official Journal of the European Communities*, L 197 (2001), pp. 30–37.

⁸ Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, *Official Journal of the European Union*, L 124 (2014), pp.1–18.

⁹ More information on activities financed by the “Greening Economies in the Eastern Neighbourhood” (EaP GREEN) implemented in the period 2013–2018 can be found at <https://unece.org/eap-green>.

¹⁰ ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/2–IV/2, annex I.

¹¹ See <https://unece.org/environment-policy/environmental-assessment/eu4environment>.

B. Summary of main achievements of technical assistance

1. Assistance for finalizing legal reforms

Workplan activity: compliance with and implementation of the Convention and the Protocol

8. In Belarus, a review of primary and secondary legislation, which contains provisions requiring alignment with the Convention and the Protocol, was finalized by October 2021 based on comments provided by Belarus, supporting the country in further preparing necessary amendments to the legislation. The review also took into account the results of legislative reviews carried out with EaP GREEN-funded assistance in 2016 and 2017, as well as amendments to the legislation since the end of the EaP GREEN programme in 2018.

9. In the Republic of Moldova, amendments to the Law on Environmental Impact Assessment and the Law on Strategic Environmental Assessment were finalized by June 2022 based on compliance gap analyses undertaken in a previous intersessional period. This legislative assistance was provided under the aegis of a national working group established by the Ministry of Environment. Parliament adopted the amendments to both laws on 30 September 2022. Consequently, the Law on Environmental Impact Assessment was fully aligned with the Convention and the European Union Directive on Environmental Impact Assessment. Furthermore, the Law on Strategic Environmental Assessment was made fully consistent with the Protocol and the European Union Directive on Strategic Environmental Assessment, particularly in the areas of public participation, quality control and monitoring. Since July 2023, work has been ongoing to draft regulations for two commissions on quality control of, respectively, environmental impact assessment documentation and strategic environmental assessment documentation; said commissions are to be established in the country in line with the above-mentioned amended laws. The regulations are planned to be finalized in November 2023.

10. In Ukraine, the drafting and discussion jointly with Romania of the Bilateral Agreement on the Implementation of the Convention on Environmental Impact Assessment in a Transboundary Context was supported by ECE, including legal experts to ECE, and the Implementation Committee of the Convention in 2021–2022. Ukraine and Romania signed the Agreement on 18 November 2022 and it came into force in 2023. In entering into the Agreement, the two countries put into action the recommendations made by the Meeting of the Parties to the Convention in 2008–2020 on the preparation of the Agreement (in the context of decisions concerning compliance by Ukraine in respect of the Danube-Black Sea Deep Water Navigation Canal in the Ukrainian sector of the Danube Delta (Bystroe Canal Project)).

2. Comprehensive capacity-building and institution building on strategic environmental assessment and transboundary environmental impact assessment

(a) Workshops, including training

11. In the period 2021–2023, several workshops for national and local sectoral authorities, as well as environmental and health authorities, including training on the application of the Protocol, were held in Azerbaijan, the Republic of Moldova and Ukraine. Two training workshops on the application of the Protocol are planned to be held in Armenia (Yerevan, 30 and 31 October, and 23 and 24 November 2023, respectively). Additionally, an online awareness-raising workshop on strategic environmental assessment in Ukraine is planned for late 2023.

12. In 2023, an online training workshop on quality control of strategic environmental assessment and environmental impact assessment documentation in the Republic of Moldova (24 May 2023) was jointly organized by ECE and the Ministry of Environment of the Republic of Moldova.¹² It supported the country in establishing a more robust framework for quality control of environmental assessment documentation that was being put in place based

¹² See <https://unece.org/info/events/event/378588>.

on the amendments to the Law on Environmental Impact Assessment and the Law on Strategic Environmental Assessment.

13. In 2023, two online training workshops on strategic environmental assessment in spatial and urban planning in Ukraine were organized by ECE and the Ukrainian Ministry of Environmental Protection and Natural Resources, bringing together over 500 participants across the country (25 May¹³ and 26 May,¹⁴ respectively). The two workshops addressed the needs of local and regional authorities in terms of a better understanding of the legal requirements and practical application aspects related to strategic environmental assessment of urban and spatial planning documents. Urban and spatial plans are likely to form the largest part of Ukrainian post-war reconstruction planning.

14. In 2021, two online training workshops on strategic environmental assessment in regional and spatial planning were organized by ECE and the Ministry of Ecology and Natural Resources of Azerbaijan (26–27¹⁵ April and 15 October,¹⁶ respectively). The events supported capacity-building of the country's urban planning authorities and other relevant stakeholders ahead of a pilot strategic environmental assessment project for an urban plan going forward in Azerbaijan in 2022–2023.

15. In 2021, an online awareness-raising workshop on the practical application of strategic environmental assessment (23 April 2021) was jointly organized by ECE and the Ministry of Environment of the Republic of Moldova.¹⁷ It supported national authorities, particularly said Ministry, the Environment Agency, health authorities and sectoral ministries, by raising awareness of the roles and responsibilities in the strategic environmental assessment process.

16. In 2021, a training workshop on the practical application of transboundary environmental impact assessment was organized by ECE for Ukraine and Romania as a virtual event (16 and 17 March).¹⁸ The event contributed to enhancing the capacity of the environmental ministries of both countries to design and apply bilateral agreements on transboundary environmental impact assessment in line with article 8 of the Convention. It further paved the way for drafting and negotiating such an agreement between Ukraine and Romania in 2021–2022.

(b) *Pilot projects*

17. In the Caucasus, only Azerbaijan decided to pursue the implementation of a pilot strategic environmental assessment project in its entirety. After identifying draft government plans for the purposes of pilot projects and completing preparatory phases, including kick off events (Yerevan (hybrid), 18 November 2022;¹⁹ Tbilisi (online), 16 March 2022)²⁰ and strategic environmental assessment training events for national experts and stakeholders held back-to-back (Yerevan (hybrid), 18 November 2022;²¹ Tbilisi (online), 16 March 2022),²² Armenia and Georgia requested that the pilot projects be replaced with other capacity-building activities. In consultation with the countries and the European Union, the pilot projects were replaced by training workshops on the application of the Protocol in Armenia and sector-specific strategic environmental assessment guidelines for Georgia.

18. In the period 2022–2023, work has been ongoing on the pilot strategic environmental assessment for the draft master plan of the city of Ganja (Azerbaijan). The master plan, once finalized and adopted, will provide a layout to guide development of the city over the coming 20 years. As of the time of writing this report, the pilot project had entered its final phase, with a draft strategic environmental assessment report summarizing the findings of the pilot

¹³ See <https://unece.org/info/events/event/378593>.

¹⁴ See <https://unece.org/info/events/event/378595>.

¹⁵ See <https://unece.org/info/events/event/354888>.

¹⁶ See <https://unece.org/info/events/event/360600>.

¹⁷ See <https://unece.org/info/events/event/354887>.

¹⁸ See <https://unece.org/info/events/event/353124>.

¹⁹ See <https://unece.org/info/events/event/372621>.

²⁰ See <https://unece.org/info/events/event/365524>.

²¹ See <https://unece.org/info/events/event/372624>.

²² See <https://unece.org/info/events/event/365526>.

assessment being finalized. After public consultations and the finalization of the report, the pilot project is planned to be completed by December 2023.

19. In Eastern Europe, the only country with plans for a pilot project in 2022–2023 is the Republic of Moldova. As of the time of writing this report, no pilot project had been implemented yet. It was not possible to develop on schedule a draft government programme initially proposed for the pilot strategic environmental assessment project in April 2022. In late September 2023, consultations were under way to assess the possibility of supporting a pilot strategic environmental assessment of an alternative draft government plan or programme before the end of the EU4Environment programme.

(c) *Guidance documents*

20. In early 2021, the final draft Guidelines on the Application of Environmental Impact Assessment, including in a Transboundary Context were finalized in Armenia based on the then-existing draft amendments to the Law on Environmental Impact Assessment and Expert Examination. In May 2023, an amended law was finally adopted. Some of its provisions appeared to differ from the draft law serving as a basis for developing the Guidelines. The text of the final draft Guidelines is therefore in need of a thorough review.

21. In May 2023, Azerbaijan requested that, in view of time constraints, resources planned for the development of sector-specific strategic environmental assessment guidelines be redirected to the pilot strategic environmental assessment project. Initially, the plan had been to develop guidelines with a focus on strategic environmental assessment in urban planning based on the experience of the implementation of the pilot project. The drafting of the guidelines was then cancelled given the request by Azerbaijan.

22. In mid-2023, the Guidelines on Environmental Impact Assessment of Hydropower Projects were prepared in Georgia, with a focus on transboundary aspects. The work on the Guidelines was initiated during a previous intersessional period. After editing and design, the Guidelines are planned to be available on the ECE website in late 2023. The first draft Strategic Environmental Assessment Guidelines for the Spatial Planning Sector were prepared in August 2023 in Georgia. The Guidelines, which are an activity replacing the pilot strategic environmental assessment project at the request of Georgia, are planned to be finalized by the end of 2023.

23. In mid-2023, the final draft Guidelines on Assessment of the Quality Control of Strategic Environmental Assessment and the final draft Guidelines on Quality Control of Environmental Impact Assessment Documentation for the Republic of Moldova, including Guidance for the Transboundary Environmental Impact Assessment Process, were finalized in cooperation with the Ministry of Environment of the Republic of Moldova. After editing and design, the two sets of Guidelines are planned to be available on the ECE website in late 2023/early 2024.

24. In 2022, the draft Guidelines on Strategic Environmental Assessment for Urban Planning Documents were developed shortly before the start of the war in Ukraine. In response to war-related reconstruction needs, Ukraine made significant legislative amendments to its urban planning legislation, along with amendments to its strategic environmental assessment legislation. This required a review and further amendment of the draft Guidelines at the request of the Ministry of Environmental Protection and Natural Resources of Ukraine. This work took place in 2023, with the finalized amended Guidelines in Ukrainian planned to be available by early October 2023. After translation, editing and design, the guidelines are planned to be available on the ECE website in English and Ukrainian by early 2024.

(d) *Awareness-raising*

25. A video (in English) to raise awareness about and promote the application of the Convention prepared in 2020 was dubbed into the national languages of the beneficiary

countries of Eastern Europe and the Caucasus in 2021–2022 and is available through the ECE website.²³

26. As of the time of writing this report, awareness-raising materials to promote the application of the Convention and the Protocol had nearly been finalized in Azerbaijan and were in the process of development in the Republic of Moldova. Furthermore, awareness-raising materials are planned to be developed for Ukraine before the completion of the EU4Environment-funded activities.

(e) *A model for a database on strategic environmental assessment*

27. A model for a database on strategic environmental assessment has been under development since April 2023. It is planned to be finalized in November–December 2023. It can then be used as a basis for developing national databases in line with appropriate national requirements with a view to simplifying access to strategic environmental assessment documentation for the public and stakeholders and making assessment processes more transparent.

(d) *Subregional cooperation*

28. The second EU4Environment-funded subregional workshop on strategic environmental assessment and transboundary environmental impact assessment was held online for Armenia, Azerbaijan, Georgia, the Republic of Moldova and Ukraine on 29 June 2022.²⁴ It provided an opportunity to address concrete topical issues identified by the countries related to, for example, health in strategic environmental assessment, effective public participation and financial aspects of environmental assessments, also taking into account good practice examples from other countries in the ECE region. Two sessions of the workshop focused on the pilot strategic environmental assessment projects in the countries to provide useful recommendations, good practice examples and status updates for maximizing their effectiveness. The event contributed to promoting subregional cooperation and to strengthening environmental assessment systems at the national level. It further built on the developments and achievements related to the countries' continued environmental assessment reforms since the first EU4Environment-funded subregional workshop (26 and 27 September 2020).²⁵

²³ See <https://unece.org/environment-policy/environmental-assessment>.

²⁴ See <https://unece.org/info/events/event/367411>.

²⁵ See <https://unece.org/environmental-policy/events/sub-regional-workshop-practical-application-strategic-environmental>.

Annex

List of European Union EU4Environment programme-funded activities by country and subregional events implemented in the period January 2021–September 2023

Armenia

- Online kick-off event: pilot strategic environmental assessment of the draft micro-regional combined spatial plan for Gegharkunik Region (Yerevan and Geneva, 18 November 2021).
- Online training event: pilot strategic environmental assessment of the draft microregional combined spatial plan for Gegharkunik Region (Yerevan and Geneva, 18 November 2021).
- Preparation of the final draft Guidelines on the Application of Environmental Impact Assessment, including in a Transboundary Context (February 2020–February 2021).
- A video to raise awareness about and promote the application of the Convention, dubbed into Armenian (2021).

Azerbaijan

- Online training workshop on the practical application of strategic environmental assessment in regional and spatial planning (Baku and Geneva, 26–27 April 2021).
- Online second training workshop on the practical application of strategic environmental assessment in regional and spatial planning (Baku and Geneva, 15 October 2021).
- Online kick-off event: pilot strategic environmental assessment of the draft master plan of the city of Ganja (Baku and Geneva, 25 July 2022).
- Implementation of the pilot strategic environmental assessment project (July 2022–late 2023).
- Preparation of a leaflet on strategic environmental assessment and environmental impact assessment activities in Azerbaijan (September 2023).
- Awareness-raising event on the strategic environmental assessment and environmental impact assessment component of the EU4Environment programme (Ganja, 28 September 2023).
- A video to raise awareness about and promote the application of the Convention, dubbed into Azeri (2022).

Belarus

- Review of the primary and secondary legislation on environmental impact assessment and strategic environmental assessment in Belarus (September 2020–September 2021).
- A video to raise awareness about and promote the application of the Convention, dubbed into Russian (2021).

Georgia

- Online kick-off event: pilot strategic environmental assessment of the spatial arrangement plan of Gurjaani municipality and Gurjaani town centre development regulation plan (Tbilisi and Geneva, 16 March 2022).
- Online training event: pilot strategic environmental assessment of the spatial arrangement plan of Gurjaani municipality and Gurjaani town centre development regulation plan (Tbilisi and Geneva, 16 March 2022).
- Development of guidelines on environmental impact assessment of hydropower projects (2020–2023).
- A video to raise awareness about and promote the application of the Convention, dubbed into Georgian (2021–2022).

Republic of Moldova

- Online awareness-raising workshop on the application of strategic environmental assessment in the Republic of Moldova (Chisinau and Geneva, 23 April 2021).
- Online training workshop on quality control of strategic environmental assessment and environmental impact assessment documentation in the Republic of Moldova (Chisinau and Geneva, 24 May 2023).
- Amendments to the Law on Environmental Impact Assessment and to the Law on Strategic Environmental Assessment (drafting March 2021–June 2022; adopted by Parliament in September 2023).
- A video to raise awareness about and promote the application of the Convention, dubbed into Romanian (2021).

Ukraine

- Online training workshop on current issues of the strategic environmental assessment procedure in Ukraine: practical application aspects (Ukraine-wide and Geneva, 26 May 2023)
- Online training workshop on current issues of the strategic environmental assessment procedure in Ukraine: legal aspects (Ukraine-wide and Geneva, 25 May 2023)
- Online training workshop on the practical application of transboundary environmental impact assessment: bilateral agreements on transboundary environmental impact assessment (Kyiv and Geneva, 16–17 March 2021).
- Development and subsequent revision of guidelines on strategic environmental assessment for urban planning documents (2021–2023).
- A video to raise awareness about and promote the application of the Convention, dubbed into Ukrainian (2021).

Subregional level

Online second subregional workshop on the practical application of strategic environmental assessment and transboundary environmental impact assessment (Eastern Europe and the Caucasus) (29 June 2022).
