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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

Workplan implementation status

Summary

This note by the secretariat presents the implementation status as of to date of activities in the workplan for 2021–2023 adopted by the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context and the Protocol on Strategic Environmental Assessment at their eighth and fourth sessions, respectively, (Vilnius, (online), 8–11 December 2021), through decision VIII/2–IV/2, (see ECE/MP.EIA/30/Add.1-ECE/MP.EIA/SEA/13/Add.1). Annex I to that decision contained the workplan activities, with related resource requirements provided in annex II. Any additional activities to the workplan are described in the annex to the present document.

The Meetings of the Parties to the Convention and to the Protocol will be invited to review progress in the implementation of the current workplan.

I. Management, coordination and visibility of intersessional activities

Activities

Implementation status

A. Organization of meetings

Entity(ies) responsible: The secretariat, whenever needed, in consultation with the Bureau. For meetings hosted by a Party, the host country is responsible for the organizational aspects (and their costs) – in accordance with a detailed host country agreement to be concluded with the secretariat.

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| <p>(a) Prepare, edit, translate and publish on the website agendas and official meeting documents and prepare and publish informal meeting documents;</p> <p>(b) Send out invitations and information;</p> <p>(c) As relevant, organize/support the organization of parallel/side events;</p> <p>(d) Register participants and organize travel for funded participants and, as needed, facilitate the obtention of visas;</p> <p>(e) Support officers of the meeting, including by preparing detailed briefing notes;</p> <p>(f) Organize logistics at the meeting (related to the meeting venue and to United Nations security);</p> <p>(g) As relevant, collect and record credentials;</p> <p>(h) Provide conference services at the meeting;</p> <p>(i) Provide interpretation at the meeting in the three ECE languages;</p> <p>(j) Prepare, edit, translate and publish the meeting report;</p> <p>(k) As relevant, prepare press releases/media coverage;</p> <p>(l) Follow up on decisions taken.</p> | <p>The secretariat, in agreement with the elected officers, prepared, serviced and followed- up to:</p> <ul style="list-style-type: none"> • Nine sessions of the Implementation Committee, including preparing agendas and reports, and assisting the curators in their preparation of internal working documents; sending out follow-up letters; and organising hearings and informal consultations with the Parties concerned. <ul style="list-style-type: none"> ○ <u>49th session (online, 2 - 5 February 2021)</u> ○ <u>50th session (online, 4 - 7 May 2021)</u> ○ <u>51st session (online, 4 - 7 October 2021)</u> ○ <u>52nd session (online, 29-31 March 2022)</u> ○ <u>53rd session (online, 10-13 May 2022)</u> ○ <u>54th session (Geneva/online, 4–7 October 2022)</u> ○ <u>55th session (online, 31 January–3 February 2023)</u> ○ <u>56th session (Geneva, 2–5 May 2023)</u> ○ <u>57th session (Geneva, 29 August – 1 September 2023)</u> |
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In addition, as needed, in-between the sessions, informal online discussions were held for the Committee to discuss matters and electronic decision-making procedure used.

- Three meetings of the Bureau (Online, 16-17 June 2021, Geneva, 9–10 June 2022 and Geneva, 22-23 February 2023) in consultation with the Chairs; involving preparing 45 informal documents, in total, and reporting on the meeting outcomes.
- Three meetings of the Working Group (Geneva/online, 1–3 December 2021, Geneva, 19 - 21 December 2022 and Geneva, 13 - 15 June 2023), with 17 official documents, 35 informal ones and the meeting reports, and a full day thematic seminar on sustainable infrastructure (organized in cooperation with Switzerland during the 10th meeting of the Working Group on EIA and SEA)..
- The sessions of the Meetings of the Parties to the Convention and the Protocol are being

Activities

Implementation status

organized, with 19 official and 10 informal documents issued.

(m) In consultation with the Bureau, assist the Meetings of the Parties and their subsidiary bodies in possible further clarification of procedural matters of relevance to meetings with remote participation for consideration by the Meetings of the Parties in 2023.

In June 2021, the Bureau reviewed the note (of 27 November 2020) that it had prepared with support of the secretariat in consultation with the Treaty Section of the UN Office of Legal Affairs, and invited the Working Group to clarify and justify possible further development needs of the paper. At its 10th meeting (December 2021), the Working Group invited the Bureau to review the consistency of its note with similar notes prepared under the other UNECE MEAs.

In June 2022, the Bureau agreed that revisiting the 2020 note was not necessary as: (a) it had applied only to the 2020 MOP sessions and to any similar future exceptional case of extraordinary circumstances; (b) in-person meetings were again the norm; (c) no other MEAs reused or modified their equivalent procedural notes from 2020-2021, but considered them to have applied only to one MOP/COP organized under exceptional circumstances.

In February 2023, the Bureau accepted the revision proposals to the note put forward by the EU and its Member States. It agreed, however, that the procedural note should not be tabled for the next sessions of the Meetings of the Parties, which would take place in-person and in accordance with the applicable rules of procedure adopted by the Meetings of the Parties. Moreover, any broader revision of the meeting format of the Meetings of the Parties and/or their subsidiary bodies, or any other procedural aspects of their functioning, in general, would require: (a) a mandate from the Meetings of the Parties; (b) appropriate allocation of resources (financial and staffing).

At its 12th meeting (Geneva, 13-15 June 2023), the Working Group agreed on the revised version of the note and recommended to the Meetings of the Parties that said version be applied, and, as needed, further adapted, should the extraordinary circumstances arise again. The Working Group agreed with the Bureau that the said procedural note would not be tabled or be relevant for the next sessions of the Meetings of the Parties and 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.

B. Communication, visibility, coordination

Entity(ies) responsible: The secretariat, whenever needed, in consultation with the treaty bodies. Parties are to inform the secretariat of any changes to their focal points/points of contact

(a) Liaise with focal points, stakeholders and partner organizations within and outside the United Nations,

The secretariat has:

<i>Activities</i>	<i>Implementation status</i>
responding to any queries and raising awareness of the treaties and their activities;	- Liaised with focal points and partners on a daily basis;
(b) Coordinate the implementation of workplan activities, including cooperating with other ECE multilateral environmental agreement secretariats and subprogrammes, and, subject to the resources available, with other United Nations bodies and other international organizations;	- Coordinated the workplan implementation within relevant ECE and other UN entities and legal instruments, as regards procedural, financial, legal and substantive issues: with all UNECE MEA secretariats and OLA; the regional seas cooperation: with the secretariats of six regional seas conventions/commissions (Arctic Council's PAME; Barcelona Convention, Black Sea Commission, HELCOM, OSPAR Convention and Tehran Convention) and of the UNECE Aarhus, Air, Industrial Accidents and Water Conventions; the seminar on sustainable infrastructure: with EIB, IAIA, OSCE, UNEP, WHO, Zoi Environment Network; the draft guidance on health: with EIB and WHO; capacity building and awareness raising activities in Central Asia: with OSCE; and in Eastern Europe and the Caucasus: the EU, OECD, UNDP, UNEP, UNIDO and the World Bank. Coordinated and provided inputs to the 9 th Environment for Europe Ministerial Conference (Nicosia, 5–7 October 2022) and to the sessions of the Committee on Environmental Policy (3–5 November 2021; 9–12 May 2022; 1–3 November 2023).
(c) Represent the Convention and the Protocol at relevant meetings and events, as needed, to promote and/or coordinate activities;	- Maintained the official and password-protected websites, updating the online databases of focal points and points of contact and meeting calendars;
(d) Ensure visibility and easy access to up-to-date information and documents on the treaty website, including online databases of focal points for administrative matters and points of contact for notification under the Convention and the Protocol and online meeting calendars;	- On a weekly basis, briefed the senior managers (e.g. briefing notes and speaking points in advance of multilateral and bilateral meetings).
(e) Prepare correspondence and briefings for ECE senior management for high-level bilateral and multilateral meetings within and beyond the ECE region;	- Press releases prepared for EU4Environment funded activities; and on cooperation in marine regions and to be prepared for the Meetings of the Parties' sessions.
(f) As needed, prepare press releases and other advocacy materials.	

C. General programme management

Entity(ies) responsible: The secretariat

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| <p>(a) Prepare payment requests for donors' contributions to the trust fund;</p> <p>(b) Prepare and submit for the Bureau's agreement annual financial reports, prior to publishing them on the website;</p> <p>(c) If requested, and on an exceptional basis, prepare separate financial reports to individual donors;</p> <p>(d) Support the Bureau in preparing a proposal on how to better reflect the in-kind contributions and their monetary value in the financial scheme/as part of the resource requirements of the workplan under the</p> | <p>The secretariat has:</p> <ul style="list-style-type: none"> - Finalized the financial report for 2017-2020 for the Bureau's approval at its meeting in June 2021. - Prepared payment requests on a weekly basis - Sent out reminders to Parties on missing contributions. - Prepared the annual financial reports for 2021 and 2022 and the financial report extending until September 2023, including also estimated expenditure figures until December 2023. |
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<i>Activities</i>	<i>Implementation status</i>
Convention and the Protocol for consideration of the Meetings of the Parties in 2023;	- Reported on the use of the Norwegian grant in 2018–2020.
(e) Prepare annual and longer-term cost-plans and forecast meetings, documents and publications for processing by the United Nations administration and relevant services;	- Prepared an informal document for the Bureau's meeting in June 2021 on the consideration of in-kind contributions, revised it taking into account Bureau's comments in 2021 and 2022; proposed how to reflect them in the MOP decisions on financial arrangements and the workplan for 2024–26
(f) Report on substantive and administrative issues;	- Forecasted meetings and documents for 2021, 2022 and 2023;
(g) Recruit/contract and manage secretariat staff and consultants.	- Prepared annual cost-plans for 2021, 2022 and 2023
	- Responded to weekly administrative and substantive reporting requests within ECE
	- Contracted numerous consultants to support workplan activities (for capacity building activities in Eastern Europe, the Caucasus and Central Asia; the regional seas cooperation, reviews of implementation; high-level event and its background document), and the MOP preparations;
	- Managed the secretariat staff.

II. Compliance with and implementation of the Convention and the Protocol

<i>Activities</i>	<i>Implementation status</i>
A. Review of compliance	
<i>Entity(ies) responsible:</i> The Implementation Committee, supported by the secretariat.	
<i>Method of work:</i> The Committee is to hold three annual (in total, nine) meetings in 2021–2023, and, in between, as needed, work via email, and hold virtual (for example, Webex) meetings or audio/videoconferences.	
A.1. Consideration of compliance issues	<p>The Implementation Committee held nine sessions (see item I A above): Out of the 53 compliance issues considered thus far, the status is as follows:</p> <ul style="list-style-type: none"> - Follow-up to 5 MOP decisions (regarding Armenia, Azerbaijan, Belarus and two decisions regarding Ukraine); - 4 submissions: 1. (mining activities, Serbia) finalized in July 2022 (ECE/MP.EIA/IC/2022/8); 2. (Construction of large HPP, Bosnia and Herzegovina) finalized in October 2023 (ECE/MP.EIA/IC/2023/8, annex II); 3. (Construction of small HPPs, Albania) finalized in May 2023 (ECE/MP.EIA/IC/2023/9); 4. (Poland - Bialowieza Forest) ongoing - 7 Committee initiatives: 1 on Serbian Energy Strategy finalized in March 2022 (ECE/MP.EIA/IC/2022/5); 1 concerning construction by Ukraine of Svydovets tourism

Activities

Implementation status

resort – informal consultations at IC 56, closed at IC 57; 4 on LTE of NPPs: Bulgaria (finalized in February 2023, ECE/MP.EIA/IC/2023/6), Belgium and Czechia (finalized in May 2023, ECE/MP.EIA/IC/2023/10 and ECE/MP.EIA/IC/2023/11, respectively) and France (ongoing), 1 on Belarus national legislation (finalized in September 2023, ECE/MP.EIA/IC/2023/8, annex I).

- 20 information gatherings: 9 closed - 1 (at IC49 (Denmark), 3 at IC 50 (Bosnia and Herzegovina (twice) and Switzerland), 1 at IC 51 (Bosnia and Herzegovina); 1 at IC 53 (Poland); 2 at IC 54 (Spain and Germany); 1 at IC 57 (Netherlands); 5 turned into Committee initiatives: at IC 52 (LTEs of NPPs by Bulgaria and Belgium), IC 53 (LTE by Czechia), IC 56 (Belarus national legislation) and IC 57 (France NPP); informal consultations for three issues (Ukraine, construction of units 3 and 4 of the Khmelnytsky NPP, Ukraine, LTEs of 12 units and activities at the Muzhyevo gold mine; carried out in October 2021 and May 2023) and 3 started at IC 57 (regarding Bulgaria, Germany and North Macedonia).
- 19 specific compliance issues (arising from the reviews of implementation): one closed at IC 50, 12 closed at IC 54, one closed at IC 55, one closed at IC 57. One pending following the sixth review of the Convention's implementation (Kyrgyzstan), one pending following the 1st review of the Protocol (EU); one pending following the 2nd review of the Protocol (Serbia); and one pending following the 3rd review of the Protocol's implementation (North Macedonia).

At IC56, the Committee prepared most draft MOP decisions on compliance, and completed them at IC57, including taking into account comments from the Working Group at its 12th meeting, as relevant.

A.2. Examination of the outcome of the sixth review of implementation of the Convention and the third review of implementation of the Protocol (by the end of 2021)

The secretariat published the review reports in English and Russian in summer 2021. The French version was published in October 2022. The reports of the sixth review of implementation of the Convention are available at: <https://unece.org/info/Environment-Policy/Environmental-assessment/pub/358700>. The reports of the third review of implementation of the Protocol are available at: <https://unece.org/info/Environment-Policy/Environmental-assessment/pub/359130>

A.3. As necessary, review and revision of the Committee's structure and functions and operating rules

Initial work continued from the previous period with some suggestions included in the Committee's report on its 50th session. At its 53rd session, the Committee established a small working group to prepare the amendments to its structure and functions and its operating rules. At its 56th session, it agreed on a preliminary draft version of the amendment proposals and presented them for possible comments to the Working Group in June 2023. It finalized the proposals at its 57th session for consideration of the MOPs in 2023.

A.4. Report on the Committee's activities

Due to resource constraints of the secretariat, the report was finalized on 25 October 2023 by electronic decision-making procedure for submission to the 2023 sessions of the Meetings of the Parties.

A.5. Collection of findings and opinions from the Committee regarding the Convention and the Protocol

Updated by the secretariat until the end of 2020. Available at: https://unece.org/sites/default/files/2021-02/Implementation%20Committee%20opinions%20to%202020_MOP-

Activities	Implementation status
A.6. Exploring possible synergies with other relevant forums	<p>8_2020.pdf. The update until the end of 2023 is currently under preparation.</p> <p>Cooperation with the Implementation Committee of the ECE Water Convention, in particular concerning the submissions of Montenegro under both Conventions regarding the compliance of Albania with the respective Conventions with respect to several small hydropower plants in the Cijevna River,</p> <p>Cooperation with OSCE on raising awareness about the efficient application of the transboundary procedures under the Convention and the Protocol by Balkan countries, (online seminars, 15 December 2022 and 5 December 2023)</p>
B. Reporting and review of implementation	
<i>Entity(ies) responsible:</i> Parties, the Implementation Committee and the secretariat.	
B.1. Modification of the questionnaires for the report on implementation of the Convention and the Protocol in 2019–2021	Prepared by the Committee at its 50 th session in May 2021; revised in September 2021 based on the Bureau’s comments in June 2021; finalized in January 2022 based on the Working Group’s comments in December 2021.
B.2. Distribution of the questionnaires for reporting on implementation of the Convention and the Protocol in 2019–2021 The secretariat to distribute by the end of December 2021 for Parties to fill in and return by the end of April 2022.	<p>Distributed on 18 January 2022.</p> <p>21 Parties to the Convention (47%) reported on-time by 30 April 2022 by returning filled-in questionnaires for reporting. By 30 June 2022, in total 34 (75%) Parties and 1 non-Party (Georgia) had reported. In addition, one Party, (the EU) returned a blank questionnaire and provided separately information on its legislation and CJEU judgements of relevance. As at 26 October 2023, 18 months after the reporting deadline, 5 State Parties have also not yet reported (Bulgaria, Liechtenstein, North Macedonia, Serbia and Ukraine).</p> <p>18 Parties to the Protocol (55%) reported on-time by 30 April 2022 returning filled-in questionnaires for reporting. By 30 June 2022, in total 22 (67%) Parties and 2 non-Parties (Georgia and Kazakhstan) have reported. In addition, one Party, (the EU) returned a blank questionnaire, providing separately explanations and information on the SEA Directive, its enforcement and interpretation. As at 26 October 2023, 18 months after the reporting deadline, 3 State Parties have not yet reported (Bulgaria, North Macedonia and Serbia).</p> <p>Examples presented as good practice were provided by: 15 Parties to the Convention (Albania, Belarus, Belgium, Czechia, Estonia, Hungary, Lithuania, Malta, Moldova, Montenegro, Poland, Romania, Slovenia, Spain, Switzerland) and 10 Parties to the Protocol (Albania, Armenia, Croatia, Denmark, Estonia, Malta, Montenegro, Poland, Romania, Spain).</p>
B.3. Preparation of draft reviews of implementation of the Convention and the Protocol	The secretariat hired consultants in early June 2022 to support its preparation of the draft reviews in summer 2022; the draft review reports were presented as official documents to the Working Group in December 2022, and amended by the Working Group in June 2023, prior to their finalization for submission to the Meetings of the Parties at their sessions in 2023, for adoption (and subsequent publication by the secretariat).
C. Legislative assistance	

*Activities**Implementation status*

Entity(ies) responsible: The secretariat, with support from consultants, to provide legislative assistance to beneficiary countries at their request and/or as recommended by the Implementation Committee, and in cooperation with those countries, and, as needed, in consultation with the Implementation Committee, the Bureau and/or the Working Group. The related activities will be implemented within the limits of the available project funding.

C.1. Assistance in legal drafting

(a) Belarus (amendment of primary and secondary legislation);

(b) Republic of Moldova (amendment of primary legislation and drafting of secondary legislation);

(c) Ukraine (support in finalizing a draft bilateral agreement with Romania to implement the Convention) (to be confirmed);

(d) Kazakhstan, Tajikistan and Uzbekistan (support in finalizing the primary legislation and in drafting the secondary legislation for the implementation of the Convention, the by the beneficiary Governments and Switzerland).

Ongoing in the Eastern Europe and the Caucasus sub-regions (with funding from EU4Environment) and in Central Asia:

(a) Belarus: Completed - A review of primary and secondary legislation, including recommendations for amendments, finalized in September 2021, inter alia, based on two online meetings with the MoE in April and September. Drafting of amendments, based on the above review, is no longer planned as authorization by the EU for using the EU4Environment funding is not available.

(b) Republic of Moldova: Completed - amendment of primary legislation (finalized amendments to the Law on EIA and the Law on SEA adopted by Parliament in September 2022, entering into force in October 2023). In progress in Q4 2023 – assistance in the drafting of secondary legislation (draft regulations prepared and under review).

(c) Ukraine: Completed – a final draft of the bilateral agreement with Romania prepared by legal experts to UNECE (in October 2022). Ukraine and Romania signed the bilateral agreement on 18 November 2022 and it entered into force in July 2023.

(d) Kazakhstan: review of a draft implementing regulation on environmental assessment and development of recommendations for its alignment with the Convention; Initiated in March 2021 with Swiss funding and in cooperation with Partnership for Action on Green Economy and completed June 2021 building on feedback from training workshops on SEA and EIA (see also items in annex to the present document)

Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan requested for legislative reviews; and Tajikistan and Turkmenistan also for legal drafting (No funding nor secretariat staff resources available)

Secretariat assisted OSCE in preparing a project proposal for its further activities for the development of the EIA and SEA legislation in Central Asian countries (expected to be initiated in 2024 with donor funding from Germany).

C.2. Awareness-raising events to support the adoption of the legislation

Planned for 2021 and/or 2022 (to be confirmed) in Belarus.

Belarus: no event planned in absence of an authorisation by the EU for using the EU4Environment funding

III. Promoting practical application of the Convention and the Protocol

A carried over activity from the 2017–2020 workplan

Development of guidance for the assessment of potential health impacts of plans and programmes and for the involvement of health authorities, building on the chapter on health in the SEA Resource Manual.

- Based on ToR agreed by the Working Group at its 8th meeting (in May 2018) and funding from EIB, draft guidance prepared by two consultants in consultation with the secretariat, WHO and EIB.
- Draft presented and discussed at a workshop co-organized by the secretariat, WHO and EIB during WG8 (November 2019).
- Draft revised based on comments by WG8 and inputs from a task force (Austria, Finland, Ireland, Slovenia) and agreed by the Bureau in February 2020. Draft supplemented by selected case studies from Czechia, Estonia and the Netherlands
- Revised draft submitted in March 2020 for agreement by the WG9 prior to its submission to MOP/MOP4.
- WG9 (August 2020) decided not to forward the draft to MOP/MOP, as EU delegation considered that further work still needed. Aside from Slovenia, task force members no longer available for the further work.
- In December 2020, MOP/MOP4 urged Parties and stakeholders to finalize the work during the intersessional period 2021–2023, subject to availability of resources, and invited Parties to contribute in-kind expertise for that purpose. The Bureau was invited to consider the way forward.
- **Progress in 2021–2023** In June 2021, the Bureau invited textual revision proposals and volunteers for an editorial group ahead of the Working Group’s 10th meeting (December 2021) for finalization of the draft.
- In December 2021, EU commented on the draft’s revision needs but no Party volunteered for the revision.
- WHO commented the draft and offered its support. In 2022, it issued a publication “*Learning from practice - Case studies of health in EIA and SEA across the WHO European Region*” available also in Russian. The executive summary available in English, German and Russian, and in the future also in Czech, Estonian, French and Georgian) The secretariat participated at the launch event of February 2022, and forwarded the invitation to all Parties.
- During and after the Working Group some countries in Eastern Europe and the Caucasus have reiterated their common need for guidance.
- As decided by the Bureau in June 2022, the Bureau Chair for the Protocol matters and volunteering members of the Bureau prepared a revised draft, taking into account the 2021 comments from the EU and its member States from December 2021. The draft was made available ((ECE/MP.EIA/WG.2/2022/INF.13 of 26 October) for WG11 to agree on a revised draft document and on the steps ahead for its finalization ahead of the next session of the Protocol MOP (12–15 December 2023).
- WG11 decided to continue its deliberations in June 2023 based on comments provided by delegations end January/early February, and the Bureau’s consideration of them.
- In June 2023, WG12 considered the text of the draft guidance as last revised by the EU and its member States and as subsequently agreed by the Bureau (in February 2023). It agreed on a "document for information purposes on health in SEA” 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 EU and its member States,

Activities	Implementation status
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III.A. Subregional cooperation and capacity-building

III.A.1. Baltic sea subregion

Entity(ies) responsible: Lead countries – Estonia (virtual meeting) and Poland, as needed, with support from the secretariat.

Organize subregional meetings (preferably two) on cooperation on the Convention and the Protocol, on topics of interest for the subregion that the lead countries concerned are to identify in advance of the meeting in consultation with the other countries, and prepare the minutes of the meeting on the outcomes for the secretariat to make available on the website

(11th) Subregional meeting organized by Estonia (Online, 3 November 2021)

(12th) Subregional meeting organized by Poland (Warsaw/online, on 14–15 June 2022)

III.A.2. Eastern Europe

Entity(ies) responsible: The secretariat in consultation with the countries concerned.

Organize a subregional event (a training workshop or study tour) **for Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine**, to facilitate information exchange and experience sharing among the countries.

A second subregional workshop on the practical application of SEA and transboundary EIA in Eastern Europe and the Caucasus Held online on 29 June 2022.

III.A.3. Central Asia

Entity(ies) responsible: Lead partner, Organization for Security and Cooperation in Europe (OSCE) with support from the secretariat and in consultation with the concerned countries.

III.A.3.1 Finalize needs assessment exercises/feasibility studies and draft capacity-building strategies/action plans for introducing strategic environmental assessment systems in Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan

Kazakhstan: Needs assessment finalized and presented to the national stakeholders at a workshop on 14 December 2020 and the action plan finalised and presented to the stakeholders on 29 April 2021;

Kyrgyzstan: Questionnaires collected in March 2021; Draft needs assessment and the action plan prepared and presented to the stakeholders on 11 October 2021;

Tajikistan: Questionnaires collected in April 2021; Draft needs assessment and the action plan finalized in July 2021;

Uzbekistan: Questionnaires collected and interviews conducted in March 2021; Draft needs assessment and the elements of the action plan prepared for presentation to the Government on 8 June 2021;

Turkmenistan: Low commitment by the government. Draft needs assessment and the action plan prepared in July 2021 based on desk research and limited number of questionnaires received in April/May 2021; and presented to the stakeholders on 14 October 2021.

III.A.3.2. Organize national awareness raising workshops in some Central Asian countries to present and discuss them.

Kazakhstan: carried out on 14 December 2020 online;

Kyrgyzstan: carried out on 11 October 2021 online.

Tajikistan: carried out on 17 March 2021 online;

Uzbekistan: carried out on 8 June 2021 online;

Turkmenistan: carried out on 14 October 2021 online.

III.A.3.2. Organize a final sub-regional event in one of the Central Asian countries to share experience and discuss lessons learned

Organized on 10 November 2021 in a video-bridge format (Ashkhabad, Bishkek, Dushanbe, Nur-Sultan, Tashkent, Vienna) to finalize the joint UNECE/OSCE project “Strengthening national and regional capacities and cooperation on Strategic Environmental Assessment (SEA) in Central Asia, including as a response to climate change” funding by Germany, OSCE and UNECE

The (meeting format-related) savings from the project used to translate the following materials available in English and in Russian also into the national languages of the five Central Asian countries:

- (a) UNECE publication "*Protocol on Strategic Environmental Assessment: Facts and Benefits*"
- (b) UNECE video on the Protocol
- (c) OSCE publication "An illustrated guide of the Espoo Convention and its Protocol" (completed in all five languages).

III.A.4. Marine regions

Entity(ies) responsible: Italy, as the lead country, together with other interested Parties to the Espoo Convention and its Protocol and to the other regional seas conventions, supported by the treaty secretariats, within the limits of the available resources. The Bureau, assisted by the secretariat, would be responsible for the initial planning of the activity, to be implemented with the support of consultants.

Resource requirements: €120,000 (or €40,000 per year), earmarked and to be provided by Italy during the period 2021–2023 to cover all the costs, including those of the consultants and other organizational costs; possible contributions by other interested Parties.

A.4.1. Carry out a feasibility study to map out synergies and benefits for possible future cooperation activities to improve the coherence and the links between the Espoo Convention, its Protocol and the (Barcelona Convention) and other regional seas conventions.

- In June 2021, the Bureau agreed on: scope, contents, initial planning and next steps based on a note prepared by the secretariat in consultation with Italy.
- With the donor funding (from late September 2021) and based on the ToRs agreed with Italy, two consultants recruited (on EIA and SEA and on marine issues):
- In August 2021, the secretariat contacted 6 regional sea convention/commission secretariats collecting expressions of interest and information (by now, all 6 are involved);
- 13 interested Parties nominated contact points for commenting work in progress and attending technical meetings (this far: AZ, FI, FR, DE, GR, IT, NO, POL, RO, SI, ES, SE, EU);

A.4.2. Organize up to one joint technical (online) meeting per year, with interested Parties and the secretariats of regional seas conventions, to discuss and further develop the outcomes of the feasibility study, with a view to identifying synergies and possible cooperation opportunities between the respective treaties. As needed, for the Mediterranean subregion, the possibility of online French interpretation should be explored. Prepare reports on the outcomes of the joint technical meetings and make them available for information and consideration of the Parties to the respective treaties.

A.4.3. Prepare a final report presenting the identified synergies and a vision for the “way forward” and its benefits, and proposing possible joint activities for the subsequent workplans, starting with the workplan for 2024–2026 to be considered by the Meetings of the Parties.

Three technical joint meetings organized by the secretariat, with support from consultants and in consultation with Italy to discuss draft assessment reports. In between the technical meetings, representatives of the regional sea conventions and volunteering focal points could comment the draft documents electronically :

- (Online) 19 November 2021: An initial/ kick-off technical meeting with secretariats of 5 regional seas conventions/commissions and representatives of Espoo Convention & Protocol Parties, to discuss an initial draft assessment report.
- (Online) 16 June 2022: a second technical joint meeting with representatives of Parties and secretariats of the participating regional seas conventions/commissions discussed and agreed on a draft assessment report. Poland presented good practice on the application of the Convention; Slovenia and Italy of the Protocol.
- (Online) 16 May 2023: a third joint technical meeting on synergies and possible cooperation activities in marine regions.

On 17 June 2022 an inter-secretariat meeting was held in Geneva/online to discuss the next steps. The Working Group has been informed and consulted on progress

- In December 2021, at its 10th meeting, it considered presentations by consultants, Italy and the secretariat; and documents ECE.MP.EIA/WG.2.2021/5 and ECE.MP.EIA/WG.2/2021/INF.6. It welcomed the progress made and invited Parties to share relevant good practice.
- In December 2022 (11th meeting), the Working Group welcomed the draft assessment report, that proposed possible cooperation activities (ECE/MP.EIA/WG.2/2022/INF.10), and invited the Bureau to prioritize and select activities for the workplan 2024–2026.
- In June 2023, the Working Group reviewed the draft report, agreed on the priority activities to be implemented in 2024-26; and agreed on the text of decision IX/3-V-3 on cooperation in marine regions. These documents were tabled for consideration of the Meetings of the Parties.

The Bureau has guided the implementation of the activity: agreeing, in June 2021, on its scope and next steps. In June 2022, the Bureau provided feedback on the draft assessment report and its proposed possible cooperation activities.

4 good practice examples of implementation of the Convention and the Protocol in marine regions prepared/being finalized.

- Poland: Baltic Pipe
- Estonia: Saare Offshore wind farm
- Poland: Marine Spatial Development Plan in the Baltic Sea

To be prepared: Slovenia: Maritime Spatial Development Plan in the Adriatic Sea and Italy: Maritime Spatial Plans

III.B. Exchange of good practices

III.B.1. Organize half- or full-day workshops or seminars during the meetings of the Working Group in 2021–2023 and/or the sessions of the Meetings of the Parties in 2023 on specific themes/topics, in order to produce a clear and concise document presenting advice on the most important problems identified for the theme in question, also referring to the contribution of the topics to the application of Sustainable Development Goals.

Entity(ies) responsible: Lead-country(ies) or organizations, with support from the secretariat, within the limits of its resources

Costs for speakers, provision and translation of materials to be covered in kind by lead countries, to the extent possible

III.B.1(a) Smart and sustainable cities

Entity(ies) responsible: WHO, together with interested Parties and partner organizations

III.B.1(b) Circular economy

Entity(ies) responsible: WHO, together with interested Parties and partner organizations

III.B.1(c) Sustainable infrastructure and greening the Belt and Road Initiative (related to the 2022 “Environment for Europe” Ministerial Conference)

Entity(ies) responsible: Switzerland, IAIA and other interested Parties and partner organizations

III.B.1(d) Biodiversity

Entity(ies) responsible: WHO, together with interested Parties and partner organizations

III.B.1(e) Energy transition

Entity(ies) responsible: Lead-country(ies) or organizations to be identified;

No Parties or stakeholders submitted related proposals.

As recommended by the Bureau in June 2022, and as subsequently agreed by the Working Group at its 11th and 12th meetings, circular economy is discussed at the high-level segment of the 2023 MOP sessions, together with the topic 1(e) below on energy transition, and green financing.

In December 2021, at the Working Group’s 10th meeting, a full day seminar was co-organized and moderated by Switzerland (see annex to the WG report).

In addition, Parties (e.g. Cyprus, Greece, Estonia, Switzerland and Ukraine) highlighted relevant work under the treaties at the EfE Ministerial Conference (Nicosia, 5–7 October 2022).

WG11 suggested the organization of a side-event on the topic in the margins of WG12, but no country or organization volunteered to organize it.

The sustainable infrastructure seminar in December 2021 considered some related experience: e.g. by Norway regarding the Convention’s application to a wind farm project or by Ukraine regarding the Protocol’s application to a draft hydrogen strategy;

As recommended by the Bureau in June 2022, and as subsequently agreed by the Working Group at its 11th and 12th meetings the high-level segment of the 2023 MOP sessions, will discuss energy transition combined with circular economy and green financing.. Funding

III.B.1 (f) Promoting the application of strategic environmental assessment in development cooperation

Entity(ies) responsible: Italy and other interested Parties and partner organizations with support from the secretariat;

Resource requirements: €20,000 per year pledged by Italy for 2021–2023 to cover the costs of two consultants for preparing documentation in consultation with treaty bodies and Parties' authorities responsible for development cooperation

III.B.1(g) Consideration of alternatives to and the rationale for selected options of the proposed activities in the environmental impact assessment documentation.

Entity(ies) responsible: Belarus, the secretariat and interested Parties

Funds from the EU4Environment programme (to be confirmed).

III.B.2. Fact sheets

on the practical application of the Convention and the Protocol, to be presented during the meetings of the Working Group and posted on the website.

Entity(ies) responsible: All Parties, with support from the secretariat.

III.B.3. Online database of Parties' good practice, or collection and compilation of good practice

Responsible: Parties to provide good practice; the secretariat, with support from a consultant, to collect, (analyse and summarize), compile and upload good practice.

provided by Italy (organization of the event and background paper with support from consultants to the secretariat).

Outlines of the background paper and the programme of the event provided for feedback by the Working Group at its 12th meeting. The documents were subsequently finalized for the MOPs.

No Party or stakeholder submitted related proposals.

Italy that initially proposed to fund work on this topic (consultancy support for the preparation of a background document and the organization of an event in 2023) decided to reallocate its funding for the high-level event on energy transition, circular economy and green financing .

(See item III,B.1 above)

No Party or stakeholder submitted related proposals this far. No authorization by the EU for using the EU4Environment funding.

See item III.A.4 on good practice fact sheets of the application of the Convention and the Protocol in marine regions prepared/planned by Estonia, Italy, Poland and Slovenia. No other Party volunteered to present fact sheets.

As part of the reporting on the implementation of the Convention and the Protocol the Parties provided examples of the treaties' application in 2019–2021, which they consider to be good practice, as follows:

Examples of the Convention's application – 15 out of 34 Parties that reported. Examples of the Protocol's application – 10 out of 22 Parties that reported

See item III.B.3 for more details

The Working Group was invited to comment the information presented in documents ECE/MP.EIA/WG.2/2022/INF.7 and INF.8, and to identify most relevant examples, and propose ways to further substantiate them and to present them in the form of fact sheets. No feedback was provided.

Funding for consultants not identified this far.

As part of the reporting on their implementation of the Convention and the Protocol in 2019–2021 the following Parties provided good practice examples of their treaty application. However, the majority of them

Resource requirements: Will require secretariat resources and funding for consultants of \$15,000–\$25,000. Implementation will depend on the availability of funding from Parties or partner organizations.

contained insufficient information/evidence for good practice:

Convention: AL (pipeline); BY (electrical power lines); BE (wind farm and inland ports and docks); CZ (new nuclear power unit); EE (wind farm); HU (motorway); LT (decommissioning nuclear power plant); MT (gas pipeline); ME (hydropower plant); PL (lignite deposit); MD (water detritiation plant); RO (Waste oil recycling plant); SI (radioactive waste storage); ES (Extension of the Mina do Barroso mine); CH (railway line);

Protocol: AL (tourism); AR (spatial planning); HR (development planning, spatial planning); DK (maritime spatial plan); EE (maritime spatial plan); MT (waste management plan); ME (spatial plan); PL (water management/flood protection); RO (Gas transmission development plan); ES (hydrological plans and flood protection plans).

Some Parties provided additional examples of good practices in different parts of the questionnaire. For more details see ECE/MP.EIA/WG.2/2022/INF.7 and INF.8.

In December 2022, the Working Group was invited to comment the information presented in documents ECE/MP.EIA/WG.2/2022/INF.7 and INF.8, identify most relevant examples, and propose funding and ways to further substantiate and present them. No comments were provided.

For the collection and compilation of good practice in the application of SEA and transboundary EIA in the marine funded by Italy see activity III.A.4 above.

III. C. Capacity-building

III. C.1 Implementation of pilot projects (on SEA):

- (i) Pilot project in Armenia (2021)
- (ii) Pilot project in Azerbaijan (2021)
- (iii) Pilot project in Belarus (2021–2022)
- (iv) Pilot project in Georgia (2021–2022)
- (v) Pilot project in the Republic of Moldova (2021–2022);
- (vi) Pilot project in Ukraine (2021–2022)

Entity(ies) responsible: Subactivities 1 (i)–(vi) to be facilitated by the secretariat, with support from consultants, and implemented with the active participation of the beneficiary countries, and, as relevant, partner organizations. The European Union delegations to the beneficiary countries and the European Commission are to be consulted regarding selection of pilot projects.

Armenia: preparatory phase of the pilot SEA for a spatial plan of Gegharkunik region incl. a kick-off event and, back-to-back, a training for national experts completed by 18.11.2022. On 11.01.2023 Armenia requested to discontinue the pilot and replace it with two SEA training workshops (organized/to be organized in Yerevan on 30-31 October; 23-24 November 2023 respectively). The request was granted after the donor's consideration .

Azerbaijan: pilot SEA applies to a draft master plan of the city of Ganja, pilot actual implementation started in fall 2022; in Q4 2023 the SEA report is being finalized.

Belarus: authorisation by the EU for using the EU4Environment funding is not provided.

Georgia: at the request of Georgia, pilot SEA of a municipal spatial plan replaced by the preparation of guidelines on SEA in spatial planning (expected to be finalized in December 2023).

Republic of Moldova: no pilot SEA was implemented as a draft industrial development programme proposed by the country for the pilot in 2022 was not developed on time in 2022 - 2023. No alternative strategic document

III.C.2 Training workshops on treaty application

Organization of the following training workshops to build capacities on the practical application of the Protocol:

- (i) Training workshop in Azerbaijan (2021 or 2022);
- (ii) Training workshop in Ukraine (2021 or 2022 (to be confirmed)).

Entity(ies) responsible: The secretariat, with support from consultants, in cooperation with the beneficiary countries.

III.C.3 National awareness-raising events

The organization of the following events to raise the awareness of sectoral authorities and other relevant actors on the need for and the benefits of the effective implementation of strategic environmental assessment (or transboundary environmental impact assessment) legislation in accordance with the Convention and the Protocol:

- (i) Awareness-raising event in Azerbaijan (2021 or 2022);
- (ii) Awareness-raising event in Belarus (2021 or 2022);
- (iii) Awareness-raising event in the Republic of Moldova (2021 or 2022).

Entity(ies) responsible: Coordinated by the secretariat, with support from consultants, in cooperation with the beneficiary countries.

III.C.4 National awareness-raising materials

The preparation of the following awareness-raising materials on strategic environmental assessment (or transboundary environmental impact assessment) requested by the beneficiary countries (for example, a leaflet presenting good practice or a brochure on the role of public participation):

- (i) Awareness-raising materials for Azerbaijan (in 2021 or 2022);
- (ii) Awareness-raising materials for Belarus (in 2021 or 2022);

was proposed by October 2023 and consultations are still under way with Moldova and the donor as regards a potential capacity-building activity to replace the pilot.

Ukraine: a draft hydrogen strategy proposed for the pilot by Ukraine in October 2021 was withdrawn by Ukraine in August-September 2022. Consultations with Ukraine on an alternative re the pilot took place until early 2023. In February 2023, the Ministry decided no pilot project can be implemented due to the force majeure of the war and requested two SEA training workshops (organized on 25 May and 26 May 2023 respectively) instead. The request was approved by the donor.

Azerbaijan: Completed - two SEA training workshops on 26-27 April and on 15 October 2021.

Ukraine: Completed - transboundary EIA training (focus on bilateral agreements on transboundary EIA) for Ukraine and Romania completed on 16-17 March 2021; Completed – first SEA training workshop (25 May 2023); second SEA training workshop (26 May 2023), both workshops are a replacement for the cancelled SEA pilot.

Azerbaijan: completed on 29 September 2023

Belarus: authorisation by the EU for using the EU4Environment funding is not provided

Republic of Moldova: completed on 23 April 2021

Azerbaijan: completed.

Belarus: authorisation by the EU for using the EU4Environment funding is not provided.

(iii) Awareness-raising materials for the Republic of Moldova (2021);

(iv) Awareness-raising materials for Ukraine (in 2021 or 2022).

Entity(ies) responsible: Coordinated by the secretariat, with support from consultants, in cooperation with the beneficiary countries.

Republic of Moldova: materials preparation in progress in Q4 2023

Ukraine: confirmation of specific needs for awareness-raising materials in progress.

III.C.5 National issue- or sector-specific guidelines

The preparation of the following guidelines to complement existing general guidelines on strategic environmental assessment, on selected issues/sectors, as agreed with the beneficiary countries:

(i) Guidelines for Azerbaijan in the field of regional development/transport/ agriculture (sector to be confirmed), in 2021 or 2022;

(ii) Guidelines for Belarus in the field of urban planning, in 2021 (to be confirmed);

(iii) Guidelines for the Republic of Moldova on transboundary procedures, in 2021–2022;

(iv) Guidelines for Ukraine in the field of urban planning, in 2021.

Entity(ies) responsible: Coordinated by the secretariat, with support from consultants, in cooperation with the beneficiary countries.

Azerbaijan: cancelled at the request of the country, resources used for the pilot SEA

Belarus: authorisation by the EU for using the EU4Environment funding is not provided

Republic of Moldova: guidelines on quality control of SEA documentation and of EIA documentation finalized in terms of substance and subject to editing and design in Q4 2023.

Ukraine: Completed – Revised Ukrainian version completed and adopted by the Ministry of Environmental Protection and Natural Resources on 18 October 2023. English version is being updated and subject to editing and design in Q4 2023.

III.C.6 A model database on strategic environmental assessment

The development of a model for a database aims to support the application of strategic environmental assessment in Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine.

Entity(ies) responsible: To be coordinated by the secretariat in 2021, with support from consultants, in cooperation with the beneficiary countries.

In Q4 2023, model development is in its final stage.

III.C.7 Translating the video on the application of the Convention

Entity(ies) responsible: To be coordinated by the secretariat, with support from consultants, in cooperation with the beneficiary countries.

Russian, Romanian and Ukrainian versions were finalized in July 2021.

Armenian, Azerbaijani and Georgian versions were finalized in early 2022.

Available at: <https://unece.org/environment-policy/environmental-assessment>

III.C.8 Preparation of Fast Tips

IAIA has updates during the 11th and 12th meetings of the Working Group. (See: <https://www.iaia.org/fasttips.php>)

Annex

Additional activities to the workplan for 2021–2023 (decision VIII/2–IV/2 annexes I and II)

Activities

Implementation status

III. Promoting practical application of the Protocol and/or the Convention

C. Capacity-building

Support Kazakhstan in establishing compliant national EIA and SEA systems with a view to implementing its new Environmental Code

Justification: The activity stems from annex III to decision VIII/2–IV/2 and the new requests made by Kazakhstan during the last sessions of the Meetings of the Parties

Entity(ies) responsible: secretariat, in cooperation with Organization for Security and Cooperation in Nur Sultan and the EU funded Partnership for Action on Green Economy

Funding: 2021 funding from Switzerland (of the transboundary EIA related activities)

- (a) Comments to draft road map to implement the Convention prepared in April/May 2021;
- (b) Round table to discuss the draft road map scheduled for 21 June 2021 (tbc);
- (c) An awareness raising event on EIA and SEA carried out in 4 half-day online sessions for 61 participants on 30 March–2 April 2021;
- (d) An initial training workshop on strategic environmental assessment carried out online in two half-day sessions on 28–29 April 2021 for 60 participants;
- (e) A training workshop consisting of eighth online sessions has been implemented from 19 May to 16 June 2021 for 50 participants;
- (e) Terms of reference for a database on environmental impact assessment procedures planned for August–November 2021 (cancelled due to lack of co-funding);
- (f) A training workshop on transboundary environmental impact assessment (8 December 2021).