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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

## Report of the Meeting of the Parties to the Convention on its ninth session and of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol on its fifth session

### I. Introduction

1. The ninth session of the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and the fifth session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol on Strategic Environmental Assessment (Meeting of the Parties to the Protocol) were held from 12 to 15 December 2023 in Geneva.

2. The Meetings of the Parties to the Convention and the Protocol convened in joint and individual meetings throughout the sessional period. The present report summarizes the work of both sessions. The term “Meetings of the Parties” refers to both bodies meeting in a joint session. For practical reasons, the decisions adopted at the sessions are being issued in addenda to the present report.

#### A. Attendance

3. The meeting was attended by delegations from the following Parties to the Convention and the Protocol, as well as other member States of the United Nations Economic Commission for Europe (ECE): Albania, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Estonia, Finland, France, Georgia, Germany, Greece, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Luxembourg, Malta, Montenegro, Netherlands, North Macedonia, Norway, Poland, Portugal, Republic of Moldova, Romania,

Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkmenistan, Ukraine, United Kingdom of Great Britain and Northern Ireland and Uzbekistan. Representatives of the following countries from outside the ECE region were also present: Chile, Morocco and Tunisia. The European Union was represented by the European Commission. Statements on behalf of the European Union and its member States were made by a representative of Spain, which held the presidency of the Council of the European Union in the second half of 2023, and by a representative of the European Commission.

4. Representatives of the ECE secretariat attended the meeting. Representatives of the three following United Nations bodies participated: the International Atomic Energy Agency; the United Nations Development Programme (UNDP); and the World Health Organization (WHO). The following intergovernmental organizations also took part: the European Public Law Organization; and the Organization for Security and Cooperation in Europe. The following non-governmental organizations (NGOs) were represented: the Caucasus Environmental NGO Network; the Centre for environmental and legal initiative “Globus”; Ecoforum of NGOs of Uzbekistan; European ECO-Forum; Greenpeace International; the International Association for Impact Assessment; Justice and Environment; Independent Ecological Expertise (Kyrgyzstan); Nuclear Transparency Watch; Society and Environment (Ukraine); and Ökobüro (Austria). In addition, academics from Hokkaido University (Japan) and the University of East Anglia (United Kingdom of Great Britain and Northern Ireland) attended the meeting.

## **B. Organizational matters**

5. The Chair of the Bureau, Mr. George Kremlis (Greece), opened the meeting. The Secretary to the Convention and the Protocol informed the delegations that the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment, together with the Bureau, had recommended that Mr. Kremlis and, for Protocol matters, Ms. Vesna Kolar-Planinšič (Slovenia) be elected as Co-Chairs of the general segment of the sessions. The Meetings of the Parties elected Mr. Kremlis and Ms. Kolar-Planinšič accordingly.

6. The Director of the Environment Division welcomed the delegates on behalf of the Executive Secretary of ECE, Ms. Tatiana Molcean.

7. The Meetings of the Parties adopted their agenda (ECE/MP.EIA/31–ECE/MP.EIA/SEA/14),<sup>1</sup> as prepared by the secretariat in agreement with the Bureau and the Working Group.

8. The Meetings of the Parties noted the Chair’s informal report on the credentials of the representatives of Parties attending the sessions. The Chair reported that, of the 45 Parties to the Convention, 39 were present with credentials and 1 without credentials. Of the 33 Parties to the Protocol, 29 were present with credentials.

9. A representative of the secretariat reported on the status of ratification of the Convention, its two amendments and the Protocol. The Meetings of the Parties recalled that wider implementation and unified application of the treaties were key strategic objectives, noting the steps taken by delegations towards ratification. The Meetings welcomed the imminent ratification by North Macedonia of both amendments (expected in 2024) and the plans by Kazakhstan and Kyrgyzstan to ratify them in 2024, while expressing regret at the lack of progress and clear timelines in the case of Armenia and Belgium and the lack of any information from the United Kingdom of Great Britain and Northern Ireland regarding the two amendments. The Meetings concluded with concern that four further ratifications were still needed for the first amendment to become operational, allowing non-ECE countries to accede to the Convention. Consequently, they urged Armenia, Belgium, North Macedonia, and the United Kingdom of Great Britain and Northern Ireland to make every effort to ratify

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<sup>1</sup> All official and informal meeting documents for the sessions, the programme of the high-level event and other information, such as statements and presentations that were provided to the secretariat, are available at <https://unece.org/environmental-policy/events/meeting-parties-espoo-convention-9th-session-and-meeting-parties>.

that amendment as soon as possible in the next intersessional period. Moreover, all Parties that had not yet done so were urged to ratify the second amendment (i.e., Armenia,<sup>2</sup> Belarus, Belgium, Bosnia and Herzegovina, Ireland, Kazakhstan, Kyrgyzstan, North Macedonia and the United Kingdom of Great Britain and Northern Ireland) to ensure unified application of the Convention by all the Parties thereto.

10. The Meetings of the Parties welcomed the forthcoming ratifications by France and Greece of the Protocol and the accession by Kazakhstan thereto, expected in 2024; and noted the progress reports by Georgia, Belgium and Ireland, expressing regret, however, at the lack of clear timelines for ratification. The Meetings of the Parties urged the signatories to the Protocol that had not already done so (Belgium, France, Georgia, Greece, Ireland and the United Kingdom of Great Britain and Northern Ireland) to ratify that instrument and also encouraged the beneficiary countries of technical pre-accession assistance on strategic environmental assessment to accede thereto.

11. Lastly, the Meetings of the Parties thanked a representative of Romania for the report on the 2008 Multilateral agreement among the countries of South-Eastern Europe for implementation of the Convention on Environmental Impact Assessment in a Transboundary Context (Bucharest Agreement) and invited Croatia and Greece to ratify that instrument, and encouraged Bosnia and Herzegovina to accede thereto.

## II. Outstanding issues

12. The Meetings of the Parties to the Convention and the Protocol reviewed and agreed on outstanding issues related to the draft decisions and the draft Geneva declaration presented during the meeting,<sup>3</sup> as outlined in paragraphs 13–27 below, prior to forwarding said draft decisions and draft Geneva declaration for adoption at the high-level segment. The proposals for amendments to the draft documents that Parties had communicated to the secretariat had been made available to the registered participants prior to the sessions. The secretariat also presented them on the screen during the session. The Meetings of the Parties expressed appreciation for the availability of most amendment proposals well in advance of the sessions, which had facilitated the meeting preparations and the reaching of a consensus on outstanding issues.

### A. Outstanding issues relevant to the Convention and the Protocol

#### 1. Financial arrangements for 2024–2026

13. The secretariat presented the draft report on the budget and financial arrangements 2021–2023 (ECE/MP.EIA/2023/2–ECE/MP.EIA/SEA/2023/2), as prepared in agreement with the Bureau, as well as information on recent contributions to the trust fund of the Convention and the Protocol (ECE/MP.EIA/2023/INF.3).

14. The Meetings of the Parties took note of the report and the updates on recent contributions for the period 2021–2023. They observed that the contributions had continued to be insufficient, unpredictable, unequally distributed and unsustainable, with only 3 Parties providing half of the total revenue and 6 Parties providing 70 per cent of it, while the majority of the Parties contributed only small amounts and 6 Parties<sup>4</sup> none at all. The Meetings also acknowledged that secretariat resources had been further limited by extended sick leaves of staff and staff changes during the period, delaying and limiting deliverables. Exceptionally,

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<sup>2</sup> In an intervention from the floor regarding this point, a representative of Armenia stated that, in its view, ratification of the second amendment by Armenia would be premature. Consequently, the country had not yet considered such ratification.

<sup>3</sup> See ECE/MP.EIA/2023/1–ECE/MP.EIA/SEA/2023/1; ECE/MP.EIA/2023/4–ECE/MP.EIA/SEA/2023/4; ECE/MP.EIA/2023/5–ECE/MP.EIA/SEA/2023/5; ECE/MP.EIA/2023/11–ECE/MP.EIA/SEA/2023/11; ECE/MP.EIA/2023/6; ECE/MP.EIA/2023/7; ECE/MP.EIA/2023/8; ECE/MP.EIA/SEA/2023/7; and ECE/MP.EIA/SEA/2023/8.

<sup>4</sup> Six Parties (Belarus, Bosnia and Herzegovina, Kazakhstan, Kyrgyzstan, Liechtenstein and the United Kingdom of Great Britain and Northern Ireland).

due to carried over funds from the past period, as well as savings and cancellation of activities, the trust fund balance was expected to be largely positive. The Parties decided that the surplus and savings would be carried over to the next period. The Parties subsequently expressed their satisfaction with the use of the trust fund and invited the secretariat, in consultation with the Bureau, to finalize the financial report with data until the end of 2023, once available (in spring 2024).

15. The Meetings of the Parties thanked delegations for the contributions they had pledged in advance of and during the sessions to fund the implementation of the workplan for the intersessional period 2024–2026 (see annex I). The Meetings expressed regret, however, that, with the exception of a few Parties, in particular France and Italy, the Parties had hardly increased their pledges, with the total value of the pledges therefore remaining largely insufficient to cover the resource requirements for the implementation of the workplan (leaving a deficit of some \$550,000). In order to bridge the budgetary gap, the Meetings urged Parties that had not yet made pledges to do so by mid-January 2024 and all Parties to provide additional unpledged contributions during the intersessional period.

16. Next, the Meetings of the Parties considered and agreed on a revised draft decision IX/1–V/1 on financial arrangements for 2024–2026 (ECE/MP.EIA/2023/1–ECE/MP.EIA/SEA/2023/1). That decision maintained the previously established financial scheme for funding the adopted workplans, according to which all the Parties had a duty to contribute to the sharing of the costs not covered by the United Nations regular budget. In addition, Parties were invited to increase the available funding to collectively finance at least one additional Professional staff post and one part-time administrative support staff post for the provision of core secretariat services for the Convention and the Protocol needed under the workplan for 2024–2026 and beyond. To streamline and simplify invoicing, the Meetings also decided that, unless any of the Parties requested otherwise, the secretariat would send out payment requests to all Parties in accordance with their Governments' pledges by the end of March 2024, for contributions for the year 2024, and, for the years 2025 and 2026, by 15 September of the preceding year, stressing the Parties' responsibility to ensure the timeliness of their contributions.

## 2. Workplan for 2024–2026

17. The Meetings of the Parties reviewed and revised draft decision IX/2–V/2 on the workplan for 2024–2026, as well as its annexes I and II outlining the workplan activities and the corresponding resource requirements for the implementation of the Convention and its Protocol, respectively (ECE/MP.EIA/2023/1–ECE/MP.EIA/SEA/2023/1).

18. Looking back at the work carried out under the previous workplan 2021–2023, the Meetings of the Parties welcomed, amongst other things:

(a) The extensive work by the Implementation Committee involving the consideration of 52 compliance cases,<sup>5</sup> including regarding the lifetime extension of nuclear power plants, and the preparation of a proposed amendment to its *modus operandi* to clarify and improve its working methods;

(b) The accomplishment by the secretariat of many technical assistance and capacity-building activities, funded mainly by the European Union through the EU4Environment programme for countries of Eastern Europe and the Caucasus, and by Germany and Switzerland for countries of Central Asia.<sup>6</sup> The secretariat highlighted related progress since the twelfth meeting of the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment (Geneva, 13–15 June 2023), including: the entry into force of a bilateral Ukrainian-Romanian agreement for implementation of the Convention; a training workshop on strategic environmental assessment for Armenia; in the case of Azerbaijan, a pilot project on strategic environmental assessment, a national awareness-raising event and related materials on strategic environmental assessment and

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<sup>5</sup> For more information on the activities of the Implementation Committee in the period, see document ECE/MP.EIA/2023/13–ECE/MP.EIA/SEA/2023/13.

<sup>6</sup> For more information on technical assistance and capacity-building activities in the period, see ECE/MP.EIA/2023/12–ECE/MP.EIA/SEA/2023/12.

environmental impact assessment; and national issue- or sector-specific guidelines for Georgia, the Republic of Moldova and Ukraine.

19. In the next intersessional period, given that the contributions pledged by Parties until the sessions of the Meetings of the Parties had been insufficient to fund the budgeted costs for the delivery of all the secretariat's core functions under the workplan 2024–2026, the Meetings of the Parties acknowledged that, pending receipt of the required additional resources, only a reduced amount of activities and secretariat support could be delivered under the two treaties and their workplan.<sup>7</sup> Consequently, the meeting of the Working Group in 2024 would be cancelled, and a number of other workplan activities reduced or made conditional upon sufficient additional unpledged contributions being made available by Parties.

### 3. Cooperation in marine regions

20. The Meetings of the Parties reviewed and agreed on draft decision IX/3–V/3 on cooperation in marine regions (ECE/MP.EIA/2023/1–ECE/MP.EIA/SEA/2023/1) and the draft report on synergies and possible cooperation activities in marine regions (ECE/MP.EIA/2023/3–ECE/MP.EIA/SEA/2023/3). The Meetings again thanked Italy for its initiative and the funding for the consultancy support for the preparation of the report, in consultation with representatives of regional sea conventions and bodies. The Chair noted that several recommended cooperation activities had been included in the workplan for 2024–2026.

### 4. Compliance with the Convention and the Protocol

21. The Chair of the Implementation Committee, Mr. Joe Ducombe (Luxembourg), presented country-specific draft decisions IX/4a-V/4a to IX/4c-V/4c on compliance with the Convention and the Protocol on compliance by, respectively, Albania, Armenia and Bosnia and Herzegovina with their obligations under the Convention and the Protocol (ECE/MP.EIA/2023/4–ECE/MP.EIA/SEA/2023/4), which the Committee had finalized at its fifty-seventh session (Geneva, 29 August–1 September 2023), considering, as appropriate, the comments made before, during and after the twelfth meeting of the Working Group (Geneva, 13–15 June 2023). He also presented the Committee's proposed amendments to the Implementation Committee's structure and functions and operating rules (ECE/MP.EIA/2023/5–ECE/MP.EIA/SEA/2023/5).

22. The Meetings of the Parties to the Convention and the Protocol reviewed and deliberated first on the country-specific draft decisions, prior to addressing the proposed amendments to the Implementation Committee's structure and functions and operating rules. The Meetings agreed to forward draft decisions IX/4a-V/4a to IX/4c-V/4c to the high-level segment for adoption without amendment. The delegation of Armenia requested, however, that the meeting report reflect its statement that Armenia did not agree with the Implementation Committee's observations in draft decision IX/4b-V/4b, but guided by the spirit of cooperation, did not insist on its suggestions being introduced into the decision.<sup>8</sup> Regarding draft decision IX/4c-V/4c, the delegation of Montenegro also requested to include in the report its statement that said decision did not duly reflect the positive and constructive approach of Montenegro in the compliance procedure.<sup>9</sup>

23. Following consideration of the Implementation Committee's proposed amendments to the Committee's structure and functions and operating rules, and changes suggested to

<sup>7</sup> ECE/MP.EIA/34/Add.1–ECE/MP.EIA/SEA/15/Add.1, decision IX/2–V/2, para. 4.

<sup>8</sup> The written comments by Armenia to decision IX/4b-V/4b and its statement regarding said decision are available at, respectively, [https://unece.org/sites/default/files/2023-12/ARM\\_amendment\\_proposals\\_to\\_decision\\_IX.4b\\_V.4b.pdf](https://unece.org/sites/default/files/2023-12/ARM_amendment_proposals_to_decision_IX.4b_V.4b.pdf) and [https://unece.org/sites/default/files/2024-01/Statement%20by%20Armenia%20on%20decision%20IX\\_4b-V\\_4b%20%28item%203%20%28a%29%20%28iv%29%29.pdf](https://unece.org/sites/default/files/2024-01/Statement%20by%20Armenia%20on%20decision%20IX_4b-V_4b%20%28item%203%20%28a%29%20%28iv%29%29.pdf).

<sup>9</sup> The statement by Montenegro is available at [https://unece.org/sites/default/files/2024-01/Statement%20by%20Montenegro%20on%20decision%20IX\\_4c-V\\_4c%20%28item%203%20%28a%29%20%28iv%29%29.pdf](https://unece.org/sites/default/files/2024-01/Statement%20by%20Montenegro%20on%20decision%20IX_4c-V_4c%20%28item%203%20%28a%29%20%28iv%29%29.pdf).

them by the delegations of Belarus and the European Union, the Meetings of the Parties agreed on a number of amendments.

## **5. Draft Geneva declaration**

24. The Meetings of the Parties reviewed the draft Geneva declaration (ECE/MP.EIA/2023/11–ECE/MP.EIA/SEA/2023/11) and considered amendment proposals put forward by the delegations of Belarus, the European Union and Ukraine, as well by the observer organizations, notably, WHO and the NGO Independent Ecological Expertise. At the end of the general segment, the Meetings of the Parties finalized the text incorporating the amendment proposals by the delegation of the European Union and its member States. However, the Parties were unable to reach a consensus on a revised version of the draft Geneva declaration but had to forward it with the following two non-agreed parts to the high-level segment for further consideration and adoption: the first, the preambular paragraphs referring to the aggression of the Russian Federation against Ukraine, which were not supported by the delegation of Belarus; and, the second, the operative paragraph on the Ninth Environment for Europe Ministerial Conference (Nicosia, 5–7 October 2022), which the delegation of Belarus suggested should be amended.

## **6. Nomination of officers**

25. The secretariat presented an informal list of nomination for officers for 2024–2026 for the Bureau, the Working Group and the Implementation Committee (ECE/MP.EIA/2023/INF.8), which had been supplemented on 11 December 2023 by a nomination by Belarus of a Vice-Chair for the Working Group. The delegations of the European Union and its member States, Switzerland and Ukraine stated that they would object to the election of a representative of Belarus. The Chair recalled, in addition, that in accordance with past practice, the Chair and Vice-Chairs of the Working Group would serve also as Bureau members, and that the length of the mandate/terms of service of the Bureau members had been limited to a maximum of two consecutive terms (with the exception of the European Commission, which represented a regional economic integration organization). The Chair pointed out that Belarus had served in the Bureau for four consecutive terms. He invited the delegation of Belarus to consider withdrawing its nomination ahead of the high-level segment.

## **7. Calendar of meetings**

26. The Meetings of the Parties initially agreed on a provisional schedule of meetings 2024–2026 (ECE/MP.EIA/2023/INF.9). It agreed that the meeting of the Working Group in 2024 would be cancelled, due to resource constraints, inviting the secretariat to review the schedule of meetings in 2025, with a view to identifying possibilities for holding the Working Group meeting earlier in that year (either in the summer or early autumn).

27. The Meetings also decided that the tenth session of the Meeting of the Parties to the Convention would be held in conjunction with the sixth session of the Meeting of the Parties to the Protocol and would be preliminary scheduled for December 2026. Unless hosted by a volunteering Party, the sessions would be held in Geneva. Parties to the Convention and the Protocol were invited to come forward with offers to host the sessions by the meeting of the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment (Geneva, 2–4 December 2025).

# **B. Outstanding issues relevant to the Convention**

## **1. Review of compliance with the Convention**

28. The Chair of the Implementation Committee presented draft decision IX/4 on general issues of compliance with the Convention (ECE/MP.EIA/2023/6) and country-specific draft decisions IX/4d to IX/4l on compliance with the Convention (ECE/MP.EIA/2023/7), except for draft decision IX/4g on compliance by Belgium with its obligations under the Convention in respect of the lifetime extension of unit 1 of Tihange nuclear power plant, presented by the First Vice-Chair of the Committee, Ms. Maria do Carmo Figueira (Portugal). The Committee

had finalized all the draft decisions at its fifty-seventh session, considering, as appropriate, the comments made before, during and after the twelfth meeting of the Working Group.

29. The Meeting of the Parties to the Convention first reviewed and deliberated draft decision IX/4 on general issues of compliance, agreeing to take on board a number of revisions proposed by the delegation of the European Union.

30. Further to deliberations on the country-specific draft decisions, it was agreed that draft decisions IX/4d, IX/4f, IX/4g, IX/4j and IX/4l on compliance by Azerbaijan, Belarus, Belgium, Serbia and Ukraine with their obligations under the Convention, respectively, would be forwarded to the high-level segment without amendment. However, the delegation of Belarus requested that the disagreement of Belarus with draft decision IX/4f be reflected in the meeting report. In a spirit of cooperation, Belarus did not wish to break the consensus on draft decision IX/4f, but dissociated itself from said decision.<sup>10</sup> Regarding draft decision IX/4g, the delegation of Belgium requested that its disagreement with the Committee's recommendation to the Meeting of the Parties contained in paragraph 64 (a) of the findings and recommendations regarding compliance by Belgium with its obligations under the Convention in respect of the lifetime extension of unit 1 of Tihange nuclear power plant (ECE/MP.EIA/IC/2023/10) be reflected in the meeting report, while expressing its readiness to resign itself to the decision in a spirit of multilateralism.

31. Following deliberations in the plenary session, as well as discussions by the concerned Parties on the margins of the sessional period, the Meetings of the Parties agreed on a revision to one paragraph of draft decision IX/4e on compliance by Belarus with its obligations under the Convention in respect of the Belarusian nuclear power plant in Ostrovets. Several revisions were agreed to decision IX/4k on compliance by Ukraine with its obligations under the Convention in respect of the Danube-Black Sea Deep Water Navigation Canal in the Ukrainian sector of the Danube Delta to reflect new information presented by the delegations of Ukraine and Romania. The delegation of Belarus stated that Belarus dissociated itself from the fourth preambular paragraph of decision IX/4k referring to "the war of aggression being waged by the Russian Federation against Ukraine". On 26 December 2023, Armenia notified the secretariat that it dissociated itself from that same preambular paragraph of decision IX/4k.

32. No consensus was reached during the general segment on draft decisions IX/4h on compliance by Bulgaria with its obligations under the Convention with respect to the lifetime extension of units 5 and 6 of Kozloduy nuclear power plant and IX/4i on compliance by Czechia with its obligations under the Convention in respect of the lifetime extension of four reactors of Dukovany nuclear power plant (ECE/MP.EIA/2023/7). Both Bulgaria and Czechia had submitted proposed amendments to the text of the respective draft decisions in their regard. Despite efforts made by Parties during and in the margins of the general segment to agree on a minor rewording of the draft decisions, the Meeting of the Parties was unable to find a consensus and had to forward draft decisions IX/4h and IX/4i and proposed amendments submitted by Bulgaria and Czechia to the respective draft decisions to the high-level segment for adoption.

33. The Meeting of the Parties took note of the comments by Parties on the general and country-specific draft decisions on compliance. It agreed on the importance for the Meetings of the Parties to respect and safeguard the legitimacy of the treaties' compliance procedure that the Implementation Committee was mandated to lead, by avoiding revising the draft compliance decisions, the wording of which directly followed that of the Committee's findings, which the Implementation Committee had adopted after in-depth deliberations. Moreover, only the Committee, and not the Meetings of the Parties, was in possession of the full facts of the cases and had the opportunity to fully study all the evidence.

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<sup>10</sup> The statement by the representative of Belarus is available at <https://unece.org/environment/documents/2024/01/working-documents/statement-belarus-decision-ix4f-item-3-b-i>.

## **2. Reporting and review of implementation of the Convention**

34. The secretariat presented draft decision IX/5 on reporting and review of implementation of the Convention (ECE/MP.EIA/2023/8), which reproduced the findings from the draft seventh review of implementation of the Convention agreed by the Working Group at its twelfth meeting (ECE/MP.EIA/2023/9). The Meeting of the Parties finalized the draft decision, taking onboard updates and corrections suggested by the secretariat. It noted the information from Bulgaria, North Macedonia, Serbia and Ukraine about their delivery of their overdue reports for their implementation of the Convention in the period 2019–2021, expected at the latest by the end of January 2024. The Meeting of the Parties expressed regret at the lack of information from Liechtenstein.

35. With respect to the questionnaires for reporting on the implementation of the Convention and the Protocol, the Chair recalled that, due to resource constraints, the Working Group had decided that questionnaires agreed in the previous period should be used as a basis for Parties' reporting in 2022–2024, except that, as needed, the secretariat would make minor technical adjustments thereto.

## **C. Outstanding issues relevant to the Protocol**

### **1. Compliance with the Protocol**

36. The Chair of the Implementation Committee presented draft decisions V/4 on general issues of compliance with the Protocol and V/4d on compliance by Serbia with its obligations under the Protocol in respect of the Energy Sector Development Strategy of the Republic of Serbia for the Period up to 2025 with Projections up to 2030 and the Programme for the Implementation of the Strategy for the Period 2017–2023 (ECE/MP.EIA/SEA/2023/7). The Meeting of the Parties to the Protocol considered both draft decisions and agreed to forward them to the high-level segment without amendment.

### **2. Reporting and review of implementation of the Protocol**

37. The secretariat presented updates and corrections to draft decision V/5 on reporting and review of implementation of the Protocol (ECE/MP.EIA/SEA/2023/7), which reproduced the findings from the draft fourth review of implementation of the Protocol agreed by the Working Group at its twelfth meeting (ECE/MP.EIA/SEA/2023/9). The Meeting of the Parties finalized the draft decision and agreed to forward it to the high-level segment for adoption, as amended. The Meeting also took note of the information from Bulgaria, North Macedonia and Serbia about their delivery of their overdue reports for their implementation of the Protocol in the period 2019–2021, expected at the latest by the end of January 2024.

## **III. Opening ceremony of the high-level segment**

38. The Chair of the general segment informed the Meetings of the Parties that the Bureau had recommended that Ms. Iordanca-Rodica Iordanov, Minister of the Environment of the Republic of Moldova, be elected as Chair of the joint high-level segment of the Meetings of the Parties. The Meetings of the Parties duly elected Ms. Iordanov to that office.

39. After addressing the Meetings of the Parties, the Chair of the high-level segment passed the floor to Ms. Molcean, the ECE Executive Secretary, who also made an opening statement.

## **IV. High-level event on the contribution of the Convention and the Protocol to energy transition, circular economy and green financing**

40. A high-level event was held on the role of the Convention and the Protocol in energy transition, circular economy and green financing. It was organized by the secretariat with



consultancy support funded by Italy, building on a thorough background paper on the three interlinked topics that also proposed key guiding questions/discussion points (ECE/MP.EIA/2023/14–ECE/MP.EIA/SEA/2023/14). The moderator and invited speakers highlighted the importance and usefulness of the two treaties with respect to each of the three topics. There were also several interventions from speakers from the floor, commenting and posing questions to the panellists.

41. After moderating the discussion, the moderator summarized the main points raised by the speakers during the high-level event (see annex II).

42. The Chair thanked all the speakers for their interventions and also Italy for funding consultancy support for the preparations for and moderation of the event.

43. The Meetings of the Parties expressed their gratitude for the organization of the high-level event and to all the speakers and asked that the presentations be made available on the meeting web page.<sup>11</sup>

## V. Statements by ministers and high-level representatives

44. At the high-level segment, the delegations of the following countries made statements: Armenia, Azerbaijan,<sup>12</sup> Bulgaria, Chile, Lithuania, North Macedonia, Slovakia and Ukraine. In addition, a representative of Spain spoke on behalf of the European Union and its member States, and a representative of the European Commission made a statement. The heads of delegation of the Organization for Security and Cooperation in Europe and WHO also made statements. The Meetings of the Parties asked that the statements be made available on the website of the Convention, subject to agreement by the delegations concerned.

## VI. Adoption of decisions

### A. Decisions adopted by consensus

45. Having reviewed the changes agreed on earlier in the sessions, the Meetings of the Parties proceeded with the adoption of decisions.

46. The Meetings of the Parties jointly adopted the following decisions by consensus:

(a) Decision IX/1-V/1 on financial arrangements for 2024–2026, as amended;

(b) Decision IX/2-V/2 on the workplan for 2024–2026, as amended;

(c) Decision IX/3-V/3 on cooperation in marine regions;

(d) Decision IX/4a-V/4a on compliance by Albania with its obligations under the Convention and the Protocol in respect of the planned construction of several small hydropower plants on the Cijevna River;

(e) Decision IX/4b-V/4b on compliance by Armenia with its obligations under the Convention and the Protocol in respect of its national legislation, with a statement and written comments by Armenia recorded in the report (see para. 22);

(f) Decision IX/4c-V/4c on compliance by Bosnia and Herzegovina with its obligations under the Convention and the Protocol in respect of the construction of Buk Bijela hydropower plant on the Drina River, with a statement by Montenegro recorded in the report (see para. 22).

47. The Meeting of the Parties to the Convention adopted the following decisions by consensus:

<sup>11</sup> A video recording of the high-level event is available at <https://webtv.un.org/en/asset/k19/k197dxce8b>.

<sup>12</sup> The statement by the representative of Azerbaijan is available at [https://unece.org/sites/default/files/2024-02/Azerbaijan\\_Final\\_National\\_Statement\\_MOP9.pdf](https://unece.org/sites/default/files/2024-02/Azerbaijan_Final_National_Statement_MOP9.pdf).

- (a) Decision IX/4 on general issues of compliance with the Convention, as amended;
- (b) Decision IX/4d on compliance by Azerbaijan with its obligations under the Convention in respect of its national legislation, with a statement by Azerbaijan recorded in the report (see para. 44);
- (c) Decision IX/4e on compliance by Belarus with its obligations under the Convention in respect of the Belarusian nuclear power plant in Ostrovets, as amended;
- (d) Decision IX/4f on compliance by Belarus with its obligations under the Convention in respect of its national legislation, noting the dissociation of Belarus from the decision (see para. 30);
- (e) Decision IX/4g on compliance by Belgium with its obligations under the Convention in respect of the lifetime extension of unit 1 of Tihange nuclear power plant, with a statement of the delegation of Belgium recorded in the meeting report (see para. 30);
- (f) Decision IX/4j on compliance by Serbia with its obligations under the Convention in respect of several mining-related activities in Karamanica, Popovica and Podvirovi and the Grot mine;
- (g) Decision IX/4k on compliance by Ukraine with its obligations under the Convention in respect of the Danube-Black Sea Deep Water Navigation Canal in the Ukrainian sector of the Danube Delta, as amended, noting the dissociation of Belarus from the fourth preambular paragraph of the decision (see para. 31);
- (h) Decision IX/4l on compliance by Ukraine with its obligations under the Convention in respect of extension of the lifetime of Rivne nuclear power plant;
- (i) Decision IX/5 on reporting and review of implementation of the Convention, as amended.

48. The Meeting of the Parties to the Protocol adopted the following decisions by consensus:

- (a) Decision V/4 on general issues of compliance with the Protocol;
- (b) Decision V/4d on compliance by Serbia with its obligations under the Protocol in respect of the Energy Sector Development Strategy of the Republic of Serbia for the Period up to 2025 with Projections up to 2030 and the Programme for the Implementation of the Strategy for the Period 2017–2023;
- (c) Decision V/5 on reporting and review of implementation of the Protocol, as amended;
- (d) Decision V/6 on assessing health impacts in strategic environmental assessment.

## **B. Decision adopted by a vote**

49. During the general segment, the Meeting of the Parties to the Convention was unable to agree on draft decision IX/4h on compliance by Bulgaria with its obligations under the Convention in respect of the lifetime extension of units 5 and 6 of Kozloduy nuclear power plant (see para. 32). With all efforts at reaching a consensus exhausted and no agreement in sight, Parties proceeded with voting according to rules 36–46 of the rules of procedure (ECE/MP.EIA/2, annex I, decision I/1). A representative of the European Union clarified that each of its member States that was Party to the Convention would exercise its right to vote individually.

50. The two following successive votes were taken:

- (a) The delegation of Austria put forward a motion for the Meetings of the Parties to decide first on the original text of draft decision IX/4h as proposed by the Implementation Committee. The delegation of Bulgaria put forward a motion to adjourn the debate on decision IX/4h, asking that the vote be taken via a secret ballot. As the motion to adjourn the

debate had precedence in accordance with rule 33 of the rules of procedure, it was put to the vote first. The Meeting of the Parties rejected the motion, with 21 Parties voting against and 9 for the adjournment of the debate;

(b) The delegation of Bulgaria then requested that paragraph 3 of its proposal to amend the text of draft decision IX/4h be voted on separately from the rest of the paragraphs. The delegation of Austria objected to that request, referring to its earlier motion to put the original text of draft decision IX/4h to the vote as a whole. Bulgaria asked that said vote be taken via a secret ballot. The Meeting of the Parties adopted decision IX/4h on compliance by Bulgaria with its obligations under the Convention in respect of the lifetime extension of units 5 and 6 of Kozloduy nuclear power plant as proposed by the Implementation Committee, with 24 Parties voting for and 5 against the adoption of that decision.

### **C. Adjourned decision-making**

51. Similarly to decision IX/4h, the Meeting of the Parties to the Convention, during the general segment, was unable to agree on draft decision IX/4i on compliance by Czechia with its obligations under the Convention in respect of the lifetime extension of four reactors of Dukovany nuclear power plant (see para. 32). With all efforts at consensus exhausted and no agreement in sight, Parties proceeded with voting according to rules 36–46 of the rules of procedure, using similar steps to those followed for the adoption of decision IX/4h (see para. 50 (a) and (b)). Notably:

(a) The delegation of Austria put forward a motion for the Meetings of the Parties to decide first on the original text of draft decision IX/4i as proposed by the Implementation Committee;

(b) The delegation of Czechia put forward a motion to adjourn the debate on decision IX/4i, asking that the vote be taken via a secret ballot. As the motion to adjourn the debate had precedence in accordance with rule 33 of the rules of procedure, it was put to the vote first. The Meeting of the Parties rejected the motion, with 21 Parties voting against and 9 for the adjournment of the debate;

(c) The delegation of Czechia then requested that its proposed amendments to paragraphs 1, 4 and 5 of draft decision IX/4i (see para. 32). be voted separately. The delegation of Austria objected to that request, referring to its earlier motion to put the original text of draft decision IX/4i to a vote as a whole (see para. 51 (a)).

52. Due to time constraints, the high-level segments of the current sessions of the Meetings of the Parties were adjourned. Specifically, the voting procedure for the adoption of decision IX/4i and the adoption of the Geneva Declaration were deferred to a session to be specially convened by the Bureau in 2024 for that purpose.

53. The Chair of the high-level segment called on Parties to provide additional resources for the organization of the resumed sessions.

## **VII. Election of officers for the next intersessional period**

54. The Meetings of the Parties thanked any outgoing Chairs and members of the treaty bodies, and elected officers for the next intersessional period.

55. The Meetings of the Parties re-elected Mr. Kremlis (Greece) as the Chair of the Bureau for Convention matters, and, until the ratification by Greece of the Protocol, Ms. Kolar-Planinšič (Slovenia) as the Chair of the Bureau for Protocol matters. The Meetings elected Ms. Marthe Lindberg (Norway), Mr. Adam Daniel Nagy (European Commission) and Ms. Martine Rohn-Brossard (Switzerland) as Vice-Chairs. The alternate to Ms. Rohn-Brossard for Protocol matters would be named later (with a proposal for the first Vice-Chair of the Implementation Committee to take up that role). As in the past, the Chair and the Vice-Chairs of the Working Group and the Chair and the first Vice-Chair of the Implementation Committee would also serve in the Bureau.

56. The Meetings of the Parties also re-elected by consensus Ms. Dorota Toryfter-Szumańska (Poland) as Chair of the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment and Ms. Anna Maria Maggiore (Italy) as Vice-Chair. In contrast, no consensus had been found during the general segment for the re-election of Ms. Larissa Lukina (Belarus), to which the delegations of the European Union, Switzerland and Ukraine had objected. The matter was therefore put to a vote via a secret ballot in accordance with rule 46 of the rules of procedure. The list of nominated candidates for the Working Group, as amended by the European Union, Switzerland and Ukraine to exclude the candidate of Belarus, was supported by 32 Parties (32 Parties supported the amended list excluding Belarus, 2 Parties did not support the amended list).

57. The Meetings of the Parties elected four new members of the Implementation Committee for Convention matters and Protocol matters and their alternates: Ms. Yordanka Stoimenova and her alternate Mr. Lee Casterton (Canada) as a Committee member for Convention matters, and Ms. Joanna Przybyś and Ms. Marta Truszevska (Poland) as her alternate for Protocol matters; Ms. Brankica Cmiljanovic and her alternate Ms. Maja Raicevic (Montenegro); Ms. Susan Vernij and her alternate Ms. Pascale van Duijse (Netherlands); and Ms. Natalia Zamfir and her alternate (to be named later) (Republic of Moldova). The newly elected members were to join the following continuing members of the Committee: Mr. Christian Baumgartner and his alternate Ms. Ursula Platzer-Schneider (Austria); Mr. Ralph Bodle and his alternate Mr. Matthias Sauer (Germany); Mr. Joe Ducombe and his alternate Mr. Tom Uri (Luxembourg) and Ms. Barbora Pavlačič Doneva (Slovakia). The Committee was to elect its own Chair from among its members when it first met in its new composition at its fifty-eighth session (Geneva (online), 27 February–1 March 2024). All Parties elected to the Committee that had not yet done so were invited to nominate alternate members by that meeting.

## **VIII. Date and venue of next meetings**

58. Due to time constraints, the Meetings of the Parties deferred the adoption of both the Geneva declaration and decision IX/4i on compliance by Czechia with its obligations under the Convention in respect of the lifetime extension of four reactors of Dukovany nuclear power plant to a session to be organized by the Bureau in 2024 specifically for that purpose, with support from the secretariat.

59. As agreed earlier in the meeting (see para. 27), the tenth session of the Meeting of the Parties to the Convention would be held in conjunction with the sixth session of the Meeting of the Parties to the Protocol and would be preliminary scheduled for December 2026.

## **IX. Conclusion of the sessions**

60. Due to time constraints, the secretariat's informal presentation of the main decisions taken by the Meetings of the Parties during the sessional period was circulated to the delegations after the sessions. As per established practice, the Chair invited the secretariat to complete the report after the sessions, under the guidance of the (outgoing) Bureau.

61. The Chair closed the joint session on Friday, 15 December 2023.

**Annex I****Pledges to the budget for the intersessional period 2024–2026**

<i>Parties to Convention</i>	<i>Pledged total amount (in original currency) for 2024–2026</i>	<i>Description of pledge of funding for 2024–2026</i>
Albania	US\$ 3,000	US\$ 3,000 for coming period 2024–2026
Armenia	US\$ 1,000	US\$ 1,000 for next intersessional period 2024–2026 (already paid in Nov. 2023)
Austria	€21,000	€21,000 for next intersessional period to be paid in three instalments of €7,000 each in 2024, 2025 and 2026
Azerbaijan	US\$ 4,000	US\$ 4,000 for next intersessional period 2024–2026 (US\$ 2,350 in 2024 already paid, with balance to be paid in 2025)
Belarus	-	
Belgium	US\$ 47,946	US\$ 47,946 in total for intersessional period 2024–2026, as follows: Federal Government: US\$ 14,384 (to be paid in 2024); Brussels Capital Region: US\$ 3,021 (to be paid in 2024); Walloon Region: US\$ 11,075; and Flemish Region: US\$ 19,466 (to be paid in 2024)
Bosnia and Herzegovina	-	
Bulgaria	US\$ 8,000	US\$ 5,000 for Espoo Convention and US\$ 3,000 for Protocol on Strategic Environmental Assessment for intersessional period 2024–2026
Canada	Can\$ 15,000	Can\$ 15,000 for intersessional period 2024–2026 to support implementation of workplan for 2024–2026 under Convention, to be paid in three instalments of Can\$ 5,000 each in 2024, 2025 and 2026
Croatia	US\$ 9,000	US\$ 9,000 for intersessional period 2024–2026, to be paid in three instalments of US\$ 3,000 each in 2024, 2025 and 2026
Cyprus	US\$ 5,000	US\$ 5,000 for period 2024–2026, to be paid in three instalments of US\$1,000 in 2024, US\$ 2,000 in 2025 and US\$ 2,000 in 2026
Czechia	US\$ 15,000	US\$ 5,000 per year for period of 2024–2026 (instalment for 2024 to be paid in Dec.)
Denmark	DKr 100,000	DKr 100,000 for period 2024–2026
Estonia	€3,000	€3,000 for intersessional period 2024–2026, to be paid in three instalments of €1,000 each in 2024, 2025 and 2026
Finland	US\$ 30,000	US\$ 30,000 for intersessional period 2024–2026, to be paid in three instalments of US\$ 10,000 each in 2024, 2025 and 2026 (subject to availability of funding in national budget)
France	€180,000	€180,000 for intersessional period 2024–2026, to be paid in three instalments of €60,000 each in 2024, 2025 and 2026

<i>Parties to Convention</i>	<i>Pledged total amount (in original currency) for 2024–2026</i>	<i>Description of pledge of funding for 2024–2026</i>
Germany	US\$ 75,000	US\$ 75,000 for intersessional period 2024–2026, to be paid in three instalments of US\$ 25,000 each in 2024, 2025 and 2026 (subject to approval of related decisions on the budget made by the responsible ministry for above-mentioned years)
Greece	€6,000	€6,000 for period 2024–2026, to be paid in three instalments of €2,000 each in 2024, 2025 and 2026
Hungary	US\$ 22,000	US\$ 12,000 for intersessional period 2024–2026, to be paid in three instalments of US\$ 4,000 each in 2024, 2025 and 2026. An additional/extra contribution of US\$ 10,000 for budget and workplan of next intersessional period 2024–2026
Ireland	US\$ 30,000	US\$ 30,000 for intersessional period 2024–2026, to be paid in three instalments of US\$10,000 each in 2024, 2025 and 2026
Italy	€120,000	€120,000 for intersessional period 2024–2026 (€40,000 per year to be paid in 2024, 2025 and 2026)
Kazakhstan	-	
Kyrgyzstan	-	
Latvia	€3,000	€1,000 per year for intersessional period 2024–2026
Liechtenstein	-	
Lithuania	US\$ 10,000	US\$ 10,000 for intersessional period 2024–2026
Luxembourg	€60,000	€60,000 for intersessional period 2024–2026, to be paid in three instalments of €20,000 each in 2024, 2025 and 2026
Malta	€4,000	€4,000 for intersessional period 2024–2026 (already paid in Nov. 2023)
Montenegro	€3,000	€3,000 for intersessional period 2024–2026
Netherlands	€60,000	€60,000 for intersessional period 2024–2026 (already paid in Nov. 2023)
North Macedonia	US\$ 2,000	US\$ 2,000 for intersessional period 2024–2026
Norway	NKr 377,487	NKr 125,829 per year for intersessional period 2024–2026, to be paid in 2024, 2025 and 2026
Poland	US\$ 21,000	US\$ 21,000 for next intersessional period 2024–2026 (to be paid in three instalments of US\$ 7,000 each in 2024, 2025 and 2026)
Portugal	-	
Rep. of Moldova	US\$ 3,000	US\$ 3,000 for next intersessional period 2024–2026, to be paid in three instalments of US\$ 1,000 each in 2024, 2025 and 2026
Romania	US\$ 15,000	US \$15,000 for intersessional period 2024–2026, to be paid in three instalments of US \$5,000 each in 2024, 2025 and 2026
Serbia	€4,800	€4,800 for intersessional period 2024–2026, to be paid in three instalments of €1,600 each in 2024, 2025 and 2026

<i>Parties to Convention</i>	<i>Pledged total amount (in original currency) for 2024–2026</i>	<i>Description of pledge of funding for 2024–2026</i>
Slovakia	€15,000	€15,000 for intersessional period 2024–2026 to be paid in three instalments of €5,000 each in 2024, 2025 and 2026
Slovenia	US\$ 18,000	US\$ 18,000 for intersessional period 2024–2026 to be paid in three instalments of US\$ 6,000 each in 2024, 2025 and 2026
Spain	€30,000	€30,000 for intersessional period 2024–2026, to be paid in three instalments of €10,000 each in 2024, 2025 and 2026
Sweden	US\$ 24,900	US\$ 8,300 per year for intersessional period 2024–2026, to be paid in 2024, 2025 and 2026
Switzerland	CHF 126,000	CHF 42,000 per year for intersessional period 2024–2026, to be paid in 2024, 2025 and 2026, including annual ordinary contribution of CHF 20,000 and additional contribution of CHF 22,000 earmarked for capacity-building activities in countries of Central Asia and the Caucasus
Ukraine	US\$ 6,000	US\$ 6,000 for intersessional period 2024–2026, to be paid in three instalments of US\$ 2,000 each in 2024, 2026 and 2026
United Kingdom	-	
European Union	€210,000	€70,000 per year for 2024–2026
<b>Total amount of pledges in US\$*)</b>	<b>US\$ 1,312,030</b>	
Total draft budget 2024–2026	US\$ 1,862,805	
<b>Total budgetary deficit</b>	<b>US\$ 550,775</b>	

\* Pledges in original currencies were converted into United States dollars using a December 2023 exchange rate.  
Source: Treasury – United Nations Operational Rates of Exchange.

## Annex II

### **Summary of the high-level event on the contribution of the Convention and/or the Protocol to energy transition, circular economy and green financing**

#### **I. Introduction**

1. The high-level event focused on energy transition, circular economy and green finance, with each of those topics being discussed in turn by a separate panel. The text below summarizes the key points made under each of those topics.

#### **II. Energy transition**

2. The Minister for Environment and Water of Bulgaria, Mr. Julian Popov, highlighted that low-carbon energy was the way forward for countries, and Ms. Martine Rohn-Brossard (Deputy Head, International Affairs Division/Head, Europe, Trade and Development Cooperation Section, Federal Office for the Environment, Federal Department of the Environment, Transport, Energy and Communications of Switzerland) indicated that, according to estimates, more minerals and metals might be required in the coming three decades to achieve the required energy transition than had been extracted in the whole of human history to date, a situation that had huge environmental implications. Mr. Giuseppe Magro (President, International Association for Impact Assessment – Italy/Professor, Department of Veterinary Medical Sciences, University of Bologna, Italy) emphasized the importance of recognizing the key role that strategic environmental assessment and environmental impact assessment must play in climate proofing and a representative of Azerbaijan, speaking from the floor, further emphasized the importance of climate and ensuring that assessments under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) remained consistent with the United Nations Framework Convention on Climate Change.

3. Mr. Fethi Hanchi (Director General, National Agency for Energy Management of Tunisia) stated that the need for energy transition was a global issue and that the Espoo Convention and the Protocol on Strategic Environmental Assessment had the potential to make said transition more of a collective intervention that could reduce the harmful impacts of climate change both nationally and internationally. Particular emphasis needed to be placed on the role of strategic environmental assessment as a means of developing a collective road map. That approach pointed to greater application at the policy level (which was recommended rather than required under the Protocol) and to greater collaboration and cooperation, in addition to consideration of transboundary impacts of national strategies, and also included financial cooperation.

4. The Convention and the Protocol were considered to be very important instruments to ensure a publicly acceptable energy transition that properly managed environmental risks. Recurring themes during the discussion included the need for greater collaboration between Parties. Given that no nation in the region had an independent energy system, there might be a role for the Convention and, in particular, the Protocol, to increase the level of cooperation and assistance to help embed consideration of the environmental consequences of energy-related projects and programmes across borders and sectors. In the absence of formal planning at the international level, a significant question was how strategic environmental assessment under the Protocol could effectively be applied across energy grids shared by multiple countries.



### III. Circular economy

5. The Minister for Environment of the Republic of Moldova, Ms. Iordanca-Rodica Iordanov, indicated how the Convention and Protocol requirements and recommendations played a supportive role in promoting a circular economy in her country by: evaluating rigorously the vertical and horizontal implementation of the circular economy; ensuring that environmental effects were taken into account when making decisions; involving civil society organizations, thus guaranteeing good public participation; and analysing how a shift to a circular economy might affect, among other things, human health. A representative of the non-governmental organization (NGO) Independent Ecological Expertise highlighted how important it was to consider full life cycle impacts over long timescales, especially given the potential increase of use of nuclear energy. A representative of the World Health Organization also emphasized the supportive role that strategic environmental assessment and environmental impact assessment could play in moving towards the circular economy, in particular with respect to improving health and well-being, highlighting some World Health Organization reports that would provide guidance in that regard. That information was warmly welcomed by the Meetings of the Parties.

6. The Deputy Minister for Environment of Lithuania, Ms. Raminta Radavičienė, highlighted the lack of legal requirements for integration of the circular economy principles into environmental impact assessment and strategic environmental assessment, despite such integration having the potential both to promote the development of the circular economy and enhance the effectiveness of environmental impact assessment, leading to more sustainable planning and decision-making processes. Furthermore, such integration could allow countries to ensure that projects with cross-border implications prioritized sustainability, minimized waste, and reduced their environmental impacts. The speaker set out two alternative pathways for promoting integration of circular economy into environmental impact assessment and strategic environmental assessment. The strictest, but probably the most effective, measure that the Parties could consider would be specific amendments to the Espoo Convention and the Protocol on Strategic Environmental Assessment, which would make the consideration of circularity mandatory in the assessment processes governed by the treaties. Such requirements would also provide the Parties with an opportunity to harmonize their regulatory frameworks and align their national circular economy policies and legislations. An alternative measure could be the issuing of guidance and recommendations highlighting the importance of considering circular economy principles in assessment processes, updating the assessment criteria and hence encouraging the Parties to take circularity into account when developing strategies, plans, programmes and projects.

7. There was strong agreement that there was a need to move towards a circular economy, both vertically through decision-making tiers, and horizontally across sectors; Some experience was being accumulated on how to do that. The Convention and the Protocol were seen as potentially having a key role to play in assisting with the public acceptability of circular economy strategies, including improving the health and well-being consequences of development, and also with ensuring the minimization of environmental risks and the optimization of environmental benefits. The key issue highlighted was that there was no legal requirement to integrate circular economy principles into environmental impact assessment and strategic environmental assessment, which might restrict both the achievement of environmental benefits and civil society engagement opportunities. Therefore, clarity was needed on how best to ensure that consideration of whether a proposed action would enable or hinder progress towards circularity could be achieved under the Protocol and/or the Convention. That could also lead to better harmonization of practices. The question was whether specific amendments to the Convention and Protocol were required or whether issuing guidance and recommendations would suffice. In either case, capacity development support would likely be beneficial.

## IV. Green financing

8. Mr. Magro highlighted the complementarity of emerging green finance taxonomies and environmental impact assessment and strategic environmental assessment carried out under the Convention and the Protocol, respectively. Aligning the assessment obligations under those treaties with the screening criteria of the European Union Sustainable Finance Taxonomy could be very useful, as the “Do no significant harm” requirement allowed for homogeneity in assessments at any level and in any sector, by reducing the subjectivity of assessments, thus enhancing transparency, democracy and fair competition between companies, particularly if they resided in different States.

9. Mr. Andriy Andrushevych (Senior Policy Expert, Resource and Analysis Centre “Society and Environment” (Ukraine)) highlighted the pioneering role of the European Union in establishing an ambitious regulatory framework for a green taxonomy, together with a reliable regulatory framework regarding disclosure. The development process in the European Union was seen by the NGO community as being participatory and transparent. Despite the fact that the NGO community was critical on some issues (in particular, on the role of gas and nuclear energy as transitional activities, and what that community perceived as some red flags in the March 2023 package on four (non-climate) environmental objectives), it had welcomed the progress made in establishing a more holistic framework to label truly sustainable investments. The speaker argued that both environmental impact assessment and strategic environmental assessment had significant potential to prevent greenwashing that could otherwise take place through the implementation of green taxonomies; and that the Espoo Convention requirements and implementation mechanisms could be an important element for the practical application of any green taxonomy framework in the United Nations Economic Commission for Europe (ECE) region and beyond. Lastly, given that financing the post-war reconstruction of Ukraine would probably be a major future international investment, it should follow a green taxonomy and the Espoo Convention environmental impact assessment framework, as well as embracing energy transition planning in line with the Paris Agreement goals.

10. A representative of the NGO Independent Ecological Expertise emphasized the potential role of the Convention and the Protocol in unifying the different approaches that different banks might adopt to meet the emerging requirements of taxonomies and sustainability reporting standards, helping to develop a standardized approach for assessing environmental risk and potentially helping to avoid greenwashing. He argued that there was a need for collaboration with and between banks, as they developed policies to deal with financing in the future within the constraints for emerging reporting standards and taxonomies. A representative of Morocco further illustrated the emerging differences in practice by indicating that the Moroccan Investment Charter 2022 was delivering a sustainability bonus for investors meeting specified sustainability goals. Mr. Jiri Dusik (Social and Environmental Standards Technical Specialist for Europe and Central Asia, United Nations Development Programme (UNDP)) expressed appreciation for the forthcoming knowledge exchange between UNDP and ECE under the Protocol. He reported on a recent workshop hosted by the Croatian Association of Experts in Nature and Environmental Protection, supported by the European Investment Bank and UNDP and attended by representatives of the European Commission, the European Bank for Reconstruction and Development, the World Bank and several national competent authorities and experts in the field. The workshop outcomes were that significant simplification and efficiencies could be gained from linking the European Union Taxonomy requirements with environmental impact assessment. Also, strategic environmental assessment could potentially use some Taxonomy screening criteria when assessing plans and programmes that set the framework for economic activities addressed by the Taxonomy. Those and other linkages would be discussed in detail at a major conference on that topic planned for autumn 2024 in Croatia.

11. Whilst alignment between green financing requirements and the Convention and the Protocol was strongly advised, especially as a means of delivering harmonization and fairness across nation borders, actual mechanisms to facilitate that approach were still under development and there were no clear recommendations on how that could be achieved at the

current time. There was a strong feeling that collaboration with financial institutions was essential, as policies were being developed in the financial sector to meet the obligations of taxonomies and sustainability reporting standards, and ECE should perhaps consider formal involvement in that emerging collaboration so as to be best placed to promote the use of the Convention and the Protocol to prevent greenwashing, and to help deliver credible and socially acceptable certification of investments as being sustainable.

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