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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 Protocol on its fifth session

Addendum

Decisions by the Meeting of the Parties to the Protocol

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Decision V/4 on general issues of compliance with the Protocol

The Meeting of the Parties to the Protocol,

Recalling article 14 (6) of the Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context,

Recalling also decision V/6–I/6¹ of the Meeting of the Parties to the Convention and the Meeting of the Parties to the Protocol on the application of the compliance procedure of the Convention to the Protocol, and decisions II/2² and III/2³ on review of compliance with the Protocol, as well as decision IV/4⁴ on general issues of compliance with the Protocol,

Determined to promote and improve compliance with the Protocol, including through the early identification of compliance difficulties encountered by Parties and the adoption of appropriate and effective solutions in their regard,

Aware of the increased workload of the Implementation Committee in reviewing compliance and the need for Parties to reinforce the secretariat support for this important work,

Having considered the analysis and recommendations made by the Implementation Committee on general compliance issues contained in the third review of implementation of the Protocol,⁵ adopted by decision IV/5,⁶

Having considered also the findings and recommendations of the Implementation Committee on two submissions made to the Committee concerning Albania⁷ and Bosnia and Herzegovina,⁸ and on one Committee initiative concerning Serbia,⁹

Having considered further the report on the activities of the Implementation Committee to the Meeting of the Parties to the Convention at its ninth session and to the Meeting of the Parties to the Protocol at its fifth session,¹⁰ and the reports of the Committee on its sessions in the period after the eighth session of the Meeting of the Parties to the Convention and the fourth session of the Meeting of the Parties to the Protocol (Vilnius (online), 8–11 December 2020),¹¹

Having reviewed the structure and functions¹² of the Committee and its operating rules,¹³

Recognizing the importance of updating and improving the efficiency of the working methods of the Committee to allow it to continue to effectively fulfil its mandate given the growth in the number, complexity and scope of compliance issues before the Committee,

Having reviewed the opinions of the Committee,¹⁴

Recognizing the importance of rigorous reporting by Parties on their compliance with the Protocol, and noting the fourth review of implementation of the Protocol based on the

¹ ECE/MP.EIA/SEA/2.

² ECE/MP.EIA/20/Add.2–ECE/MP.EIA/SEA/4/Add.2.

³ ECE/MP.EIA/23/Add.3–ECE/MP.EIA/SEA/7/Add.3.

⁴ ECE/MP.EIA/30/Add.3–ECE/MP.EIA/SEA/13/Add.3.

⁵ ECE/MP.EIA/SEA/2020/8.

⁶ ECE/MP.EIA/30/Add.3–ECE/MP.EIA/SEA/13/Add.3.

⁷ ECE/MP.EIA/IC/2023/9.

⁸ ECE/MP.EIA/IC/2023/8, annex II.

⁹ ECE/MP.EIA/IC/2022/5.

¹⁰ ECE/MP.EIA/2023/13–ECE/MP.EIA/SEA/2023/13,

¹¹ See <https://unece.org/sessions-3>.

¹² Decision III/2 (ECE/MP.EIA/6), as amended by decision VI/2 (ECE/MP.EIA/20/Add.1–ECE/MP.EIA/SEA/4/Add.1).

¹³ Decision IV/2, annex IV (ECE/MP.EIA/10), as amended by decisions V/4, annex (ECE/MP.EIA/15), VI/2, annex (ECE/MP.EIA/20/Add.1–ECE/MP.EIA/SEA/4/Add.1) and VIII/4, annex (ECE/MP.EIA/30/Add.2–ECE/MP.EIA/SEA/13/Add.2).

¹⁴ Informal compilation of the opinions of the Implementation Committee up to 2023 (forthcoming).

answers of Parties to the questionnaires on the implementation of the Protocol adopted in decision V/5,¹⁵

Recalling that the compliance procedure is assistance-oriented, and that Parties may make submissions to the Committee on issues regarding their own compliance with the Protocol,

Noting that some compliance issues considered by the Committee were related to, or revealed shortcomings in, the concerned Parties' national legislation to implement the Protocol,

Acknowledging the secretariat's long-standing, donor-funded, technical assistance to countries of Eastern Europe, the Caucasus and Central Asia for aligning their legislation with the Protocol, and encouraging the beneficiary countries of that assistance to bring their legislation into full compliance with the two treaties and, if not yet Parties thereto, to ratify them,

1. *Adopts* the report of the Implementation Committee on its activities, welcomes the Committee's reports on its sessions in the period after the fourth session of the Meeting of the Parties to the Protocol, and requests the Committee to continue to:

- (a) Keep the implementation and application of the Protocol under review;
- (b) Promote and support compliance with the Protocol, including by providing assistance in that regard, as necessary;

2. *Welcomes* the examination by the Committee of specific compliance issues identified in the third review of implementation of the Protocol regarding Armenia, Bosnia and Herzegovina and North Macedonia, which:

- (a) In the case of Armenia and Bosnia and Herzegovina, resulted in the Committee declaring its satisfaction with the clarifications provided by the Parties concerned;
- (b) In the case of North Macedonia, will require further consideration by the Committee at its upcoming sessions due to the lack of response from the Party concerned;

3. *Also welcomes* the examination by the Committee of the specific compliance issues identified in the first review of implementation of the Protocol regarding the European Union, which resulted in the development of specific reporting templates for the European Union to facilitate its reporting on the implementation of the Convention and the Protocol, noting that the Implementation Committee will finalize its deliberations of the specific compliance issues once the reporting templates have been duly noted by the Meeting of the Parties at its current session;¹⁶

4. *Notes* the examination by the Committee of the specific compliance issues identified in the second review of implementation of the Protocol regarding Serbia,¹⁷ which will require further consideration by the Committee at its upcoming sessions due to the lack of response from the Party concerned;

5. *Also notes* the submission initiated by Montenegro on 11 December 2020 expressing its concerns about compliance by Bosnia and Herzegovina with its obligations under the Convention and the Protocol in respect of the construction of the Buk Bijela hydropower, which was subject to the Committee's findings and recommendations;¹⁸

6. *Welcomes* the examination by the Committee of information received from other sources, including the public, regarding Germany, Poland and Serbia, which resulted in the Committee declaring its satisfaction with the clarifications provided by Germany and Poland, and, in the case of Serbia, led to a Committee initiative;¹⁹

¹⁵ ECE/MP.EIA/SEA/2023/9.

¹⁶ ECE/MP.EIA/2023/10–ECE/MP.EIA/SEA/2023/6.

¹⁷ See *Second Review of Implementation of the Protocol on Strategic Environmental Assessment (2013–2015)* (United Nations publication, ECE/MP.EIA/SEA/2017/9).

¹⁸ ECE/MP.EIA/IC/2023/8, annex II.

¹⁹ ECE/MP.EIA/IC/2022/5.

7. *Also welcomes* the efforts by the Committee to revisit its structure and functions and operating rules with a view to improving the efficiency of its working methods and adapting its practice, for example regarding the issue of conflict of interest, to best fulfil its mandate and address compliance matters that have grown in number, complexity and scope;

8. *Notes with regret* that the Committee's work continues to be hindered by the lateness and insufficient quality of responses by some Parties concerned, and, in some cases, also by the lack of response and willingness to cooperate;

9. *Reminds* Parties of their obligation to facilitate the Committee's work in good faith by providing it with the requested information in a timely manner and in good quality;

10. *Considers*, following the opinions of the Committee, that:

(a) When notifying the affected Parties in accordance with article 10 (1) of the Protocol, the Party of origin has an obligation to ensure that said notification is done properly and duly delivered to the affected Party with a view to guaranteeing that the affected Party is afforded an opportunity to express its willingness to participate in the transboundary consultations before the adoption of a plan/programme;²⁰

(b) To ensure timely and efficient notification, the Party of origin should:

(i) Send a notification, containing, inter alia, information set out in article 10 (2), by email directly to the national point of contact of the affected Party, unless one of the concerned Parties specifically requires that it be sent by post, and, as appropriate, forward it through diplomatic channels;

(ii) As a matter of good practice, request an acknowledgement of the notification and, in the absence of such acknowledgement, take action to confirm that the notification has been received before assuming that the lack of a response indicates that an affected Party does not wish to participate;

(iii) Retain copies of the notifications and records of the means of communication, dates and addresses;²¹

(c) In the light of the Protocol's objective to provide for a high level of protection of the environment and to enhance cooperation in assessing transboundary environmental effects of proposed plans and programmes, it is recommended that, when a State ratifies the Protocol shortly before the transboundary procedure has been initiated and when it subsequently expresses a wish to participate in those consultations, the Party of origin may consider notifying that State on a voluntary basis;²²

(d) At the scoping stage of the strategic environmental assessment, the Party of origin's early notification of (see decision II/7),²³ or informal "pre-notification" contacts with the affected Party can support the determination of the relevant information to be included in the environmental report and help avoid delays in the decision-making stage. However, the Party of origin should notify the affected Party officially as soon as the documents required under article 10 (2) (a) have been finalized;²⁴

(e) As a matter of good practice and to ensure the effectiveness of the transboundary procedure, it is recommended that Parties of origin indicate in the notification two time frames for the affected Parties: the first for expressing their wish to participate in the consultations under article 10 (3) and the second for transmitting their comments and opinions referred to in article 10 (2) (b) and (4). The first time frame should be sufficiently long to allow the affected Party to screen the documents provided and take a decision on its participation; the second time frame must be long enough to allow the affected Party to inform its authorities and the public concerned and give them an opportunity to consider the

²⁰ Ibid., para. 58.

²¹ Ibid., para. 60.

²² Ibid., para. 63.

²³ ECE/MP.EIA/20/Add.2–ECE/MP.EIA/SEA/4/Add.2.

²⁴ Ibid., para. 67.

draft plan/programme and the environmental report and to provide its comments and opinions to the Party of origin;²⁵

(f) The minimum time frames for the transmission of comments from the affected Party (which, according to the Parties, vary from 30 to 90 days)²⁶ should take into account various factors to be agreed among the Parties concerned under article 10 (4), as needed. Those factors may include the complexity and scale of the draft plan/programme, the volume of the documents referred to in article 10 (2) (a) and the time needed for ensuring translation of relevant parts of documents into the national language of the affected Party, as required;²⁷

11. *Considers also*, following the opinion of the Committee, that:

(a) Similarly to the notification under the Convention, affected Parties should endeavour to always provide a response to the notification regarding their intention to participate in the transboundary consultations as early as possible within the time frame suggested by the Party of origin, so as to allow it to proceed with the next steps.²⁸ Otherwise, the absence of a timely response may be understood by the Party of origin as a lack of willingness to participate.²⁹ It is recommended that the Party of origin extend the deadlines referred to in paragraph 10 (e) above, if the affected Party so requests. Alternatively, if an affected Party finds that the time schedule in the notification is insufficient for it to ensure that its public and its relevant authorities are informed and given the opportunity to forward their opinion, the Party of origin and the affected Party should discuss and agree on more reasonable time frames for transmission of the comments in the context of considering detailed arrangements referred to in article 10 (4);³⁰

(b) The detailed arrangements for consultations that the Party of origin and the affected Party must agree in accordance with article 10 (4) may cover timing and means for consultations, including public participation in the affected Parties, issues to be covered, translation of documents and interpretation during any meetings;³¹

(c) Both the Party of origin and the affected Party are responsible for ensuring that the authorities and the public concerned of the affected Party are informed and given an opportunity to forward their opinion on the draft plan/programme and the environmental report in accordance with article 10 (4). To this end, the Parties concerned should establish efficient communication among themselves with a view to enabling the public concerned and the authorities of the affected Party to participate in the transboundary procedure under the Protocol;³²

(d) The Party of origin should inform an affected Party that, following the notification, has indicated its willingness to participate in the consultations, about the adoption of the plan/programme as set out in article 11 (2), even in the absence of any comments from that affected Party;³³

12. *Encourages* Parties to use the format for notification adopted by decision II/7 when notifying affected Parties under the Protocol;³⁴

13. *Urges* Parties to take into account in their future work the considerations and recommendations for further improving the implementation of and compliance with the Protocol, including by strengthening national legislation, based on but not limited to the considerations contained in paragraphs 10 and 11 above, and the analyses of general

²⁵ Ibid., para. 71.

²⁶ See *Third Review of Implementation of the Protocol on Strategic Environmental Assessment* (2016–2018) (United Nations publication, ECE/MP.EIA/SEA/14), para. 52 and table 2.

²⁷ ECE/MP.EIA/IC/2022/5, para. 72.

²⁸ ECE/MP.EIA/2017/10, para. 32.

²⁹ ECE/MP.EIA/IC/2018/6, para. 14.

³⁰ ECE/MP.EIA/IC/2022/5, para. 74.

³¹ Ibid., para. 75.

³² Ibid., para. 76.

³³ Ibid., para. 77.

³⁴ ECE/MP.EIA/20/Add.2–ECE/MP.EIA/SEA/4/Add.2, annex.

compliance issues from the reviews of implementation, adopted by decisions II/2,³⁵ III/2³⁶ and IV/4,³⁷

14. *Also urges* Parties to take into account in their further work the opinions of the Committee in the period 2001–2023, and requests the secretariat to arrange for the revision of the informal electronic publication of these opinions to include the opinions of the Committee from the years 2021, 2022 and 2023;

15. *Adopts* the proposed amendments to the structure and functions and operating rules of the Implementation Committee set out in document ECE/MP.EIA/2023/5–ECE/MP.EIA/SEA/2023/5, which should be applied to all meetings and to any other conduct of business of the Committee, and requests the secretariat to arrange the publication of the amended structure and functions and operating rules in electronic format, as an official document;³⁸

16. *Decides* to keep under review and to further develop the structure and functions of the Committee and its operating rules, if necessary, and requests the Committee to prepare proposals, as it deems necessary, for submission to the Meeting of the Parties to the Protocol at its sixth session.

³⁵ Ibid.

³⁶ ECE/MP.EIA/23/Add.3–ECE/MP.EIA/SEA/7/Add.3.

³⁷ ECE/MP.EIA/30/Add.3–ECE/MP.EIA/SEA/13/Add.3.

³⁸ ECE/MP.EIA/34/Add.2–ECE/MP.EIA/SEA/15/Add.2, decision IX/4, annex.

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

The Meeting of the Parties to the Protocol,

Recalling article 14 (4) of the Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context, and article 14 bis of the Convention,

Recalling also decision V/4¹ on general issues of compliance with the Protocol adopted at the fifth session,

Having considered, further to paragraph 6 of the appendix to decision III/2,² the findings and recommendations of the Implementation Committee on the Committee initiative with regard to 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 2017–2023,³

Having considered also the report on the activities of the Implementation Committee to the Meeting of the Parties to the Protocol at its fifth session, in particular, the section concerning Serbia,⁴

1. *Endorses* the Implementation Committee's findings that Serbia is in non-compliance with its obligations under article 3 (1) of the Protocol regarding legislative, regulatory and other measures to ensure proper implementation of article 10 regarding transboundary consultations and article 11 on decision-making and informing the Parties consulted about the decision;

2. *Also endorses* the Implementation Committee's findings that Serbia is in non-compliance with:

(a) Article 10 (1) and (2) of the Protocol concerning the Energy Sector Development Strategy for the period up to 2025 with Projections up to 2030 and the failure by Serbia to notify Croatia, Hungary and Romania in that regard;

(b) Article 10 (3) and (4) of the Protocol concerning the Strategy's Implementation Programme for the Period 2017–2023 and transboundary consultations with Hungary and detailed arrangements thereof, as well as article 11 on taking into account the results of the transboundary consultations and informing the affected Parties accordingly;

3. *Requests* the Government of Serbia to ensure that its legislation, regulations and other measures fully implement the Protocol's provisions, including articles 10 and 11 concerning the transboundary consultations and the results thereof, and requests the Implementation Committee to review the legislative and institutional frameworks for the Protocol's implementation once amended;

4. *Also requests* the Government of Serbia to submit to the Implementation Committee, by the end of 2024 if it has not done so earlier, a road map with a time schedule, spelling out planned actions to ensure compliance by Serbia with articles 10 and 11 of the Protocol, including, but not limited to, legislative and institutional reforms, as needed, capacity-building, setting up a register of transboundary procedures, and storage of the

¹ ECE/MP.EIA/15.

² ECE/MP.EIA/6, annex II.

³ ECE/MP.EIA/IC/2022/5.

⁴ ECE/MP.EIA/2023/13–ECE/MP.EIA/SEA/2023/13.

related documents, and, thereafter, to report to the Committee on implementation of the road map;

5. *Considers* that, exceptionally, bearing in mind that Serbia notified Croatia, Hungary and Romania regarding the Strategy's Implementation Programme and that those Parties do not wish to reopen the transboundary procedure regarding the Energy Strategy and Hungary does not wish to reopen the transboundary procedure of the Implementation Programme either, no further action from Serbia is required under article 10 of the Protocol in relation to both the documents subject to the Committee initiative;

6. *Requests* Serbia, further to article 11 (2) of the Protocol, to inform all the affected Parties, notably, Croatia, Hungary, Montenegro and Romania, that have not yet been informed about the adoption of the Energy Strategy's Implementation Programme, and to provide them with the adopted Programme, together with a statement summarizing how environmental, including health, considerations have been integrated into the Programme, how their comments have been taken into account and the reasons for adopting the Programme in the light of reasonable alternatives considered;

7. *Also requests* Serbia to ensure that, during the project level implementation of the Strategy and the Programme, potentially affected Parties are notified in accordance with article 3 (1) of the Espoo Convention for the projects with likely significant adverse transboundary impacts;

8. *Further requests* Serbia to ensure that, when preparing or adopting plans and programmes falling under the Protocol, including Spatial Plans, Energy Strategies or Programmes for their implementation, or their revisions, the Protocol and its articles 10 and 11 are fully applied; encouraging Serbia to use the format for notification adopted by decision II/7⁵ when notifying affected Parties under the Protocol;

9. *Requests* Serbia to agree with Croatia, Hungary and Romania on detailed arrangements, as set out in article 10 (4) of the Protocol, for the transboundary consultations regarding the new or revised Energy Strategy, taking into account their expressed willingness to participate in that procedure;

10. *Encourages* the Government of Serbia to enter into negotiations with its other neighbouring Parties to cooperate in elaborating bilateral or other arrangements, in order to support the implementation of article 10 of the Protocol in the context of developing future plans and programmes falling under the Protocol (and, at the project level, to facilitate implementation of Convention procedures);

11. *Requests* the Government of Serbia to report to the Implementation Committee on progress made on the steps taken further to paragraphs 3–4 and 6–7 above, by the end of each year, starting in 2024, and invites the Implementation Committee to report to the Meeting of the Parties to the Protocol at its sixth session on the progress made by Serbia.

⁵ ECE/MP.EIA/20/Add.2–ECE/MP.EIA/SEA/4/Add.2, decision II/7, annex.

Decision V/5

Reporting and review of implementation of the Protocol

The Meeting of the Parties to the Protocol,

Recalling decision V/7–I/7 of the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context and 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) and decisions II/1, III/1 and IV/5 of the Meeting of the Parties to the Protocol on reporting and the review of implementation,¹

Recalling also article 14 (4) of the Protocol, concerning the regular review of the implementation of the Protocol,

Recalling further articles 14 (7) and 13 (4) of the Protocol, on, respectively, reporting by Parties on measures they have taken to implement the Protocol and reporting by Parties on their application of article 13 on policies and legislation,

Recognizing that regular reporting by each Party provides important information that facilitates the review of compliance under the Protocol and thereby contributes to the work of the Implementation Committee,

Recognizing also that Parties' reporting provides useful information to other countries within and beyond the United Nations Economic Commission for Europe (ECE) region that facilitates their efforts to implement and accede to the Protocol,

Recognizing further the potential of reporting for collecting and disseminating good practice,

Emphasizing strongly the importance of timeliness and the quality of national reporting,

Having analysed the reports provided by Parties in response to the questionnaire on implementation of the Protocol during the period 2019–2021,

1. *Welcomes* the reports by Parties, and by two non-Parties (Georgia and Kazakhstan), on their implementation of the Protocol during the period 2019–2021, which have been made available on the treaty website;

2. *Expresses serious concern* that the following 3 Parties have not responded to the questionnaire: Bulgaria, North Macedonia and Serbia; and that the European Union only submitted a blank questionnaire and a separate note containing information that it chose to provide, and urges those Parties that have not responded to the questionnaire to do so within the shortest possible time frame;

3. *Expresses concern* that the following 9 Parties responded to the questionnaire with a delay of several weeks or months: Cyprus, Denmark, Germany, Italy, Luxembourg, Netherlands, Portugal, Slovenia and Ukraine;

4. *Adopts* the fourth review of implementation of the Protocol as contained in document ECE/MP.EIA/SEA/2023/9, and requests the secretariat, subject to availability of resources, to arrange for its publication in an electronic form in all three official languages of ECE;

5. *Notes* the findings of the fourth review of implementation of the Protocol,² including the following possible weaknesses or shortcomings and areas for further improvement in the implementation of the Protocol by Parties:

¹ All decisions of the Meetings of the Parties referred to in the present decision are available at <https://unece.org/environment-policy/environmental-assessment/decisions-taken-meetings-parties>.

² ECE/MP.EIA/SEA/2023/9.

(a) Only about half of the Parties reported on time and an increased number of Parties failed to return their completed questionnaires within two months of the reporting deadline (at the time of writing (July–September 2022), 22 Parties have returned completed questionnaires compared to 30 Parties in the previous review). The failure by Parties to fulfil their obligation to report (in accordance with art. 14 (7)) in a timely manner complicated the review process;

(b) The lack of a central registry or database of national strategic environmental assessment procedures in many Parties made reporting on the number of procedures during the survey period complicated and imprecise;

(c) A wide range of implementation practices and experiences are reported by the Parties and this information could be used in developing material to enhance implementation. Ten Parties provide examples of what they consider constitute good implementation practices;

(d) Some Parties gained experience in the use of electronic technologies for remotely conducting consultation and participatory activities during the coronavirus disease (COVID-19) pandemic. Promoting lessons learned and good practices for the use of remote communication technologies could help promote effective and efficient consultation and participation practices;

(e) Varying monitoring practices are applied to implement article 12 of the Protocol, resulting in differences in the scope of monitoring, its duration, and on the use of indicators. It is recommended that further collection and sharing of good practice be promoted;

(f) A number of Parties use the *Resource Manual to Support Application of the UNECE Protocol on Strategic Environmental Assessment* and the *Good Practice Recommendations on Public Participation in Strategic Environmental Assessment*, but several Parties indicated a lack of awareness about said documents as the reason for not using them. Efforts to promote awareness and use of guidance documents should continue;

6. *Notes* again the conclusions previously reached in the third review of implementation,³ the following of which remain valid and may need to be addressed:

(a) A variety of approaches exist to interpreting the term “set the framework for future development consent” referred to in article 4 (2) of the Protocol, with most Parties having no explicit definition of this term in their domestic legislation; the Parties also experience difficulties in interpreting the provisions of article 4 (4), in particular the terms “small areas at local level” and “minor modifications”;

(b) The Parties’ legislation and practice continue to differ considerably regarding the opportunities provided to the public concerned to participate in screening and scoping further to articles 5 (3) and 6 (3);

(c) Some consultations are complicated by difficulties arising from Parties’ differing practices in relation to the translation of documentation during transboundary consultations, in particular concerning the quality of, and time and resources required for, the translation, and with regard to the integration of the translation into time schedules for consultations and public participation;

(d) Further bilateral agreements or other arrangements to facilitate transboundary consultations between Parties might be useful, in particular to increase efficiency and to address differences between Parties’ implementation practices, including language-related issues, time frames, public participation, the interpretation of various terms and the organization of transboundary consultations;

(e) Ensuring quality of the environmental reports is an area of improvement in the application of the Protocol. Promoting use of quality control approaches could be recommended. Parties have also expressed the desire for adequate explanations to be

³ ECE/MP.EIA/SEA/14, paras. 84–85.

provided of how the comments received in accordance with articles 8 to 10 have been taken into account;

(f) Differing monitoring practices are applied to implement article 12 of the Protocol, resulting to difficulties concerning the scope of monitoring, its duration, monitoring measures and the use of indicators;

7. *Requests* the secretariat to bring to the attention of the Implementation Committee general and specific compliance issues identified in the fourth review of implementation, and invites the Committee to take these into account in its work;

8. *Notes* the reporting template prepared in 2021–2023 by the Implementation Committee in consultation with the European Commission, to facilitate reporting of the European Union under the Protocol;

9. *Requests* States parties to the Protocol to complete the questionnaire, and the European Union its reporting template, respectively, as reports on their implementation of the Protocol during the period 2022–2024, taking note of the obligations to report arising from articles 14 (7) and 13 (4) of the Protocol;

10. *Urges* Parties to report by the end of April 2025;

11. *Invites* Parties to provide good practice examples of their implementation of the Protocol, and evidence on what made their practice successful;

12. *Requests* the secretariat to post national reports on the treaty website in the languages in which they are available;

13. *Also requests* the secretariat to post the lists of domestic and transboundary strategic environmental assessment cases included in the responses to the questionnaire on the treaty website, unless the countries object to this practice;

14. *Decides* that a draft fifth review of implementation of the Protocol during the period 2022–2024 based on the reports by Parties will be presented at the sixth session of the Meeting of the Parties to the Protocol, and that the workplan should reflect the elements required to prepare the draft fifth review;

15. *Requests* the secretariat to foresee the subsequent publishing of the fifth review of implementation, once adopted, in an electronic format in the three official languages of ECE.

Decision V/6

Assessing health impacts in strategic environmental assessment

The Meeting of the Parties to the Protocol,

Recalling the preamble to the Protocol,¹ which acknowledges the benefits to the health and well-being of present and future generations that will follow if the need to protect and improve people's health is taken into account as an integral part of strategic environmental assessment,

Recalling also the Resource Manual to Support Application of the UNECE Protocol on Strategic Environmental Assessment,² and particularly its annex A1.1. on health, prepared in collaboration with the World Health Organization,

Recalling further its decision VII/3–III/3 on adoption of the workplan for the implementation of the Convention and its Protocol for the period 2017–2020, annex II, item IV.1,³ which foresees the development of guidance for the assessment of potential health impacts of plans and programmes and for the involvement of health authorities,

Recalling its commitment to finalizing and formally adopting the guidance in the intersessional period 2021–2023, subject to the availability of resources,⁴

Recognizing that, despite the substantial efforts deployed, the work on the draft guidance could not be finalized as initially intended but that said efforts resulted in a document for information purposes,

Recognizing also the importance of consulting health authorities alongside the environmental authorities to ensure that environmental, including health, considerations are taken into account in the development of plans and programmes and, to the extent appropriate, in policies and legislation,

Wishing to assist Parties in complying with their obligations under the Protocol, and to promote its effective application,

Wishing also to assist future Parties in their efforts to develop compliant legislation and practice on strategic environmental assessment, including regarding the assessment of health impacts and the involvement of health authorities,

1. *Welcomes* the development of draft guidance in the period 2019–2020 by two consultants, with funding from the European Investment Bank, in consultation with the secretariat, the World Health Organization and a task force composed of representatives of Austria, Finland, Ireland and Slovenia;

2. *Welcomes also* the subsequent efforts in the period 2022–2023 by the Chair and volunteering members of the Bureau and the European Union and its member States to further develop the draft guidance, resulting in a document for information purposes;

3. *Acknowledges* the document entitled Assessing health impacts in strategic environmental assessment (ECE/MP.EIA/SEA/2023/10) and agrees that it is to be made available to the public on the ECE website in English, French and Russian for information purposes, without being endorsed;

4. *Invites* Parties to take note of the contents of the above-mentioned document when applying the Protocol;

¹ Protocol on Strategic Environmental Assessment, seventh preambular para.

² United Nations publication, ECE/MP.EIA/17.

³ ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1.

⁴ ECE/MP.EIA/30/Add.1 ECE/MP.EIA/SEA/13/Add.1, decision VIII/3–IV/3, annex, Vilnius Declaration, para. 13.; ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/2–IV/2; and ECE/MP.EIA/30–ECE/MP.EIA/SEA/13, para. 33.

5. *Also invites* Parties to disseminate the document to authorities and relevant stakeholders;
 6. *Proposes* that the document be used in the capacity-building activities included in the workplan;
 7. *Expresses appreciation* for the good and long-standing cooperation with the World Health Organization in raising awareness of and supporting the implementation of the Protocol;
 8. *Invites* Parties to submit good practice examples on the assessment of health impacts and the involvement of health authorities in strategic environmental assessment.
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