



## EIA/SEA UPDATE e-Newsletter no. 2 – July 2008

Welcome to the second issue of EIA/SEA UPDATE e-newsletter, providing informal information on the Convention on Environmental Impact Assessment (EIA) in a Transboundary Context (Espoo, 1991) and its Protocol on Strategic Environmental Assessment (SEA) (Kiev, 2003). UPDATE is not an official record, but instead provides a less formal means of letting you know what is happening with the Espoo Convention and its Protocol. In particular, this edition provides information on the outcomes of the May 2008 4<sup>th</sup> Meeting of the Parties to the Espoo Convention (<http://www.unece.org/env/eia/bucharest.htm>). You can find out more about the Convention and Protocol at <http://www.unece.org/env/eia>.

Previous issues of the UPDATE newsletter are available in English and Russian at <http://www.unece.org/env/eia/newsletters.html>. This e-newsletter allows you to go direct from your e-mail to the news items that interest you.

### **Ratifications** (since August 2007) (<http://www.unece.org/env/eia/ratification.htm>)

The Convention now has 42 Parties, its first amendment 12 Parties, its second amendment 9 Parties, and its Protocol 9 Parties. Only the Convention is in force.

- Spain became the 12<sup>th</sup> Party to the first amendment on 16 July 2008
- Luxembourg became the ninth Party to the Protocol on 2 July 2008
- Slovakia became the eighth Party to the Protocol, the 11<sup>th</sup> Party to the first amendment and the ninth Party to the second amendment on 29 May 2008
- The European Community became the 10<sup>th</sup> Party to the first amendment and the eighth Party to the second amendment on 18 January 2008
- Serbia became the 42<sup>nd</sup> Party to the Convention on 18 December 2007
- Norway became the seventh Party to the Protocol on 11 October 2007



### **Meeting of the Parties to the Convention**

(<http://www.unece.org/env/eia/bucharest.htm>)

The 4<sup>th</sup> Meeting of the Parties was held in Bucharest, 19-21 May 2008, with strong participation from Parties, other UNECE member States, civil society organizations and international organizations. The Meeting included a panel discussion on energy-related projects and, during the high-level segment, a discussion on the Convention 10 years after its entry into force: future directions. The above-mentioned website provides presentations, statements and photographs

from the Meeting, as well as pre-session documents. Outcomes of the Meeting of the Parties are described below. The report of the Meeting is expected to be available early in September 2008 at <http://www.unece.org/env/eia/mop.htm>.

### **Signing of multilateral agreement implementing the Convention in SE Europe**

Environment ministers and high-level representatives from seven countries of South-Eastern Europe (Bulgaria, Croatia, Greece, Montenegro, Romania, Serbia and The former Yugoslav Republic of Macedonia) adopted and signed an Agreement in Bucharest, during the Meeting of the Parties, that will provide for further implementation of the Espoo Convention. The Bucharest Agreement details appropriate means for providing information to authorities and the public, as well as opportunities to comment for both the countries and the public affected by the transboundary impact. See press release at [http://www.unece.org/press/pr2008/08env\\_p07e.htm](http://www.unece.org/press/pr2008/08env_p07e.htm).

### **Bystroe Canal Project – work to be reconsidered**

During the Meeting of the Parties, the delegation of Ukraine committed to reconsider its decision to fully implement the so-called Bystroe Canal Project (the Danube-Black Sea Deep-water Navigation Canal in the Ukrainian sector of the Danube Delta). Ukraine also stated that it would not commence work on the second phase until its obligations under the Espoo Convention were fulfilled. In a letter from the Deputy Prime Minister of Ukraine to the Executive Secretary of UNECE, Ukraine further

announced that it would fully comply with the provisions of the Convention for other projects with a likely transboundary impact on the environment of the Danube Delta, such as a planned hydropower station on the border with Moldova. The Meeting of the Parties took a decision stating that Ukraine had been in non-compliance with its obligations under the Convention and asking Ukraine to take a series of steps in the coming months and up to the end of 2009 to bring about compliance. See press release at [http://www.unece.org/press/pr2008/08env\\_p08e.htm](http://www.unece.org/press/pr2008/08env_p08e.htm).

The Meeting of the Parties to the Aarhus Convention, held in Riga in June 2008, issued a “conditional caution” to Ukraine (as did the Meeting of the Parties to the Espoo Convention) subsequent to a compliance procedure arising from the Bystroe Canal Project and to an earlier finding of non-compliance ([http://www.unece.org/env/pp/mop3\\_key.htm](http://www.unece.org/env/pp/mop3_key.htm)). The Espoo Convention secretariat will join a mission on 28-31 July 2008 to Ukraine and the Bystroe Canal Project, led by the Secretariat of Bern Convention, and including secretariats of the Espoo and Ramsar Conventions, UNESCO and the Council of Europe.

### **Implementation of and compliance with the Convention**

(<http://www.unece.org/env/eia/implementation.htm>)

Thirty-eight of the 39 States (i.e. all but Albania) Parties to the Convention during the period under review completed questionnaires as reports on their implementation of the Convention. These reports were then summarized and analyzed in the Second Review of Implementation (to be attached to the report of the Meeting of the Parties and, perhaps, to be published separately late in 2008). The Review findings were noted by the Meeting of the Parties. The Parties also decided that a third Review would be prepared based on completed questionnaires on the implementation of the Convention in the period 2006–2009. (The questionnaire is to be issued early in 2010.)

The Parties adopted operating rules of the Implementation Committee (these too will be attached to the report of the Meeting of the Parties and, perhaps, published separately). The Meeting of the Parties endorsed findings regarding both Ukraine, following a submission by Romania, and Armenia, following a Committee initiative. The Meeting also decided on a number of measures intended to improve the effectiveness of the inquiry procedure in the light of the first inquiry procedure, without amending the Convention.

### **Subregional cooperation** (<http://www.unece.org/env/eia/activityEIAsubregion.html>)

#### **Exchange of good practices** (<http://www.unece.org/env/eia/activityEIAexchange.html>)

The Meeting of the Parties recognized the value of subregional cooperation and the exchange of good practices, and agreed to continue to include these activities in the workplan under the Convention. The Parties also welcomed the signing by the countries of SE Europe of the Bucharest Agreement (see above). One issue identified in the workplan regarding the exchange of good practices has already been discussed by the secretariat and the European Commission (EC): the two organizations met in Brussels on 15 July 2008 to consider the application of the Espoo Convention to very large-scale projects. As a result, it is expected that a one-day workshop on large-scale issues, organized by the EC, will be held back-to-back with the May 2009 meeting of the Working Group on EIA.

### **Capacity-building in EECCA** (<http://www.unece.org/env/eia/activityEIAbuilding.html>)

Kazakhstan and Kyrgyzstan, the two Parties to the Convention in Central Asia, have continued their intense dialogue on implementation of the Convention, including a November 2007 workshop on a pilot project and for EIA training, and a June 2008 meeting of relevant authorities to review progress in the implementation of the pilot project. A workshop for transboundary EIA capacity-building in Caucasus was held in Armenia in September 2007 and a similar event is planned for Eastern Europe, to be held in Moldova in September 2008. The Meeting of the Parties recognized the value of capacity-building in Eastern Europe, Caucasus and Central Asia, and agreed to continue to include this activity (combined with subregional cooperation) in the workplan under the Convention. The Meeting noted the Guidelines on EIA in a Transboundary Context for Central Asian Countries (ECE/MP.EIA/WG.1/2007/6), which the countries involved are continuing to develop.

### **Workplan, budget and financial arrangements**

The Meeting of the Parties adopted a fresh workplan to support the implementation and practical application of both the Convention and its Protocol, identifying four key activities:

- Compliance with and implementation of the Convention
- Subregional cooperation and capacity-building

- Exchange of good practices
- Promoting ratification and application of the Protocol

The Parties adopted a budget to provide for these activities, for meetings and for additional secretariat support. The secretariat has prepared an updated financial report to cover the period from after the 3<sup>rd</sup> Meeting of the Parties (held in Cavtat) to after the 4<sup>th</sup> Meeting of the Parties (Bucharest); this is included in the report of the latter Meeting. The next biannual financial report will cover the period between the 4<sup>th</sup> Meeting of the Parties and the end of 2008. To date, financial contributions totalling about US\$ 70,000, out of about US\$ 670,000 pledged in Bucharest, have been received.

### **Members of the Bureau and Implementation Committee**

(<http://www.unece.org/env/eia/contacts.htm>)

The Meeting of the Parties elected the following officers as members of the Bureau: Mr. Aleksandar Vesic (Serbia) as Chair of the Bureau and of the Working Group on EIA; Mrs. Daniela Pineta (Romania) and Mr. Jorgen Brun (Norway) as Vice-Chairs of the Working Group; Mr. Alberto Marcolino (Portugal) as Chair of the Meeting of the Signatories to the Protocol; and Ms. Eva Baron (Netherlands), Mr. Nikoloz Tchakhnakia (Georgia) and Mr. Gavrosh Zela (Albania) as Vice-Chairs of the Meeting of the Signatories.

The Meeting of the Parties also elected the following Parties to nominate members of the Implementation Committee: Azerbaijan; Bulgaria (which nominated Ms. Nina Stoyanova); Moldova (Ms. Inga Podoroghin); and Slovenia (Mrs. Vesna Kolar Planinsic). They will join the continuing members of the Committee: Mr. Nenad Mikulic (Croatia), Mr. Matthias Sauer (Germany), Mr. Kubanychbek Noruzbaev (Kyrgyzstan) and Mr. Jerzy Jendroska (Poland).



### **Belgrade Initiative on SEA** ([http://www.unece.org/env/sea/belgrade\\_initiative.htm](http://www.unece.org/env/sea/belgrade_initiative.htm))

The Sixth Ministerial Conference "Environment for Europe" was held in Belgrade, on 10-12 October 2007. There were several side-events related to the Convention and its Protocol:

- Side event: Future directions after ten years of implementation of the Espoo Convention
- Closed meeting: Discussion on the Work Programme for implementation of the proposed Belgrade SEA Initiative
- Side event: Implementation of the Protocol on Strategic Environmental Assessment: from Kiev to Belgrade and beyond

The Conference noted with interest the Initiative on SEA, proposed by Armenia, Belarus and Moldova. The Meeting of the Parties, in Bucharest, went on to welcome the "Belgrade Initiative on SEA" and, shortly afterwards (11-12 June 2008) a start-up meeting for the Initiative was hosted by Moldova in Chisinau, with support from UNDP. A work programme was developed and measures for the seeking of funds were agreed. Participants also requested the preparation of a CD-ROM with key resources, given the difficulties of accessing web-based resources in many countries; this has been prepared and will be sent to the participants in August 2008.

### **Other Protocol matters**

The secretariat and the REC (Regional Environmental Centre for Central & Eastern Europe) have issued a "draft final" Resource Manual to Support Application of the SEA Protocol, plus a part addressing health under the Protocol, with permission from the small editorial group established by the Meeting of the Signatories to the Protocol. The Resource Manual is available in English and in Russian and as an interactive website in English. See [http://www.unece.org/env/eia/sea\\_manual](http://www.unece.org/env/eia/sea_manual).

An Aarhus Convention workshop on public participation in strategic decision-making was held in Sofia on 3-4 December 2007, with strong participation by Espoo Convention focal points.

### **International Association for Impact Assessment** (<http://www.iaia.org>)

The IAIA annual conference was held 4-9 May 2008 in Perth (Australia), entitled "The Art and Science of Impact Assessment"; the secretariat was not represented. However, the secretariat is acting as the guest editor of a special issue on transboundary impact assessment of the IAIA journal (Impact Assessment and Project Appraisal), to be published in December 2008. The issue will include the following articles:

- Assessing the Assessments: Improving Methodologies for Impact Assessment in Transboundary Watercourses, by Carl Bruch, Mikiyasu Nakayama, Jessica Troell, Lisa Goldman and Elizabeth Maruma Mrema

- Transboundary EIA as part of the North American Agreement for Environmental Cooperation, by Geoffrey Garver and Aranka Podhora
- Transboundary Environmental Assessment in the Arctic, by Timo Koivurova
- The institutional context for transboundary EIA in the Belgian multi level setting. Some features of and practical experiences with the federal and regional-Flemish arrangements: a matter of smooth governance? by Jan De Mulder
- Transboundary Consultations in Strategic Environmental Assessment, by Eike Albrecht
- The Significance of the Convention on EIA in a Transboundary Context in International Environmental Law: Examining the implications of the Danube Delta case, by Mari Koyano

#### **Website development** (<http://www.unece.org/>)

You may have noticed changes to the Convention website, particularly with respect to the left-hand menu and the links to different language pages and versions of documents. This work will be completed in the summer of 2008. However, the work is within the introductory phase of more substantial changes to the UNECE website, including design changes and the introduction of a "Content Management System". This system will ultimately provide automatic and direct links between web pages for meetings and documentation available on the United Nations Official Document System; this work will progress throughout 2009.

#### **Posters & documents**

Please contact the secretariat if you need copies of the Convention's information poster, or the poster describing implementation of the Convention around the Caspian Sea. Both posters are available in English and Russian. We can also provide copies of the published Espoo guidance documents. Reports on the meetings described above may be found on the Convention website. The secretariat has recently prepared two pamphlets, one on the benefits of transboundary EIA (available in English and Russian), and the other on applying the Protocol (<http://www.unece.org/env/eia/pamphlets.html>).



#### **Upcoming events (till mid-2009)** (<http://www.unece.org/env/eia/meetings.htm>)

- 24-26 September 2008, Workshop for transboundary EIA capacity-building in Eastern Europe, Chisinau
- October 2008, Meeting with Black Sea Commission to discuss possible guidelines on transboundary EIA for the Black Sea, Istanbul (Turkey)
- 28-30 October 2008, 15<sup>th</sup> Meeting of the Implementation Committee, Geneva (Room VIII)
- 6-9 November 2008, IAIA Special Topic Meeting: Assessing and Managing Cumulative Environmental Effects, Calgary (Canada)
- late 2008, Workshop on transboundary EIA in Belarus, Minsk
- late 2008, Workshop on subregional cooperation around the Mediterranean Sea, Morocco
- 17-19 March 2009, 16<sup>th</sup> Meeting of the Implementation Committee
- 11-13 May 2009, 12<sup>th</sup> Meeting of the Working Group on EIA, Geneva (possibly followed by 3rd Meeting of the Signatories to the Protocol, if the Protocol's entry into force is imminent) – a one-day workshop on large-scale issues is expected to be held back-to-back with the meeting
- 23-29 May 2009, IAIA annual conference: "Impact Assessment & Human Well-being", Accra



#### **Your news and views would be very welcome**

If you wish to contribute an article or news to UPDATE, please let us know. The previous edition of UPDATE was translated into Russian courtesy of the NGO EcoGlobe – our thanks to them once again.

United Nations Economic Commission for Europe  
 Environment, Housing and Land Management Division  
 Palais des Nations, 1211 Geneva 10, Switzerland, Phone: + 41 22 917 2448 /  
 Fax: + 41 22 917 0107 / email: [eia.conv@unece.org](mailto:eia.conv@unece.org) / website: <http://www.unece.org/env/eia>

"Think before you print." - Please consider the environment before printing.