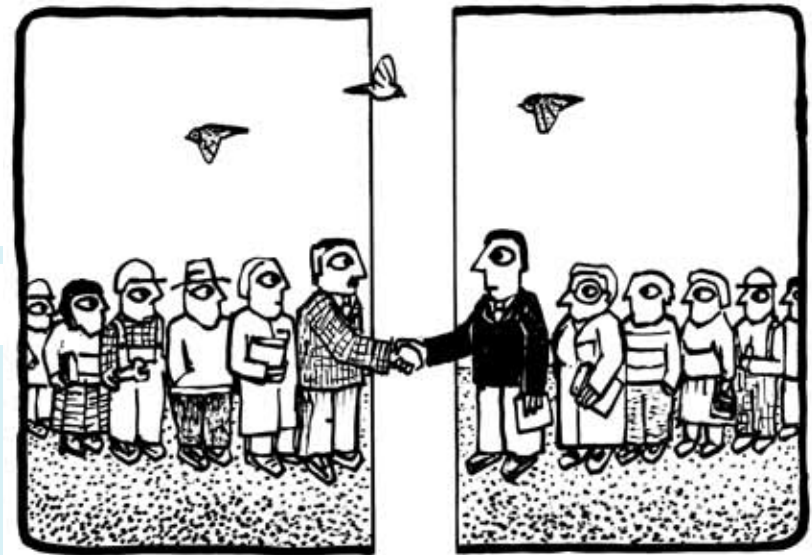


12th meeting of the
Working Group on EIA and SEA
13–15 June 2023, Geneva

- INFORMAL presentation of the main decisions



Opening of the meeting

- Working Group Chair, Ms. Dorota TORYFTER-SZUMANSKA opened the meeting

1. Adoption of the agenda

- Adopted its agenda as set out in document ECE/MP.EIA/WG.2/2023/1



2. Status of ratification 1/3

- Recalled that the treaties' wider implementation and their unified application were priority objectives and strategic goals under the Long-term strategy adopted in 2020
- Welcomed the ratifications by UA of the two Convention amendments in December 2022 (in force for it since 15 March 2023), and by IRL of the first amendment in January 2023 (in force since 20 April 2023).
- Noted reports by KGZ, BEL on their national steps/the progress towards the ratification of the Convention amendments, with the ratification process in BEL being the most advanced regarding the 1st amendment
- Noted the aim of FR and GR to become Parties to the Protocol by the December 2023 MOP sessions
- Regretted the lack of any information from ARM, BY, BIH, KAZ, MKD, UA and the UK
- Overall, regretted that still not all Parties had ratified the Convention amendments that they had adopted 20 years ago, and that several signatories to the Protocol and several beneficiary countries of technical assistance were yet to become Parties.



2. Status of ratification 2/3

- Once again, urged:
 - (a) ARM, BEL, MKD, and UK to complete their ratification of the 1st amendment by the next MOP sessions (December 2023) to finally allow for the global opening of the Convention that the MOP had decided on in 2001.
 - (b) ARM, BY, BEL, BIH, KAZ, KGZ, MKD and UK to ratify the second amendment within the same timelines to ensure unified application of the Convention;
- Failing that, asked the concerned countries to announce in December 2023 their firm commitment, with clear timelines, for doing the necessary in the next intersessional period (2024–2026).
- Reiterated the expectation that the Convention would become a global instrument by 2024–2026
- Also urged Signatories to the Protocol (BE, FR, GEO, GR, IRL, UK) to ratify that instrument.



2. Status of ratification 3/3

- Strongly encouraged beneficiary countries of technical assistance and capacity-building in Eastern Europe, the Caucasus and Central Asia to accede to the Convention and/or the Protocol, noting the steps by AZE and UZB towards that end
- Asked the UNECE Executive Secretary, in her/his invitation letters to the next MOP sessions, to convey the Working Group's to the concerned Parties' environment and foreign ministers
- Thanking RO for the report on the ratification status of the Bucharest Agreement, invited HR and GR to join the Agreement, and encouraged BiH to accede to it. Noted the plans of HR to ratify the Agreement, possibly before the MOP

3. Financial arrangements:

- Acknowledged that the secretariat resources were critically low and unstable, hindering the MOP preparations, and, as of next year, preventing the fulfillment of the secretariat's core mandate
- Thanked Italy for its plans to sponsor a JPO for 1-2 years and encouraged other Parties to follow its example
- Recognized that temporary solutions for filling staffing gaps were not sustainable, noting also that hiring consultants for secretariat's core tasks was not permitted by the UN
- Also recognized that donor funded capacity building projects could not fulfil the core secretariat functions and also added burden on the secretariat. Further fundraising and project preparation no longer feasible
- Reiterated its previous conclusions that Parties should collectively fund at least 1 P-post and part-time admin support for the secretariat; and if not feasible – should cut the secretariat's tasks under the workplan 2024–2026

3. Financial arrangements

- Took note of the information on contributions to the Trust Fund in 2021-2023 (until 19 May), regretting the persisting uneven distribution of the burden of cost sharing; and the overall insufficiency and unpredictability of the contributions
- Invited the secretariat to prepare the financial report for 2021–2023 for the next MOP sessions
- Confirmed its previous conclusion that the financial scheme adopted in 2020 was not successful in remedying the resource constraints
- Invited the 10 Parties that had not yet contributed in 2021-2023 (BY, BiH, HR, GR, KAZ, KGZ, LIE, SRB, UA, UK) to do so, as per decision VIII/1–VI/1, contacting the secretariat as soon as possible, if not yet done. Noted that contributions of HR and GR, UA were on the way
- Invited all Parties to pay their pledged contributions fully
- Agreed that in the future, the secretariat should send out annual payment requests automatically to all Parties at the same time (and no longer upon request by Parties)

3. Financial arrangements

- BY made a unilateral statement, in which it “pointed out the impact of the unprecedented unilateral coercive measures against its country, politization of this forum and non-engagement of its country to the workplan activities on the possibilities of BY to contribute financially or in-kind in the current intersessional period”. BY asked its statement to be included in the report on the meeting

3. Financial arrangements:

- Thanked those 26 out of 45 Parties that provided the requested initial information on their expected funding for 2024-2026 before and during the present meeting
- Regretted the missing information on the expected further contributions, which complicated and delayed the preparation of a realistic workplan that would match the funding available
- Also regretted the limited increase of the pledged contributions this far by most Parties and the likely insufficiency of the pledges to cover the proposed budget
- **Noted that funding pledged this far amounted only to around 1,1 Mio US\$ for 2024-2026 (out of 2 Mio US\$ budgeted for 2024-2026)**
- **Invited** the remaining 19 Parties – **AL, ARM, BEL, BY, BIH, CY, CZ, FI, KAZ, KGZ, LIE, MKD, MNE, PL, PT, SRB, SK, UA and UK** to **inform the secretariat of their pledges as early as possible** in advance of the next sessions of the Meetings of the Parties, and by **no later than 15 October 2023**, so that Parties could agree on a workplan that matches the resources available
- Thanked the national focal points for their efforts to mobilize further funding within their Governments and **encouraged the continuation of the efforts with a view to increasing their pledges for 2024-2026**
- If feasible, to improve predictability and reduce admin. burden and costs, recommended that Parties make multiyear (2024-2026) contributions in 2024

3. Financial arrangements:

- Reviewed and agreed on the text of draft decision IX/1-V/1, as revised, and agreed to forward it to the Meetings of the Parties at their next sessions
- Agreed that the draft workplan for the period 2024–2026 should correspond to the expected future funding for its implementation to ensure that the demand for activities and services matches the offer of resources
- Acknowledged that pending receipt of the required additional resources only reduced activities could be delivered

4. Preparations for the next MOP sessions

(a) Practical arrangements

- Noted the secretariat's information on the preparations for the next MOP sessions and their related time-schedule, as well as the provisional list of draft MOP decisions and documents
- Noted the Bureau meeting scheduled back-to-back to the MOP sessions, in Geneva, on Monday, 11 December 2023, to address any last-minute issues in connection with the sessions, including delegations' comments on the documentation
- Agreed that Parties should send comments to the official documents by 16 November (3 weeks before the MOP sessions).

4. Preparations for the next MOP sessions

(b) Provisional agenda

- Agreed on the provisional annotated agenda for the two MOP sessions and invited the secretariat to process it as an official document
- Thanked Italy for funding the preparation of the **high-level event** on energy transition, circular economy, and addressing also green financing, including a background paper, with support of consultants to the secretariat
- Welcomed the outline of the background paper, and invited the consultants to take into account comments made, including to add emphasis on the role of the Protocol on SEA
- Welcomed also the outline of the programme
- Noted the following confirmed panelists: MLD, IT, NGO representative; as well as statements from the floor from CH and WHO. Invited delegations to suggest further panelists and statements from the floor
- Noted the indicative timeline for the preparatory steps including the deadline of 19 September for finalizing a background document and 29 September for finalizing the HL event programme

4. Preparations for the next MOP sessions

(c) Draft workplan 2024–2026

- Reviewed and agreed on the draft decision IX/2–V/2 on the adoption of the workplan and its annexes I-II, as revised, including specifying cuts in secretariat tasks as of 2024, if Parties failed to fund additional resources (1P and part time G staff)
- Requested the secretariat to forward the draft to the Meetings of the Parties as an official document
- Agreed that for the finalization of a realistic and implementable workplan by the MOPs, it was necessary to know whether it was backed by matching resources: again urged all Parties to provide information on their contributions by 15 October.
- Noted that the proposed increased joint budget for the Espoo Convention and its Protocol was still by far the smallest of all the UNECE MEA budgets

4. Preparations for the next MOP sessions

(d) Draft declaration

- The Working Group agreed on the text of the draft declaration, as revised, to be forwarded to the Meetings of the Parties with a few remaining square brackets
- BY expressed its concerns “in regard to the politicized, unjustified and unbalanced wording of several parts of the draft declaration (preamble and para. 7)”, stressing that for this reason it could not support the draft as presented

4. Preparations for the next MOP sessions

(e) Chairs of the sessions

- Welcomed the nominations of the current Chair of the Bureau for the Convention matters, Mr. Kremlis (Greece) as candidate for the Chair of the general segment – and of the Chair of the Bureau for Protocol matters, Ms. Kolar-Planinšič (Slovenia), as a candidate for a general segment Co-Chair, in case Greece was not yet a Party to the Protocol.
- Noted that Spain withdrew its candidacy for chairing the high-level segment (due to its general elections)
- Invited other Parties to explore opportunities to chair the high-level segment

4. Preparations for the next MOP sessions

(f) Officers for the next intersessional period

- Welcomed the nominations provided this far, including the willingness for the current Bureau and Working Group Chairs to continue, if needed
- Concerning the implementation Committee:
 - Noted that PL was considering nominating an alternate member to Canada for the Protocol matters – (tbc)
 - Noted that MNE would confirm its candidacy for the IC membership asap
- Invited Parties to submit to the secretariat **latest by 15 October** the still **missing nominations for officers to be elected**, including, in particular for the IC: 1 member for Convention + Protocol matters (or 2 members if MNE withdrew its candidacy); and (if PL candidacy not confirmed) 1 member for the Protocol matters

4. Preparations for the next MOP sessions

(g) Provisional schedule of meetings 2024–2026

- Noted the indicative schedule of meetings, to be held subject to the availability of resources, and forward it to the Meetings of the Parties (with the 2024 meetings of the WG and the Bureau in square brackets)

5. Compliance and implementation

(a) Review of compliance and related draft decisions

- Took note of the Implementation Committee Chair's report, welcoming the progress made and acknowledging the importance of the IC's workload for the next session and until the 2023 MOPs
- Took note of the statements and revision proposals provided by the following Parties: AZ, BG, BY, EU+MS, MNE concerning draft decisions on compliance concerning them and invited the Implementation Committee to take them into account, as relevant, in the finalization of the draft decisions and amendment proposals to the Committee's structure and functions and operating rules at its fifty-seventh session (Geneva, 29 August–1 September 2023) prior to forwarding them to the Meetings of the Parties at their next sessions

5. Compliance and implementation

(b) Reporting and review of implementation

- Reviewed and agreed on draft decision IX/5, as revised, to be forwarded to the Meeting of the Parties to the Convention.
- Reviewed and agreed on draft decision V/5, as revised, to be forwarded to the Meeting of the Parties to the Protocol.
- Reviewed and agreed on the additional amendment proposals by the EU and its member States to section II on methodology of the draft seventh review of the implementation of the Convention (ECE/MP.EIA/WG.2/2022/3) and section I on methodology of the draft fourth review of the implementation of the Protocol (ECE/MP.EIA/WG.2/2022/4)
- Reviewed the templates that the Implementation Committee had finalized in consultation with the European Commission, to facilitate reporting of the EU under the Convention and the Protocol and asked the secretariat to submit them for the MOPs to take note of.

5. Compliance and implementation

(c) Legislative assistance

- Noted the information from Kyrgyzstan and Uzbekistan regarding their steps towards establishing a compliant legislation to implement the Convention and the Protocol further to technical advice received, with a view to ratifying or acceding to the treaties in the future
- Welcomed Moldova's further efforts to develop secondary implementing legislation for SEA and EIA, including quality control aspects; and the report by AZ regarding its secondary legislation
- Expressed appreciation for the EU4Environment funding (2019-2023/end March 2024)
- Invited Parties and future Parties that benefitted from legislative assistance to proceed with the finalization of their legal reforms in accordance with the Convention and the Protocol

6. Promoting practical application of the Convention and the Protocol

(a) Draft guidance on health in SEA

- Agreed on the importance of assessing health impacts and in involving health authorities in SEA, as required under the Protocol
- Recognized the extensive efforts made for finalizing the guidance since over 4 years, and thanked the delegations, Bureau Chairs and members that had contributed
- Regretted that although all their comments had been accommodated, the EU + MS objected to the endorsement of the guidance by the Protocol MOP
- Reviewed and agreed on a document for information purposes on health in SEA to be forwarded to the Protocol MOP at its next session (Dec. 2023)
- Agreed on the text of draft decision V/6 on assessing health impacts in strategic environmental assessment and to forward it to the Meeting of the Parties to the Protocol

6. Promoting practical application of the Convention and the Protocol

(b) Subregional cooperation and capacity-building

- Welcomed progress in the Italian funded activity for identifying synergies and possible future cooperation activities in marine regions, involving six regional sea conventions or commissions, and supported by the secretariat and consultants
- Considered and agreed on the assessment report including proposed cooperation activities; and on draft decision IX/3-V/3 on cooperation in marine regions and invited the secretariat to forward both to the MOPs as official documents
- Invited delegations to volunteer to contribute to implement the proposed activities and/or to propose others, informing the secretariat before the next meetings of the Parties
- Noted the report on the 3rd technical cooperation meeting organized by the secretariat on 16 May 2023
- Welcomed the case study fact sheets on good practice in the Convention's and Protocol's application in marine regions (2x PL, EST+IT and SL yet to be finalized)
- Invited further Parties to propose good practice in marine regions

6. Promoting practical application of the Convention and the Protocol

(c) Exchange of good practices

- Noted the lack of volunteers for proposing fact sheets on the treaties practical application and for funding an online database or a compilation of good practice
- Encouraged Parties to submit good practice fact sheets in the next period

6. Promoting practical application of the Convention and the Protocol

24-27 April 2024

(d) Capacity-building activities

- Welcomed the reports on the activities implemented or planned for, in accordance with or in relation to the workplan.
- Regarding the EU4Environment funded capacity building activities, noted information from Azerbaijan, the Republic of Moldova and updates by the secretariat, including on activities for Ukraine
- Noted the written report of OSCE on its planned follow-up activities to the joint UNECE/OSCE project (2019-2021) in Central Asia
- Noted the information from the IAIA on the preparation of two-page informal pamphlets, or “FasTips” on key issues in SEA practice (27 in total); and that the next IAIA conference would be held in Dublin on 24-27 April 2024.

7. Management, coordination and visibility of intersessional activities

- Considered the revision proposals from the EU and its member States (agreed by the Bureau) regarding the 2020 informal note on procedural matters of relevance to meetings with remote participation due to extraordinary circumstances
- Agreed on the revised version of the note and recommended to the Meetings of the Parties that said version be applied, and, as needed, further adapted, should the extraordinary circumstances arise again.
- Clarified that that procedural note would not be tabled nor relevant for the next MOP sessions
- Agreed with the Bureau that any broader revision proposals concerning the format of the meetings of the MOPs and their subsidiary bodies, or any other procedural aspects of their functioning would require a mandate from the MOPs to revise the applicable rules of procedure and additional financial and staffing resources

8. Related events and international processes

- Noted information from WHO on the Preparations and expected outcomes of the **Seventh Ministerial Conference on Environment and Health** (Budapest, 5–7 July 2023);

9. Other business

- Took note of the presentation by the Nuclear Transparency Watch regarding nuclear prevention related to warzone threats

Closing of the meeting

- Endorsed the main decisions agreed at the meeting, as presented by secretariat, and asked them to be posted on the meeting webpage
- Invited the secretariat to prepare the meeting report in consultation with the Chair