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Meeting of the Parties to the Convention
on Environmental Impact Assessment
in a Transboundary Context

Working Group on Environmental Impact Assessment

REPORT OF THE THIRD MEETING

1. The third meeting of the Working Group on Environmental Impact Assessment took place in Geneva from 9 to 12 October 2000.
2. It was attended by the following delegations: Albania, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Finland, France, Germany, Hungary, Italy, Kyrgyzstan, Latvia, Lithuania, Netherlands, Norway, Poland, Republic of Moldova, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom and Uzbekistan.
3. The Commission of the European Communities was also represented.
4. The World Health Organization/Regional Office for Europe was also represented.
5. The following non-governmental organizations were represented: International Agency for Non-governmental Environmental Assessments "Ecoterra", International Council of Environmental Law (ICEL), International Public Network for Environmental Impact Assessment (IPNEIA), Regional Environmental Center (REC) and World Conservation Union (IUCN).

I. ADOPTION OF THE AGENDA

6. The Chairperson, Mr. A. McGlone, opened the meeting. The secretariat informed the Working Group of the available documentation. The Working Group adopted its agenda as set out in document MP.EIA/WG.1/2000/17 on the understanding that item 4 on cooperation with the ECE Committee on Environmental Policy would be discussed first.

II. COOPERATION WITH THE ECE COMMITTEE ON ENVIRONMENTAL POLICY

7. The President of the Bureau and the secretariat reported on the outcome of the round-table discussion, held at the Committee's seventh annual session (September 2000), on cooperation among ECE conventions and potential synergies, aimed at strengthening their implementation. The Working Group was also informed about the outcome of the Committee's discussions on strategic environmental assessment (SEA). It welcomed the fact that this was the first time that the bureaux of the ECE environmental conventions had come together and discussed issues of common interest. In this context it was mentioned that environmental impact assessment as a cross-cutting instrument had a number of links with the other conventions. The Working Group took note of the information and decided to come back to these issues when discussing the work-plan.

III. DOCUMENTATION FOR THE SECOND MEETING OF THE PARTIES

A. Results of the implementation of the work-plan

1. Aspects of bilateral and multilateral cooperation

8. The delegation of the Netherlands, lead country for this activity, introduced a draft decision (MP.EIA/WG.1/2000/6/Rev.1) on this issue. The Working Group recommended that the Meeting of the Parties should adopt it, with the following changes:

(a) The third preambular paragraph should read

Having considered the outcome of the Workshop on bilateral and multilateral cooperation (practice and guidance) in relation to environmental impact assessment in a transboundary context,

(b) In paragraph 1:

- (i) For Agrees with substitute Endorses
- (ii) For and agrees that substitute and decides that

(c) At the end of paragraph 4, insert in the official languages of the Convention

2. Practical application of the Convention

9. The delegation of Finland, lead country for this activity, presented the report and the draft decision (MP.EIA/WG.1/2000/7/Rev.1). The Working Group recommended that the Meeting of the Parties should adopt this document, with the following changes to the decision:

- Add a new paragraph 7

7. Decides to take into account in the work-plan for the period 2001-2003 the outcome of the work on the practical application of the Convention on Environmental Impact Assessment in a Transboundary Context and the document prepared in connection with the workshop on bilateral and multilateral cooperation.

3. Public participation in a transboundary context

10. The delegation of the Russian Federation, lead country for this activity, introduced the report (MP.EIA/WG.1/2000/19) and draft guidance on this topic on the basis of the outcome of a workshop held in June 2000. Delegations expressed their interest in this topic and commended the delegation of the Russian Federation for its work. The Working Group recommended that the Meeting of the Parties should adopt the decision on this issue as included in annex I below together with the annex to document MP.EIA/WG.1/2000/19.

4. Non-compliance guidelines

11. The delegation of the United Kingdom, lead country for this activity, presented the revised draft decision (MP.EIA/WG.1/2000/9/Rev.1) on a possible non-compliance system under the Convention based on the discussion at the second meeting of the Working Group. The Working Group recommended that the Meeting of the Parties should adopt it with the following changes:

- (a) Delete the third preambular paragraph
- (b) After paragraph 3, insert a new paragraph 4

4. Decides to review the structure and functions of the Committee at the third meeting of the Parties, bearing in mind possible public involvement in the review of compliance, and regrets the Implementation Committee to prepare the necessary proposals for the third meeting of the Parties.

and renumber the remaining paragraph

(c) In the appendix:

- (i) In paragraph 2, delete the square brackets
- (ii) Delete paragraph 5 and renumber the remaining paragraphs
- (iii) In old paragraph 9, for context read content
- (iv) In old paragraph 12, the first sentence should read The Parties may, upon consideration of a report and any recommendation of the Committee, decide upon appropriate general measures to bring about compliance with the Convention and measures to assist an individual Party's compliance.

The delegation of Norway indicated that it would have preferred the original text of this decision, but it accepted the proposed changes.

5. Recent EIA developments and links with other ECE Conventions

12. The delegation of Italy, lead country for this activity, introduced the draft decision on this issue as included in document MP.EIA/WG.1/2000/20. The Working Group recommended that the Meeting of the Parties should adopt it with the following changes:

- (a) In the second preambular paragraph, for convinced substitute noting
- (b) In paragraph 1:
 - (i) For Agrees with substitute Endorses
 - (ii) After workshop insert, which state, inter alia,
- (c) In paragraph 2, for Also agrees substitute Decides

6. Database on environmental impact assessment

13. The delegations of Hungary and Poland, lead countries for this activity, presented a draft decision (MP.EIA/WG.1/2000/12/Rev.1) on the database, including its evaluation. The Working Group recommended that the Meeting of the Parties should adopt it, with the following changes:

- (a) In paragraph 3, for ECE substitute the Convention
- (b) In Annex I:
 - (i) In paragraph 44, after scenario insert was considered viable and
 - (ii) In paragraph 45, after EIA-relevant sites insert, in particular to the ECE web site on the Convention,

7. Networking facility attached to the database on environmental impact assessment

14. The delegation of Switzerland, lead country together with Finland and Poland, presented a

draft decision (MP.EIA/WG.1/2000/21) on this issue and made available a document explaining the interactive features of the networking facility. The Working Group recommended that the Meeting of the Parties should adopt the decision together with technical information included in annex II below.

8. Subregional activities

15. The delegation of Bulgaria, lead country for this activity, presented a revised decision (MP.EIA/WG.1/2000/13/Rev.1) on this issue, based on the discussion at the second meeting of the Working Group. The Working Group recommended that the Meeting of the Parties should adopt it.

B. Proposals for further developing the Convention

1. Strategic environmental assessment (SEA)

16. The Working Group discussed a draft decision on strategic environmental assessment (MP.EIA/WG.1/2000/22) prepared by the Bureau. All delegations taking part in the discussion expressed interest in the preparation of a protocol on SEA and indicated that this activity was considered of great importance in the further elaboration and implementation of the Convention. The delegation of Canada explained its national approach in regard to SEA and its difficulty with the legally binding nature of the proposed instrument on SEA. It further noted that it would not be in a position to participate in such a legal instrument. The delegation of Italy regretted that the Working Group had decided not to consider the recommendation by the Committee on Environmental Policy that the draft protocol should be open to non-Parties to the Convention and non-ECE countries. The Working Group prepared a revised decision as included in annex III below and recommend that the Meeting of the Parties should adopt it.

2. Amendments to the Convention

17. The delegation of Italy, lead country of the Task Force on this issue, presented the report of the Task Force (MP.EIA/WG.1/2000/23), including possible decisions. The Working Group recommended that the Meeting of the Parties should adopt the decision included in annex II to the Task Force's report, with the following changes:

(a) In the first preambular paragraph, after principle 17 insert of the Rio Declaration

and delete the rest of the paragraph

(b) Paragraph 1 should read

1. Decides that the Convention merits review to make it more effective,

(c) Paragraph 2 should read

2. Establishes a task force with the following mandate:

- (a) To undertake a comprehensive review of the Convention based on (i) experience gained in its implementation and (ii) other developments in the field of environmental impact assessment and in the other environmental conventions;
- (b) To identify the areas in need of amendment; and
- (c) To develop proposals for possible amendments, including their rationale;

(d) Insert a new paragraph 3

3. Decides that the Task Force will report to the Working Group on Environmental Impact Assessment with a view of facilitating the proposal of amendments for possible adoption at the third meeting of the Parties.

C. Work-plan and financial issues

1. Work-plan

18. The Working Group discussed the draft work-plan (MP.EIA/WG.1/2000/15/Rev.1), which was revised by the Bureau in the light of the comments made at the second meeting of the Working Group. The delegation of Norway informed the Working Group that a Workshop on Public Participation and Health Aspects in Strategic Environmental Assessment would be held from 23 to 24 November 2000 in Szentendre, Hungary and invited delegations to participate actively in this event. The Working Group recommended that the Meeting of the Parties should adopt the work-plan as included in annex IV below. It also proposed to the Meeting of the Parties that the following Parties should become members of the Implementation Committee: Armenia, Canada, Finland, Netherlands, Republic of Moldova, Slovakia, the former Yugoslav Republic of Macedonia and United Kingdom.

2. Financial issues

19. The Working Group discussed the draft decisions on financial support (MP.EIA/WG.1/2000/24) and on the budget and the implementation of the work-plan (MP.EIA/WG.1/2000/25) prepared by the Bureau. It requested the Bureau to finalize these documents in the light of the discussion and recommended that the Meeting of the Parties should adopt these decisions.

D. Sofia Ministerial Declaration

20. The Working Group discussed a draft ministerial declaration (MP.EIA/WG.1/2000/26)

prepared by the Bureau. It recommended that the Meeting of the Parties should adopt the declaration as included in annex V below.

21. When concluding this agenda item, the Working Group requested the Bureau to finalize these decisions for the second meeting of the Parties. It noted that there were no outstanding issues for the second meeting of the Parties and thus no need for a final preparatory meeting.

IV. FURTHER PREPARATIONS FOR THE SECOND MEETING OF THE PARTIES

22. The delegation of Bulgaria provided further information on the preparation of the second meeting of the Parties to be held in Sofia in February 2001. An informal note with the preliminary agenda was made available to the Working Group. The Working Group requested the Bureau to finalize the agenda in the light of the discussions by the Working Group. In accordance with Article 14 of the Convention, proposals for amendments should be circulated by the secretariat to the Parties at least ninety days in advance of a meeting of the Parties. The accreditation procedure for the meeting of the Parties are to be found in rules 14 to 18 of the Rules of Procedure. Examples of accreditation documents were made available to the Working Group.

V. ACTIVITIES FOR PROMOTING THE IMPLEMENTATION AND RATIFICATION OF THE CONVENTION

23. The Working Group was informed of the status of ratification of the Convention. Representatives of non-Parties reported on steps taken in order to become a Party to the Convention. The Working Group noted with interest that the Convention now had 31 Parties and requested non-Parties to ratify as soon as possible before the second meeting of the Parties.

VI. CLOSING OF THE MEETING

24. The Chairperson summed up the main decisions of the Working Group and closed the meeting on 12 October 2000.

Annex I

GUIDANCE ON PUBLIC PARTICIPATION IN A TRANSBOUNDARY CONTEXT

The Meeting.

Recalling its decision I/6 on the adoption of the work-plan taken at its first meeting,

Convinced that public participation forms an important part of transboundary environmental impact assessment,

Acknowledging that the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters may contribute significantly to the further strengthening of public participation in the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context,

1. Recognizes the need for guidance to assist competent authorities and the public in organizing effective public participation in environmental impact assessment in a transboundary context;
2. Welcomes the work carried out by the Russian Federation in developing draft guidance on public participation in environmental impact assessment in a transboundary context as annexed to this decision;
3. Recommends the Parties to develop this guidance further, inter alia on the basis of case studies, and to put forward proposals for consideration at the third meeting of Parties;
4. Decides to take the outcome of the Workshop held in Moscow in June 2000 into account in its work-plan for the period 2001-2003.

Annex II

NETWORKING FACILITY ATTACHED TO THE DATABASE ON ENVIRONMENTAL IMPACT ASSESSMENT

Introduction

1. The implementation of the Espoo Convention relies heavily on contacts at the bilateral and multilateral level. Cooperation between the Parties, necessary to achieve the goals set out in the Convention, would in fact not be possible without such interactions.
2. These interactions are of a multiple nature: through meetings, by letter, by telephone, by fax, etc. Recent years have seen the emergence of a new medium: the Internet has provided many of us with a new means of contact. It has facilitated contact from one individual to another. At the same time it has provided a new means to share information among many recipients. The Internet has generally proven to be fast, reliable and inexpensive.
3. Aware of the new opportunities offered by the Internet, Parties, at their first meeting, decided to establish a networking facility to take full advantage of the Internet and facilitate the exchange of information among the Espoo community.
4. The project and its implementation are based on a proposal by Finland and Switzerland and are funded by Switzerland (Swiss Agency for the Environment, Forests and Landscape) as the lead country. Project design and implementation are executed under the guidance of the Polish Ministry of Environment, Department of Environmental Protection.

I. GENERAL CONTENT

5. The networking facility is intended to be a communication tool for the entire Espoo community. It consists on the one hand of a discussion forum in the EnImpAs database which is accessible to anyone. On the other it offers specific services and communication tools to authorized users of the EnImpAs database. Authorized users are: the Focal Points, the Country Data Managers and other persons appointed by the Focal Points in each country (Parties and Signatories). Selected functions of the networking facility will be accessible to these authorized users only after they log on to the authorized (restricted) part of EnImpAs.
6. The basic components of the networking facility are:
 - (a) A discussion forum via World Wide Web pages (both for the Espoo community at large and for those having access to the authorized (restricted) part of EnImpAs);

(b) E-mail message distribution lists, possibly to be considered for a future upgrade of the networking facility;

(c) An announcement board for authorized users.

II. COMPONENTS OF THE NETWORKING FACILITY

A. Discussion forum via World Wide Web pages

1. General access discussion forum

7. A general-access discussion forum will be created in the non-restricted area of the EnImpAs database. This forum will be available from the link to “General Information” and then “EIA forum”. Any user of the EnImpAs database can join the discussion group after his/her introduction to the system. The introduction procedure is the following:

(a) A new user can join the forum after filling in the introduction form with, in particular, his/her e-mail address, a unique network name and a password;

(b) The system checks the accuracy of the e-mail address (for example by sending an e-mail to the provided e-mail address and asking for a reply);

(c) Once introduced to the networking facility, a user can (i) join an existing topic by sending his/her intervention; (ii) can create his/her own topic by filling in the proper form;

(d) A discussion topic is defined by the following set of information:

- Title of the topic;
- Language(s) in which the discussion is conducted;
- Introductory message.

2. Restricted discussion forum

8. A similar discussion forum will be created inside the restricted EnImpAs, which is accessible only to authorized users of EnImpAs. It will allow communication between groups of authorized users who are interested in a certain activity (e.g. gas main pipelines across the territory of several countries), a document (e.g. draft bilateral agreement), the organization of a joint meeting (e.g. a conference), etc.

9. Such a group of authorized users can, for instance, be a group put together for the evaluation of the EnImpAs database, or a group of people preparing a training course on EIA methodology. These persons may wish to communicate in a way that allows them to access/read a particular document, read up on past discussions, and enter their own interventions.

10. No special registration is necessary for authorized users – each one of them can participate in any topic of the forum. Each authorized user will be able to propose a new topic for discussion. The activity of the forum’s participants (including the opening of a new topic for discussion) will

not be stored in the buffer; so each intervention will immediately be entered into the database and visible for other authorized users. A discussion topic is defined by the same set of information as described above in paragraph 7 (d).

11. Each discussion topic will have a folder of documents associated to it. A document in the folder may be a Microsoft-Word file, a graph, a drawing, a photograph, etc. Each document will be inserted into the folder as an attachment to an individual user's intervention. Its insertion will require the filling in of a short form containing the file name and a brief description of its content.

12. All ongoing topics will be gathered on a separate main page of the discussion forum. References to the discussion topics will be arranged by the date they were started. A page containing references to past discussions will also be available in the forum.

13. A new intervention will appear at the bottom of the page containing the current discussion topic. Added messages will not be stored in the buffer, i.e. every new intervention will be immediately visible to all participants. Information about the new intervention will contain:

- Date of intervention;
- Author;
- Heading;
- Contents;
- Optional: attached document.

14. It will be possible to send a message containing information that a new intervention has been made or even quote its content and attachments. To this end, the users' e-mail message distribution lists (see below) will be used. This feature is optional and can be used if a sender wants to make sure that other people interested in the discussion topic will notice the intervention.

15. The database moderator can close the discussion topic if participants agree to do so. Discussion will also be closed if there are no new interventions for a sufficiently long period. A closed discussion will be transferred to the archives. Complete information on past discussions will be available to all authorized users of the EnImpAs database.

B. E-mail message distribution lists

16. E-mail message distribution lists make it possible to send messages to a predetermined set of recipients. The definition of a distribution list will contain:

- The name of the list;
- A short description of the list;
- A set of participants (subset of authorized users of the EnImpAs database).

17. Sending a message using a distribution list will be done with the help of a special form provided within the networking facility. Replying to messages received through the distribution lists that are addressed to all members of the distribution list will equally be done using the form provided. Messages sent through a distribution list will not be archived.

1. Predefined distribution lists

18. The networking facility will contain predefined distribution lists available to any authorized user. These will include:

- Country Data Managers of Parties – Signatories,
- Focal Points of Parties – Signatories,
- Points of Contact for Notification of Parties – Signatories,
- Database administrator and moderator.

19. The need for new predefined lists can be communicated to the administrator and/or moderator, who may then introduce new predefined lists.

2. Personal distribution lists

20. Every authorized user of the EnImpAs database will be able to create his/her own private distribution lists. These private distribution lists will be created from the lists of Parties/Signatories in such a way that clicking with a mouse on the country name will expand it to the list of the addresses available in this country. Clicking on the selected address will move it to the user's distribution list.

21. Personal distribution lists will be visible only to the user who created them.

C. Bulletin board for authorized users

22. Possibly to be considered for a future upgrade of the networking facility is the inclusion of a bulletin board for authorized users.

23. The bulletin board may contain announcements and documents provided for all authorized users. The board would have a tree-like structure of categories and sub-categories, e.g.:

- (a) Information by the secretariat of the Convention;
- (b) Meeting of a working group:
 - Documents;
 - Provisional agenda;
- (c) Announcements of the Bureau of the Convention.

24. A page of the announcement board would be identified by its category and sub-category name path, e.g. meeting of a working group > Provisional agenda.

25. Authorized users would also be able to propose information for specific pages of the bulletin board.

III. LOCATION OF THE NETWORKING FACILITY

26. At this time, the best way to implement the networking facility is to do so as a component of the EnImpAs database. The reasons for this choice are:

(a) The UN/ECE web site and the EnImpAs web site are the two sites providing information and access to documentation and allow for an exchange of information related to the Espoo Convention. This makes the EnImpAs web site attractive as the host site for the networking facility;

(b) EnImpAs already relies on a programmed database system and a variety of tools that would be necessary to implement the networking facility – this will reduce its implementation costs. To restrict particular areas of the EnImpAs database to authorized users, EnImpAs already contains a log-in mechanism – this will guarantee more security.

Annex III

STRATEGIC ENVIRONMENTAL ASSESSMENT

The Meeting,

Recalling Article 2, paragraph 7, of the Convention, which stipulates that, to the extent appropriate, the Parties shall endeavour to apply the principles of environmental impact assessment (EIA) to policies, plans and programmes,

Recalling also paragraph 10 of the Oslo Ministerial Declaration in which the Ministers recognized that a systematic analysis of the environmental impact of proposed policies, plans and programmes was enabled by the application of EIA principles and recommended that the principles of EIA in a transboundary context should also be applied to the strategic level, and to this end invited Parties and non-Parties to introduce those principles into their national systems,

Taking into account the work undertaken on strategic environmental assessment in other international forums, including the ongoing negotiations on the EC directive on the assessment of the effects of certain plans and programmes on the environment and the findings of the Sofia initiative on EIA,

Welcoming the offer by the Sofia initiative on EIA to organize subregional activities in order to facilitate the preparation of a protocol on strategic environmental assessment and to benefit from the experiences of countries in transition,

Having considered the paper on strategic environmental assessment (MP.EIA/WG.1/2000/16),

Having taken note of the Working Group's reports (MP.EIA/WG.1/2000/2 and MP.EIA/WG.1/2000/18) and in particular the views expressed concerning the development of a legally binding instrument on strategic environmental assessment (SEA),

Having considered that a Protocol on strategic environmental assessment could be potentially important for the integration of environmental, including relevant health, concerns into strategic decision-making as part of the process towards achieving sustainable development in line with Agenda 21, and that such a protocol would supplement the existing provisions on EIA of the Convention,

Noting the reports of the seventh session of the Committee on Environmental Policy and the second meeting of the Signatories to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters,

1. Establishes a subsidiary body, called the open-ended ad hoc Working Group on the Protocol, with a mandate to prepare a legally binding instrument in the form of a protocol on

strategic environmental assessment to the Convention, with the objective of finalizing it so that it can possibly be adopted at an extraordinary meeting of the Parties to the Convention to be convened on the occasion of the fifth Ministerial Conference "Environment for Europe" to be held in Kiev, Ukraine;

2. Calls on the Parties to the Convention to participate actively in the preparation of the Protocol;
3. Urges the Meeting of the Signatories to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) to contribute to the preparation of the protocol;
4. Calls the UN/ECE secretariat to ensure that invitations to the Working Group negotiating the SEA protocol are sent to all focal points of both the Espoo Convention and the Aarhus Convention;
5. Invites all interested intergovernmental organizations, in particular the World Health Organizations/Regional Office for Europe (WHO/EURO) and the United Nations Environment Programme (UNEP), as well as non-governmental organizations, to contribute to this process.

Annex IV

ADOPTION OF THE WORK-PLAN

The Meeting,

Recalling Articles 9 and 11, paragraph 2 (f), of the Convention, stipulating that further research as well as additional action that may be required to achieve the purposes of the Convention shall be undertaken,

Recognizing that it is essential for Parties to meet fully their legal obligations arising under the Convention,

Recognizing also that Parties should strive to go beyond their merely legal obligations and should take action to maximize the effectiveness of their application of the Convention so that the best possible practical results are achieved,

Recalling decision [II/9] on strategic environmental assessment,

Recognizing the need to strengthen cooperation with other conventions,

1. Adopts the work-plan for the period up to its third meeting, as appended to this decision;
2. Suggests that lead countries which carry out the relevant activities should consult each other in order to avoid overlap;
3. Calls on the Parties and invites non-Parties to arrange, host and participate actively in task forces and meetings in order to facilitate the implementation of the Convention;
4. Invites every relevant body or agency, whether national or international, governmental or non-governmental, to participate actively in the activities included in the work-plan.

Appendix

WORK-PLAN FOR THE IMPLEMENTATION OF THE CONVENTION FOR THE PERIOD 2001 TO 2003

1. REVIEWS OF THE IMPLEMENTATION OF THE CONVENTION

Objective: Parties and non-Parties will submit information on recent developments in their implementation of the Convention.

Method of work: A draft review will be considered at the third meeting of the Parties to review the implementation of the Convention.

Organizational aspects: The secretariat will prepare a draft review based on the information provided by Parties and non-Parties pursuant to the reporting system adopted by the Working Group, for discussion and possible adoption at the third meeting of the Parties.

Time schedule: The draft review will be prepared in 2003 and incorporate the information received by the end of 2002 for consideration at the third meeting of the Parties, at least nine months before this third meeting.

2. REPORTING SYSTEM

Objective: The Implementation Committee will prepare recommendations for a revision of the questionnaire used for reporting for future reviews of the implementation of the Convention. The capacity and technical possibilities of the EnImpAs database will be used in the reporting system. The objective is to improve the questionnaire so that it provides information on how the obligations of the Convention have been complied with, both at the general level and by particular Parties. The Committee will also consider whether any further steps might be recommended to improve the monitoring of, and compliance with, the obligations arising under the Convention.

Method of work: The delegation of the United Kingdom will act as lead country with the assistance of the secretariat. The Implementation Committee established by the Meeting of the Parties in accordance with decision [II/4] will meet with a view to preparing its recommendation.

Organizational aspects: The Committee will present its recommendation for a new reporting mechanism at the fourth meeting of the Working Group.

Time schedule: to be specified.

3. STRENGTHENING COOPERATION WITH OTHER ECE CONVENTIONS

Objective: To strengthen cooperation between the Convention and the other ECE conventions with the aim of further strengthening their implementation and application and in particular to further improve the application of environmental impact assessment in a transboundary context.

Method of work: On the basis of national and regional experiences and research:

(a) To compile and analyse relevant information taking into account document MP.EIA/WG.1/2000/10 and furthermore to study the relationship with the Convention on Long-range Transboundary Air Pollution;

(b) To identify opportunities for improving the application of the Convention *inter alia* to public participation, content requirements for EIA documentation, risk assessment, post-project analysis and monitoring.

Organizational aspects: [...] will act as lead country, with the assistance of the secretariat, and will organize a workshop to identify areas for cooperation in the application of the Convention and other UN/ECE environmental conventions. A report with proposals on how to improve the application of environmental impact assessment in a transboundary context through the provisions of the conventions will be presented to the Working Group for consideration and thereafter at the third meeting of the Parties for possible adoption.

Time schedule: to be specified.

4. GUIDELINES ON GOOD PRACTICE AND ON BILATERAL OR MULTILATERAL AGREEMENTS

Objective: On the basis of document MP.EIA/WG.1/2000/7/Rev.1 and MP.EIA/WG.1/2000/6/Rev.1 to discuss the experience and review and update guidelines on the practical application of the Convention and on the preparation of bilateral or multilateral agreements.

Method of work: Based on the previous work (see documents above) and giving also attention to the work under item "Subregional cooperation" in the work-plan, the experience in the practical application and in bilateral or multilateral agreements will be discussed at workshops and the guidelines will be updated.

Organizational aspects: Finland, Sweden and the Netherlands will act as lead countries, with the assistance of the secretariat. A report containing the guidelines with relevant background

information (compendium) will be presented to the Working Group for consideration and thereafter to the Parties at their third meeting for possible adoption.

Time schedule: to be specified.

5. STRATEGIC ENVIRONMENTAL ASSESSMENT

Objective: To prepare a legally binding protocol on strategic environmental assessment (SEA) to the Convention.

Method of work: On the basis of relevant national and international experience, a draft protocol on SEA will be prepared by the open-ended ad hoc Working Group on the Protocol.

Organizational aspects: The Working Group, with the assistance of the secretariat, will prepare a draft protocol in accordance with decision [II/9] and present it for possible adoption at an extraordinary meeting of the Parties to be held in conjunction with the fifth Ministerial Conference "Environment for

Time schedule: Spring 2001 - Spring 2003.

6. SUBREGIONAL COOPERATION

Objective: To support the application of environmental impact assessment in a transboundary context through the provisions of the Convention, in particular in countries in transition: central and eastern Europe and the newly independent States.

Method of work: Workshops, seminars, training courses etc. will be organized, and guidelines and other material will be produced, in order to introduce or improve EIA systems and practice, covering the specific needs of countries in transition, in particular with regard to methodological support.

Organizational aspects: Croatia and Poland will act as lead countries, with the assistance of the secretariat. Poland will provide for a facility enabling countries in transition to address their needs regarding transboundary EIA. Workshops and other activities will be organized in central and eastern Europe and the newly independent States, with the participation of experts from the countries of these regions, as well as from other countries in line with paragraph 14 of the Oslo Ministerial Declaration. Support will be sought from different sources for specific regions.

Time schedule: to be specified.

7. DATABASE ON ENVIRONMENTAL IMPACT ASSESSMENT

Objective: To allow an exchange of information on matters related to EIA in a transboundary context and to provide support to Parties and non-Parties in the establishment and maintenance of a system of networking, by setting up, as a central resource, a computer database, accessible to users through the Internet in order to strengthen the application of EIA in a transboundary context in accordance with the provisions of the Convention.

Method of work: The lead country will maintain the database on environmental impact assessment up to the third meeting of the Parties.

Organizational aspects: Poland will act as lead country, with the assistance of the secretariat, in particular in relation to the translation of information. For the next meeting of the Parties, Poland will prepare a report analysing the use of the database.

Time schedule: to be specified.

8. AMENDMENTS TO THE CONVENTION

Objective: To assess the effectiveness of the Convention in the light of developments, at national and international levels, in the field of environmental impact assessment.

Method of work: To review and analyse the implementation of the Convention, in accordance with [decision II/10].

Organizational aspects: A task force with Italy as lead country will organize meetings with the aim of preparing a report on its findings, including possible amendments and supporting rationale, for consideration by the Working Group and thereafter to the Parties at their third meeting for possible adoption.

Time schedule: to be specified.

9. PUBLIC PARTICIPATION IN EIA IN A TRANSBOUNDARY CONTEXT

Objective: To develop further the draft guidance on public participation as included in decision [II/3] with the aim of improving its practical application under the Convention.

Method of work: Parties and non-Parties will be requested to provide case studies on public participation in EIA in a transboundary context to be analysed by the lead country [countries].

Organizational aspects:[and]....will act as lead country [ies], with the assistance of the secretariat, to prepare a final version of the draft guidance on public participation in a transboundary context based on information to be provided by Parties and non-Parties .

Time schedule: to be specified.

Annex V

SOFIA MINISTERIAL DECLARATION

We, the Ministers of the Environment and the European Union Commissioner for the Environment, gathered in Sofia, Bulgaria from 24 to 27 February 2001 on the occasion of the second meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention),

1. Celebrate the tenth anniversary of the adoption of the Espoo Convention;
2. Pay tribute to the efforts of all countries and stakeholders involved in the implementation of the Convention;
3. Note with great satisfaction that the Convention was the first significant international legally binding instrument dedicated to environmental impact assessment;
4. Note with satisfaction the valuable work carried out under the work-plan adopted at the first meeting of the Parties;
5. Recognize with appreciation the significant achievements of the Convention. Its considerable impact on international environmental law and its promotion of environmental impact assessment within the UN/ECE region and at the global level have led to:
 - (a) Closer international cooperation, which has prevented and mitigated adverse environmental impacts at both transboundary and national levels;
 - (b) The promotion of environmental impact assessment as an effective international instrument for environmental protection in support of sustainable development;
 - (c) The widespread introduction of the requirement that there should be full consideration of environmental factors at an early stage in decision-making processes relating to particular projects;
 - (d) The introduction of effective laws, at the level of the UN/ECE member States and the European Community, implementing the requirements of the Convention;
 - (e) The recognition by the international community of the importance of environmental impact assessment, as witnessed by principle 17 of the Rio Declaration on Environment and Development, adopted in 1992, the year following the adoption of the Convention;

(f) Its international recognition at a global level, inter alia by the International Law Commission, as a pioneering Convention enshrining the principles of environmental impact assessment;

(g) Its use as a precedent for the text of other environmental instruments, both at the regional and the global level;

6. Recognize that the Convention has been practically applied to a number of activities, including some that are not included in its Appendix I;

7. Welcome the contribution that the Convention has made to promoting public participation pursuant to principle 10 of the Rio Declaration and greater transparency in decision-making;

8. Invite civil society and all stakeholders to contribute further to the development of the Convention, in particular by taking full advantage of its Rules of Procedure, which provide for national and international non-governmental bodies and agencies qualified in fields relating to environmental impact assessment to participate in meetings of its Parties and subsidiary bodies;

9. Encourage international financing institutions, such as the European Investment Bank (EIB), the European Bank for the Reconstruction and Development (EBRD), the Asian Development Bank (ADB) and the World Bank, to introduce and apply fully environmental impact assessment procedures that are consistent with the convention to investment projects with national and transboundary effects and also encourage these institutions to assist authorities in the country of origin to carry out EIA according to those principles and procedures;

10. Urge the Parties to hold national coordination meetings between national focal points of the UN/ECE environmental conventions to discuss how they could best work together to strengthen the implementation of these conventions and thus contribute to a better protection of the environment;

11. Encourage the continuing process promoting the exchange of information between the various bodies of the different conventions adopted under the aegis of UN/ECE;

12. Call up States that are entitled to become Parties to the Convention but that have not yet done so to take all appropriate steps to ratify the convention and to become part of the Espoo family of nations;

13. Welcome closer cooperation with States outside the UN/ECE region in an effort to extend the area of application of the principles of the Convention;

14. Emphasize that, in order to reap the full benefit of the Convention, the Parties must not only ratify, but also introduce all the necessary national measures, both practical and legal, to meet their obligations fully.

15. Encourage Parties and non-Parties to enter into appropriate bilateral or multilateral agreements or other arrangements in order to facilitate the effective application of the Convention, if they have not yet done so;

16. Acclaim the establishment of a mechanism to improve the implementation of the Convention, and trust that all Parties, especially those that are having difficulties meeting their obligations under the Convention, will welcome the efforts of the new Implementation Committee to support States in their efforts to improve their performance in that respect;

17. Welcome the establishment of a subsidiary body, called the open-ended ad hoc Working Group on the Protocol, with a mandate to prepare a legally binding instrument, in the form of a protocol on strategic environmental assessment to the Convention with the objective of finalizing it so that it can possibly be adopted at an extraordinary meeting of the Parties to the Convention to be convened on the occasion of the fifth Ministerial Conference "Environment for Europe" to be held in Kiev, Ukraine;

18. Note with appreciation the important step forward made by the recent work on the EC directive on the assessment of the effects of certain plans and programmes on the environment;

19. Look forward to the results of the work to develop further the Convention in the light of the experience gained during the past 10 years;

20. Encourage the Parties to carry out the activities under the new work-plan efficiently and constructively;

21. Recognize that the successful implementation of the convention on Environmental Impact Assessment in a Transboundary Context depends on adequate administrative and financial resources being made available to support and maintain the initiatives necessary to achieve its goals and, in that respect and bearing in mind the special situation of the countries in transition, call upon Parties, Signatories and international financing institutions to ensure that the resources necessary to meet the programme of activities are provided.