UNITED NATIONS

ECONOMIC COMMISSION FOR EUROPE

Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991)

Convention on the Transboundary Effects of Industrial Accidents (Helsinki, 1992)

Report of

Workshop on obligations and procedures of Espoo and Industrial Accidents Conventions and opportunities the two Conventions provide for Turkmenistan

Ashgabat, Turkmenistan, 5–6 June 2011[1]

[1] This report has been issued without formal editing by the Environment Division of the United Nations Economic Commission for Europe.

A. ORGANIZATION OF THE NATIONAL WORKSHOP

The national workshop on "the obligations and procedures of the Espoo and Industrial Accidents Conventions and on the opportunities the two Conventions provide for Turkmenistan" was held in Ashgabat, Turkmenistan, on 5 and 6 June 2011. The workshop was jointly organized by the United Nations Economic Commission for Europe (ECE) and the Ministry of Nature Protection of Turkmenistan. Organizational and logistical support was provided by the United Nations Development Programme office in Turkmenistan. The workshop took place in the framework of the "Regional Dialogue and Cooperation on Water Resources Management in Central Asia", a joint programme between ECE and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) that is funded by the Government of Germany through GIZ.

Representatives from Italy, Kyrgyzstan, the Republic of Moldova and Slovenia shared their countries' experiences in the practical application of the two conventions. The agenda of the workshop is provided as Annex 1 to this report.

1. Objective of the national workshop

The objective of the workshop was to familiarize participants with the procedures and benefits, including with regard to water resource management, of two ECE multilateral environmental agreements: the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991) and the Convention on the Transboundary Effects of Industrial Accidents (Helsinki, 1992). The two conventions provide widely-used, well-proven frameworks for fostering cooperation between neighbouring countries and assessing potential impacts when planning new activities, as well as with regard to prevention, preparedness and response to industrial accidents.

The workshop was also to inform stakeholders of the opportunities provided for Turkmenistan by the two conventions, by illustrating their application during the life-cycle of industrial facilities. The workshop was also intended to encourage Turkmenistan to seek further assistance in developing capacity to implement the two treaties.

2. Attendance

The workshop was attended by representatives of: the Ministry of Nature Protection, its National Institute of Deserts, Flora and Fauna, and its provincial departments; many other ministries (water economy, economy and development, defence, agriculture, oil and gas and mineral resources, railways, road transport, construction); several sectoral committees, agencies and services; several State enterprises; the Society of Nature Protection of Turkmenistan; and the Regional Environmental Centre for Central Asia. International experts from Italy, Kyrgyzstan, the Republic of Moldova and Slovenia, together with ECE Secretariat staff, made presentations to the workshop. The workshop was attended by 56 participants in total (of whom 19 women); a full list of participants is included in Annex 2 to this report.

3. Opening of the seminar

Mr. Babageldi Annabayramov, Minister for Nature Protection, opened the workshop. He warmly welcomed the participants to the workshop. The Minister then described the continuing work of Turkmenistan in environmental protection and the cooperation with ECE on environmental matters.

Mr. Nicholas Bonvoisin, Secretary to the Espoo Convention, made an opening statement on behalf of ECE. He expressed the appreciation of ECE for the invitation by the Minister to describe the two treaties that were the subject of the workshop. He provided an overview of the

ECE environment programme before focusing on the roles of the two treaties in environmental protection and international cooperation.

Mr. Volker Frobarth, GIZ Programme Director for Transboundary Water Management in Central Asia, also made an opening statement. He described the ECE-GIZ joint programme "Regional Dialogue and Cooperation on Water Resources Management in Central Asia", and how the workshop contributed to the programme's objectives.

4. Session on ECE environmental conventions

The workshop continued with an introductory session on the ECE environmental conventions, providing a link between a previous seminar on the ECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes (December 2010) and the current workshop.

Ms. Iulia Trombitcaia of ECE introduced the ECE environmental conventions and the ECE-GIZ Regional Dialogue Programme. She was followed by Mr. Lukasz Wyrowski of ECE, Officer in charge for the Industrial Accidents Convention, and Mr. Bonvoisin, Secretary to the Espoo Convention, who described the rational and objectives of the two conventions. Ms. Trombitcaia then explained the benefits of participation in the ECE conventions based on the example of the ECE Water Convention.

Mr. Bonvoisin and Mr. Wyrowski then returned to speak on the benefits of, and national legislation and authorities for, the Espoo and Industrial Accidents Conventions, respectively.

5. Session on the application of Espoo and Industrial Accidents Conventions during the life-cycle of an industrial facility

This more technical session focused on positive experiences and good practices in implementing the two conventions during the life-cycle of an industrial facility.

Firstly, there were two presentations on the application of the Espoo Convention at the planning phase, made by speakers who were both national focal points for their respective countries and members of the members of the Espoo Convention's Implementation Committee: Ms. Vesna Kolar-Planinsic, Ministry of Environment and Spatial Planning, Slovenia; and Ms. Tatiana Plesco, Ministry of Environment of the Republic of Moldova.

Secondly, there were two presentations on the application of the Industrial Accidents Convention:

(a) during the design and construction phases, by Ms. Jasmina Karba, Vice-Chair of the Bureau of the Industrial Accidents Convention, Senior Officer, Ministry of the Environment and Spatial Planning, Slovenia;

(b) during the operation phase, by Mr. Massimo Cozzone, Member of the Working Group on Implementation of the Industrial Accidents Convention, Senior Officer, Ministry for the Environment, Land and Sea, Italy.

6. Session on support in implementing the Espoo and Industrial Accidents Conventions

This session explained how the secretariat and bodies under the two conventions could provide support to Turkmenistan.

Mr. Bonvoisin focused on country-specific performance reviews and pilot projects under the Espoo Convention, whereas Mr. Wyrowski detailed the Assistance Programme under the Industrial Accidents Convention.

The presenters from the secretariat were again followed by speakers from Parties, experts in the application of the respective conventions.

Ms. Rakia Kalygulova, of the State Agency on Environment Protection and Forestry of Kyrgyzstan, and member of the Espoo Convention's Implementation Committee, reported on the experience of Kyrgyzstan within a pilot project under the Espoo Convention.

Mr. Gavril Gilca, Senior Officer, Hydrometeorological Service, Republic of Moldova, described the benefits for the Republic of Moldova from participation in the Assistance Programme of the Industrial Accidents Convention.

7. Session on the way forward for Turkmenistan

The workshop concluded with a discussion moderated by Mr. Batyr Ballyev, Head, Environmental Protection Department, Ministry of Nature Protection of Turkmenistan.

The Deputy Executive Secretary of ECE, Mr. Vasilyev, provided closing remarks on behalf of ECE.

B. SUMMARY OF DISCUSSIONS

Discussions took place throughout the workshop, with participants enthusiastically questioning the presenters. During the workshop, on several occasions, officials of the Ministry of Nature Protection emphasized the continuous process and achievements in environmental cooperation with ECE.

The presentations made by the national experts (from Italy, Kyrgyzstan, the Republic of Molova and Slovenia) on practical experiences were particularly appreciated by participants. For example, an official responsible for State Ecological Expertise within the Ministry of Nature Protection observed strong similarities between the procedures in Turkmenistan for transboundary EIA (environmental impact assessment) and those in the Republic of Moldova.

A representative of the Ministry of Defence asked the about sanctions for failure to comply with obligations under the two conventions, as well as about disputes between parties. An official of the Ministry of Nature Protection asked the applicability of the Espoo Convention where the country of origin (where the development activity is planned) is not a party to the Convention.

Mr. Balliev indicated his expectation that Turkmenistan would sign the three planned protocols to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea (Tehran, 2003): the Protocol on Environmental Impact Assessment in a Transboundary Context; the Protocol on Regional Preparedness, Response and Cooperation in Combating Oil Pollution Incidents; and the Protocol for the Protection of the Caspian Sea against Pollution from Land-based Sources and Activities. The three protocols were expected to be adopted and signed by the Conference of the Parties to the Caspian Sea Convention, meeting in Aktau (Kazakhstan), 10–12 August 2011.[2]

[2] Only the Protocol on Regional Preparedness, Response and Cooperation in Combating Oil Pollution Incidents was adopted and signed at Aktau.

If the Protocol on Environmental Impact Assessment in a Transboundary Context would be signed, this might simplify Turkmenistan's accession to the Espoo Convention.

Similarly, the signing of the other two planned protocols to the Caspian Sea Convention would open the way for implementing the provisions of the Industrial Accidents Convention and Turkmenistan might join the Convention's Assistance Programme. Mr. Balliev also observed that Turkmenistan has a number of commitments arising from other multilateral agreements that are cross-cutting with Industrial Accidents Convention's requirements.

In conclusion, Mr. Balliev noted that current legislation covered most provisions of the Espoo Convention and to a lesser extent the provisions of the Industrial Accidents Convention. He reported that a legislative review underway (2011–2012) and the Law on Nature Protection was to be revised in 2011, including provisions on ecological expertise. There would also be a revised Law on State Ecological Expertise.

He also indicated that there is already much experience of environmental impact assessment in accordance with the Law on State Ecological Expertise, whereas there is only theoretical capacity for strategic environmental assessment (subject to a Protocol to the Espoo Convention).

He suggested that Turkmenistan expected to follow the provisions of the Espoo and Industrial Accidents Conventions, whether or not a party to the treaties, but could not commit to accession to the two conventions.

Finally, Mr. Balliev emphasized that Turkmenistan was open for cooperation under the ECE umbrella, including through a possible joint initiative between the five environmental conventions.

Annex 1: Draft agenda

UNECE Convention on the Transboundary Effects of Industrial Accidents

UNECE Convention on Environmental Impact Assessment in a Transboundary Context

Workshop on obligations and procedures of Espoo and Industrial Accidents Conventions and opportunities the two Conventions provide for Turkmenistan[3]

Ashgabat, 5-6 June 2011

Provisional agenda

Venue: Hotel Grand Turkmen

Day 1

14:00-14.30	**Opening and welcome statements**
	Welcoming statement by Mr. Djumamurad Saparmuradov, Deputy Minister of Nature Protection of Turkmenistan
	Opening statement on behalf of UNECE by Mr. Nicholas Bonvoisin, United Nations Economic Commission for Europe (UNECE)
	Opening statement by Mr. Volker Frobarth, Programme Director, Transboundary Water Management in Central Asia, GIZ
14:30-16:40	**Session I: UNECE Environmental Conventions**
14:30-14:50	Introduction to the UNECE Environmental Conventions and the UNECE-GIZ Regional Dialogue Programme, Ms. Iulia Trombitcaia, UNECE

[3] The workshop takes place in the framework of the UNECE-GIZ Programme "Regional Dialogue and Cooperation on Water Resources Management in Central Asia". It is jointly organised by UNECE and the Ministry of Nature Protection of Turkmenistan. The organisational and logistical support is provided by UNDP-Turkmenistan.

14:50-15:10	The rationale and objectives of: - The Convention on the Transboundary Effects of Industrial Accidents (Industrial Accidents), Mr. Lukasz Wyrowski, Officer in charge for the Industrial Accidents Convention, UNECE - The Convention on Environmental Impact Assessment in a Transboundary Context (Espoo), Mr. Nicholas Bonvoisin, Secretary to the Espoo Convention, UNECE
15:10-15:30	Benefits of participation in the UNECE Conventions based on the example of the UNECE Water Convention, Ms. Iulia Trombitcaia, UNECE
15:30-16:00	Coffee break
16:00-16:20	Benefits of and national legislation and authorities for: - Espoo Convention, Mr. Nicholas Bonvoisin, UNECE - Industrial Accidents Convention, Mr. Lukasz Wyrowski, UNECE
16:20-16:40	Questions and answers
16:40-18:15	**Session II: Application of Espoo and Industrial Accidents Conventions during the life-cycle of an industrial facility, positive experiences and good practices in implementing the Conventions**
16:40-17:25	Planning phase, Ms. Vesna Kolar-Planinsic, Ministry of Environment and Spatial Planning, Slovenia, national focal point for the Espoo Convention and member of the Espoo Convention's Implementation Committee Questions and answers
17:25-18:10	Planning phase, Ms. Tatiana Plesco, Ministry of Environment of the Republic of Moldova, national focal point for the Espoo Convention and member of the Espoo Convention's Implementation Committee Questions and answers
18:10-18:20	Wrap up the first day
19:00	Dinner

Day 2

9:30 – 11:00	**Session II: Application of Espoo and Industrial Accidents Conventions during the life-cycle of an industrial facility, positive experiences and good practices in implementing the Conventions (continued)**

9:30-10:15	Design and construction phases, Ms. Jasmina Karba, Vice-Chair of the Bureau of the Industrial Accidents Convention, Senior Officer, Ministry of the Environment and Spatial Planning, Slovenia Questions and answers
10:15-11:00	Operation phase, Mr. Massimo Cozzone, Member of the Working group on Implementation of the Industrial Accidents Convention, Senior Officer, Ministry for the Environment, Land and Sea, Italy Questions and answers
11:00-11:30	Coffee break
11:30-16:45	**Session III: Support in implementing Espoo and Industrial Accidents Conventions**
11:30-12:00	Country-specific performance reviews and pilot projects under Espoo Convention, Mr. Nicholas Bonvoisin, UNECE Questions and answers
12:00-12:30	Assistance Programme under Industrial Accidents Convention, Mr. Lukasz Wyrowski, UNECE Questions and answers
12:30-14:00	Lunch
14:00-14:45	Experience of Kyrgyzstan within a pilot project under the Espoo Convention, Ms. Rakia Kalygulova, State Agency on Environment Protection and Forestry of Kyrgyzstan, member of the Espoo Convention Implementation Committee Questions and answers
14:45-15:30	Benefits for the Republic of Moldova from participation to the Assistance Programme of the Industrial Accidents Convention, Mr. Gavril Gilca, Senior Officer, Hydrometeorological Service, Republic of Moldova Questions and answers
15:30-16:00	Coffee break
16:00-17:00	Way forward for Turkmenistan, moderation by: Mr. Batyr Ballyev, Head, Environmental Protection Department, Ministry of Nature Protection of Turkmenistan
17:00-17:15	Closing of the workshop Closing remarks by Mr. Andrey Vasilyev, UNECE Deputy Executive Secretary Closing remarks by Mr. Djumamurad Saparmuradov, Deputy Minister of Nature Protection of Turkmenistan

Annex 2: List of participants (in Russian)

Сотрудничество по природоохранным конвенциям между Министерством охраны природы Туркменистана и Европейской Экономической Комиссией ООН

Список участников семинара «Обязательства и процедуры Конвенции Эспо и Конвенции о промышленных авариях. Возможности для Туркменистана»

Место и дата проведения: отель «Гранд Туркмен», г.Ашхабад, 5-6 июня 2011г.

№	Имя, фамилия	Место работы и должность
1.	Бабагельды Аннабайрамов	Министр охраны природы Туркменистана
2.	Джумамурат Сапармурадов	Заместитель министра охраны природы Туркменистана
3.	Мухаммед Дуриков	Начальник управления координации экологических программ Министерства охраны природы
4.	Сонна Карыева	Начальник управления охраны растительного и животного мира Министерства охраны природы
5.	Батыр Баллыев	Начальник управления охраны окружающей среды Министерства охраны природы
6.	Мухаммет Дерьякулиев	Заместитель начальника управления охраны окружающей среды Министерства охраны природы
7.	Сердар Эеберенов	Главный специалист управления координации экологических программ Министерства охраны природы
8.	Мерген Кепбанов	Начальник отдела управления охраны растительного и животного мира Министерства охраны природы
9.	Людмила Данилова	Главный специалист управления охраны окружающей среды Министерства охраны природы
10.	Джамал Дурдыкова	Главный специалист управления охраны окружающей среды Министерства охраны природы
11.	Палтамет Эсенов	Директор Национального института пустынь, растительного и животного мира (НИПРЖМ) Министерства охраны природы
12.	Довран Ахмедов	Директор Научно-производственного центра экологического мониторинга НИПРЖМ Министерства охраны природы
13.	Виктория Акопова	Начальник отдела Научно-производственного центра экологического мониторинга НИПРЖМ Министерства охраны природы
14.	Лариса Мамедова	Специалист Научно-производственного центра экологического мониторинга НИПРЖМ Министерства охраны природы
15.	Светлана Овезмурадова	Начальник отдела Ахалского управления охраны окружающей среды Министерства охраны природы
16.	Ходжадурды Аширов	Начальник отдела Балканского управления охраны окружающей среды Министерства охраны природы
17.	Кемал Ахмедов	Начальник отдела Службы «Каспэкоконтроль» Министерства охраны природы

18.	Оразбай Баллыев	Начальник отдела Дашогузского управления охраны окружающей среды Министерства охраны природы
19.	Розыбай Джовмардов	Начальник отдела Лебапского управления охраны окружающей среды Министерства охраны природы
20.	Марина Йомудская	Начальник отдела Марыйского управления охраны окружающей среды Министерства охраны природы
21.	Мухаммет Артыков	Главный специалист научно-технического отдела Управления аграрных реформ и изучения мировой практики Министерства сельского хозяйства Туркменистана
22.	Арслан Реджепов	Начальник отдела по международному водному сотрудничеству Министерства водного хозяйства Туркменистана
23.	Мая Ходжыева	Начальник департамента экономического анализа и инвестиций Государственного предприятия по вопросам Каспийского моря
24.	Бегмурат Бабаев	Главный специалист по охране окружающей среды Государственного концерна «Туркменгаз»
25.	Ымам Шахыев	Главный специалист по обустройству газовых месторождений Государственного концерна «Туркменнебитгазгурлушык»
26.	Гаипгельды Аннагельдыев	Главный специалист отдела по управлению анализом и перспектив развития в нефтегазовой отрасли Министерства нефти и газа и минеральных ресурсов Туркменистана
27.	Меретгельды Муханов	Заместитель главного инженера Корпорации «Туркменгеология»
28.	Александр Новичков	Начальник отдела техники безопасности Государственного концерна «Туркменхимия»
29.	Аман Аманов	Главный специалист научно-производственного отдела Комитета рыбного хозяйства
30.	Курбанмухаммет Мухыев	Комитет по гидрометеорологии при Кабинете Министров Туркменистана
31.	Чары Агамурадов	Директор центра диагностики Министерства здравоохранения и медицинской промышленности
32.	Игорь Наумов	Начальник отдела агропромышленного комплекса Министерства экономики и развития Туркменистана
33.	Ягмур Нургельдыев	Пограничная служба Туркменистана, Полковник
34.	Гуванч Бердыев	Начальник отдела по водоснабжению Министерства железнодорожного транспорта
35.	Азат Язмухаммедов	Министерство автомобильного транспорта
36.	Эзизов Ходжагулы	Министерство строительства Туркменистана
37.	Маметкулиев Сухан	Государственная служба «Туркменстандартлары»
38.	Дурдыкулиева Ольга	Министерство обороны Туркменистана
39.	Палванова Мяхри	Государственное агентство по управлению и использованию углеводородных ресурсов при Президенте Туркменистана

40.	Казакбай Атамедов	Руководитель Общества Охраны Природы Туркменистана Ташаузкого велаята
41.	Ровшен Нурмухамедов	ПРООН Туркменистан
42.	Николас Бонвуасан	Руководитель секретариата Конвенции Эспо, Европейская Экономическая Комиссия ООН
43.	Лукаш Выровски	И.О. Руководителя секретариата Конвенции по промышленным авариям, Европейская Экономическая Комиссия ООН
44.	Юлия Тромбицкая	Специалист по управлению водными ресурсами, Европейская Экономическая Комиссия ООН
45.	Массимо Коззоне	Эксперт, Европейская Экономическая Комиссия ООН Старший советник, Отдел устойчивого развития, изменения климата и энергетики, Министерство окружающей среды, земельных и морских вопросов
46.	Весна Колар Планинчич	Эксперт, Европейская Экономическая Комиссия ООН Отдел по окружающей среде, Министерство окружающей среды и земельного планирования Словении
47.	Татьяна Плешко	Эксперт, Европейская Экономическая Комиссия ООН Старший специалист, Отдел анализа политики, Министерство окружающей среды Республики Молдова
48.	Ракия Калыгулова	Эксперт, Европейская Экономическая Комиссия ООН Государственное агентство по охране окружающей среды и лесному хозяйству Кыргызской Республики
49.	Ясмина Карба	Эксперт, Европейская Экономическая Комиссия ООН Руководитель, Отдел по окружающей среде, Министерство окружающей среды и земельного планирования Словении
50.	Гаврил Гылкэ	Эксперт, Европейская Экономическая Комиссия ООН Руководитель, Отдел мониторинга качества окружающей среды, Государственная гидрометеорологическая служба Республики Молдова
51.	Фолкер Фробарт	Руководитель программы GIZ
52.	Макиев Талайбек	Региональный экологический центр ЦА
53.	Нуры Атамурадов	Министерство Охраны Природы Туркменистана. Главный специалист
54.	Овезов Максат	Национальный Институт Пустынь Растительного и Животного Мира при Министерстве Охраны Природы Туркменистана (НИПРЖМ). Начальник Лаборатории по мониторингу окружающей среды
55.	Овезбердиева Амангуль	НИПРЖМ. Специалист центра мониторинга по ОС
56.	Шарипова Дженет	НИПРЖМ. Специалист центра мониторинга по ОС