

Espoo 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

Ashgabat, 5-6 June 2011

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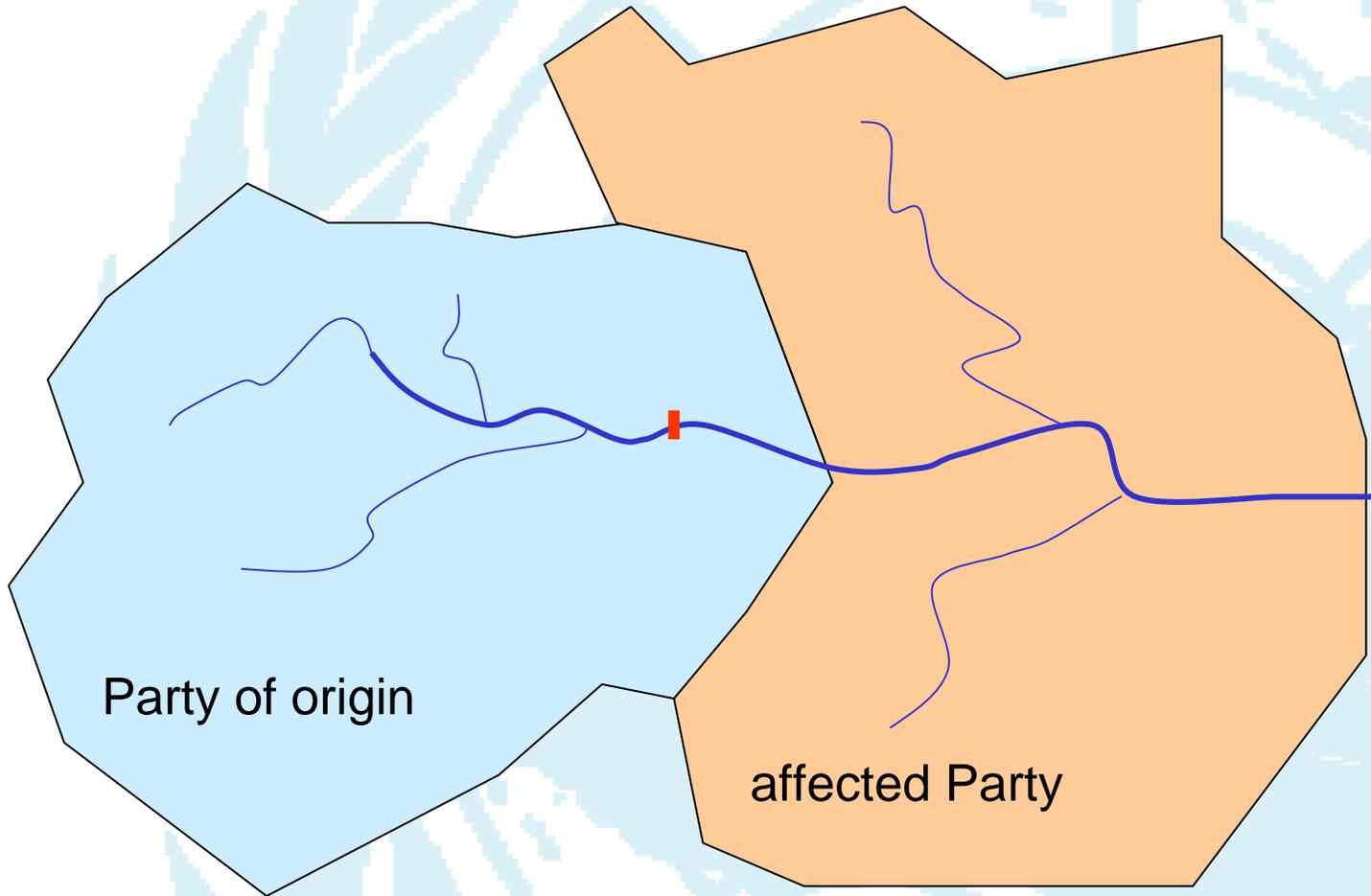
Secretary to the Espoo Convention, UNECE

www.unece.org/env/eia



- Procedure
- Benefits





Procedure: as Party of origin (simplified)

PART 1: Notification

- Identification of planned activity likely with transboundary impact
- Send notification to affected Party on planned activity, asking for response by a certain date
- Await response from affected Party, perhaps with comments on and objections to planned activity
- Discuss with affected Party practical issues (e.g. time for steps)

Procedure: as Party of origin (simplified)

PART 2: Transboundary EIA

- Receive EIA documentation from developer/proponent
- Send EIA documentation to affected Party
- Await comments from affected Party on EIA documentation
- Perhaps assist in public hearing in affected Party (or developer)
- Hold bilateral consultations with affected Party
- Make final decision, taking into due account comments received and results of EIA and bilateral consultations
- Send final decision to affected Party
- Consider post-project analysis

Procedure: as affected Party (simplified)

PART 1: Notification

- Receive notification from Party of origin on planned activity
- Inform own authorities and public
- Decide whether participate in procedure
- Respond
 - Will / will not participate
 - Provide comments on and objections to planned activity
 - Additional information requested by Party of origin

Procedure: as affected Party (simplified)

PART 2: Transboundary EIA

- Receive EIA documentation
- Distribute to own authorities and public
- Arrange for comments on EIA documentation
 - Sent directly to Party of origin, or through own competent authority
 - Possible public hearing
- Take part in bilateral consultations with Party of origin
- Receive final decision
- Possibly propose post-project analysis

Benefits: cooperation & sovereignty

- Provides framework for discussing with neighbouring States certain planned developments
- Being a Party obliges other Parties to notify & consult you about planned developments on their territory that are likely to have a significant adverse impact on your country's environment
- Can enhance international cooperation, including awareness of importance of the environment, and so help to avoid conflict
- Sovereignty is retained: decision-making power remains in country where the development is planned
- Confidentiality is respected: protects information the supply of which would be prejudicial to industrial & commercial secrecy or national security

Benefits: better development

- Better development: project design can be improved, including
 - higher environmental standards
 - mitigation & compensatory measures to reduce environmental impact
 - measures to adapt to climate change
- Project alternatives can be identified
 - suggestions may come from public, assessment experts, developer, others

Benefits: better development

- Better environmental protection
 - key environmental issues of a project can be identified
 - awareness of environmental consequences of project implementation raised
 - environmentally sensitive areas can be avoided by selecting a new site
 - environmental impacts avoided or reduced by revising the project design
- Better decision-making
 - decision-making can be better informed & more objective
 - assessment can provide a better framework for preparing conditions & legal agreements to govern future project operation

Costs

- Generally EIA costs less than 0.5 % of overall capital cost (with 60-90% for preparing EIA documentation)
- Costs over 1% unusual
 - for particularly controversial projects in sensitive environments
 - where good EIA practice not followed
- Actual costs of EIA tend to rise with capital cost of project, but percentage declines – projects subject to the Convention tend to be larger ones
- Timescales – typically one year. (For a large project that would take 2 years if subject to domestic procedures only, might take 3 years in a transboundary procedure.)

