

# **5<sup>th</sup> session of the Meeting of the Parties to the Espoo Convention**

*Geneva, 20-23 June 2011*

**Statement by Mr. Ján Kubiš  
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Distinguished Ministers, Excellencies, Ladies and Gentlemen,

I am pleased and honoured to address this fifth gathering of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context or in short, the Espoo Convention, and this first gathering of the Parties to the Convention's Protocol on Strategic Environmental Assessment.

This meeting is in part a celebration of the entry into force of the Protocol just under a year ago. We now have a legal instrument in force in 21 countries and in the European Union that will foster environmentally sound and sustainable development in a very concrete manner: by ensuring that certain government plans and programmes will integrate environmental and health concerns. I urge all UNECE member States to join the Protocol.

I have the privilege of working with Ministers on the new European Environment and Health Ministerial Board, which met for the first time last month, thus I particularly welcome the role of the Protocol in mainstreaming both environmental and health considerations into government decision-making, providing a practical tool for implementing the European environment and health agenda. I would encourage you to promote the Protocol's provision for health authorities to have also a say in development planning.

But the Protocol is about much more and you recognize this in your draft declaration: it is a unique and important instrument for planning and policymaking related to greening the economy, and you rightly wish to draw the attention of the Ministers meeting in Astana at the "Environment for Europe" Conference to this.

Strategic environmental assessment can and should be an appropriate mechanism to introduce the consideration of climate change impacts in certain plans and programmes, thus increasing adaptive capacity. It can be a powerful tool that is vital

and effective in guiding development towards sustainability. One way is to use it to work within environmental limits, and requiring that a plan or programme be agreed only after having ascertained, for example, that it would not result in a net loss in biodiversity. Another way is to use fully the Protocol's provision for its application to policies, which has a real potential for furthering sustainable development.

The Convention is of course a more mature instrument and the expectations are different: we can now celebrate the adoption of the Convention twenty years ago in Espoo in 1991. I understand that the Convention has not only grown in membership – with Montenegro, Bosnia and Herzegovina and Malta all having joined the Convention since your previous session – but also its use has grown rapidly and is now approaching one hundred applications per year. This positive development shows that Governments find the Convention to be an effective and efficient instrument that improves decision-making and strengthens international cooperation.

At the same time, I am concerned that the amendments to the Convention are taking a long time to enter into force. The first amendment on opening the Convention to all United Nations Member States was adopted a decade ago, and the second on expanding its scope of application was adopted in 2004. The slow rate of ratification of the two amendments appears inconsistent with their adoption. I understand that the situation with the Bucharest Agreement is somewhat different. You will recall that this agreement, which supports the implementation of the Convention in South-Eastern Europe, was adopted and signed at your previous session in 2008. It came into force in February of this year but has only three Parties to date. However, I understand that the countries of the subregion are in the meantime using the Agreement's provisions to guide the implementation of the Convention. Nonetheless, ratification of or accession to the agreement would be an important political gesture towards regional stability and cooperation.

Likewise it is important that all countries within our region are included under the Convention and the Protocol, and I was delighted to read that President Medvedev of the Russian Federation has indicated that his country should join the Convention. At the same time I take note of the efforts by member States to seek full implementation of treaties before accession or ratification – a welcome move towards full compliance. I also wish to encourage you in continuing to reach out to neighbouring States, across the Mediterranean, and to neighbours such as Afghanistan and the Islamic Republic of Iran, thus furthering stability and security, good governance, international cooperation and

sustainable development through the promotion of the Convention's principles and practice.

The application of the Convention to nuclear energy-related activities is of great importance and I am pleased to learn of the large number of occasions where the Convention has been applied—about 50 so far—and of your lively discussion on this topic yesterday. The Convention allows States to inform and possibly reassure their neighbours, to act transparently and to allow those neighbours to comment on planned power plants and storage sites that cause them concern.

In this light, I would like to comment on the application of the Convention, and eventually the Protocol, to all planned activities where the risk of accident is a major concern. I recall the reference in the Convention's preamble to the need to develop anticipatory policies. It would seem important to consider the necessity of strengthening environmental assessment with risk assessment and to consider, where appropriate, the use of these instruments to build resilience into development and as possible tools for disaster risk reduction.

Capacity-building has always been an important part of the work under the Convention and its importance for the Protocol is also clear – in particular for countries with economies in transition. The period since the previous session of the Meeting of the Parties has been marked by numerous subregional and national workshops under the Convention. The subregional workshops are a hallmark of the Convention: promoting dialogue, the exchange of experiences and the sharing of insights into neighbours' systems of environmental assessment, and building relationships between experts.

Successful capacity-building requires work in partnership: with beneficiary countries, with donors, with other international organizations and with the secretariats of the other UNECE conventions. I wish to express my particular thanks to Armenia, Belarus and the Republic of Moldova for proposing the Belgrade Initiative on strategic environmental assessment; to Canada, Finland, Norway and others for their support of the Environment and Security Initiative; and to our partners in that Initiative: UNDP, UNEP, OSCE and the Regional Environmental Centre for Central and Eastern Europe.

Another important support for the effective implementation of the Convention is provided by the work of the Implementation Committee. The Convention's compliance procedure—carried out by the Implementation Committee—is undoubtedly one of its

main merits. I wish to congratulate the Implementation Committee on its professional work, and I welcome your plans to increase the transparency of its work.

The rapidly increasing workload of the Committee is an indicator of the rigour of the Committee's work and of the importance that stakeholders place on proper implementation. The Committee's function is primarily to support full compliance rather than to sanction failure. Twice the Committee has taken the initiative to provide technical advice to strengthen national implementation and I commend the positive and cooperative responses of Armenia and Azerbaijan to the Committee's offers of technical support. I believe that the value of such support is amply illustrated by the request of Tajikistan for similar assistance to investigate what steps are required for it to implement the Convention, should it decide to accede. I understand that this approach is now reflected in the workplan that you are considering for adoption, with several States requesting pre-accession technical advice for the Convention or the Protocol.

I am pleased that you are considering the adoption of an ambitious workplan, while at the same time seeking efficiency and synergies between activities for the Convention and the Protocol. In these times of financial constraints, including budget cuts at the United Nations, we must indeed use all opportunities to further increase the efficiency of our work. Nevertheless, I need to emphasize the importance of sufficient financial and staff resources. Increasing demands on the secretariat must be met by increasing extrabudgetary resources. In this regard I would like to express my gratitude to Finland for providing an associate expert and I hope that other Parties will follow Finland's example. And I would like to thank the large number of countries contributing to the Convention's budget, as we rely on your voluntary contributions to provide the secretariat functions you have come to expect.

Talking about resources reminds me that representatives of the Parties contribute in a very direct manner to the work under the Convention and Protocol at the international level, by serving as members of the Bureau and Committee, and as officers for the Working Group. I wish to recognize in particular the dedication of Mr Matthias Sauer of Germany as Chair of the Implementation Committee; and Mr Aleksander Vesic of Serbia who has taken on the demanding role of Chair of the Bureau and of the Working Group, and of the Chair of the Meeting of the Parties in the general segment held these past three days.

Finally, looking beyond our region, both instruments—the Convention and the Protocol—provide practical tools for implementing several principles proclaimed by the

Conference on Environment and Development held in Rio in 1992. As suggested in the draft declaration of your meeting, I would be pleased to inform the regional preparatory meeting for next year's Rio+20 Conference on Sustainable Development about your achievements in concretizing the aspirations of the 1992 Rio Conference. Our region is unique in its common and widespread implementation of these principles, and this is certainly something of which you can be proud.

Distinguished Ministers, Excellencies, Ladies and Gentlemen, I wish you success in your deliberations today. Thank you.

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