Economic Commission for Europe
Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context
Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context serving as the Meeting of the Parties to the Protocol on Strategic Environmental Assessment
Working Group on Environmental Impact Assessment and Strategic Environmental Assessment
Eighth meeting
Geneva, 26–28 November 2019
Item 8 of the provisional agenda
Preparations for the next sessions of the Meetings of the Parties

Possible activities for the next draft workplan (2021-2023)

This note from the Bureau presents a number of possible elements for the workplan for the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context and its Protocol during the next intersessional period (2021-2023), to be adopted by the Meetings of the Parties at their next sessions, scheduled for 8-11 December 2020.

Further to the feedback from some Parties that the previously used table-format was not that user friendly, the proposed workplan elements are presented in a new format for consideration of the Working Group.

The Working Group is invited to consider the initial workplan elements. Delegations are invited to confirm activities or express other priority needs for the next period; as well as to propose leading and/or funding activities.

The Working Group may wish to agree on the further development of the workplan in parallel with its deliberations on the budget for the next period and the draft long-term strategy and action plan (see informal document ECE/MP.EIA/WG.2/2019/INF.7). It may also mandate the Bureau with support from the secretariat to prepare a revised draft of the workplan and a draft decision on the adoption of the workplan for the Working Group’s consideration at its next meeting in advance of its next meeting (9-11 June 2020).

Any workplan element for which Parties have not identified any resource by the June 2020 meeting of the Working Group should be removed from the workplan and wait-listed.
Annex I: Draft workplan 2021-2023

Introduction

1. The present draft workplan proposes activities to be undertaken during the period 2021–2023, under the following four areas of work/work streams (that correspond to those of the previous workplans):
   (a) Compliance with and implementation of the Convention and the Protocol;
   (b) Subregional cooperation and capacity-building to strengthen contacts between the Parties and others, including States outside the ECE region;
   (c) Exchange of good practices;
   (d) Promoting ratification and application of the Protocol and/or the Convention.

2. The workplan activities aim at operationalizing the proposed strategic priority goals set out in the draft long-term strategy and an action plan (ECE/MP.EIA/WG.2/2019/INF.7), namely:
   (a) Full and effective implementation of the Convention and the Protocol by the Parties;
   (b) Wider application of the Convention and the Protocol within and beyond the ECE region;
   (c) Increased impact and adaptation to new national, regional and global challenges.

3. The document outlines the main objectives of the work areas, and specifies for each individual activity:
   (a) The lead countries/responsible bodies;
   (b) The expected outcome;
   (c) The method of work/organizational arrangements/methodology of implementation, as relevant;
   (d) The specific time schedule, as relevant;
   (e) The resource requirements, as relevant;
   (f) The contribution to implementing the Sustainable Development Goals or other global commitments, as relevant.

4. The activities in the workplan require secretariat resources, in-kind contributions from officials in the treaty bodies and/or already identified donor funding.

5. Any activities that are deemed necessary but for which no donor funding and/or lead countries or organizations has yet been identified should be “wait-listed” and included in a separate table before the document is submitted for adoption by the Meetings of the Parties.

I. Compliance with and the implementation of the Convention and the Protocol

6. The activities to be undertaken under this workstream aim to assist Parties to fully implement and comply with the Convention and the Protocol. The activities are related to:
   (a) The review of compliance mechanism under the two treaties led by the Implementation Committee;
   (b) Mandatory reporting by Parties and the review of their implementation;
   (c) Legislative assistance provided to countries at their request to support legal reforms in accordance with the Convention and the Protocol;
   (d) Development of guidance on the implementation of the treaties.

As relevant, the activities also contribute to promoting wider application of the Convention and/or the Protocol within the ECE region by prompting their ratification by non-Parties.
I.1. Consideration by the Implementation Committee of compliance submissions, Committee initiatives and information from other sources

7. The Implementation Committee is to consider issues, and, as appropriate, to present findings and draft recommendations, on compliance of Parties to the Convention and the Protocol with their obligations thereunder to the Meetings of the Parties at their ninth and fifth sessions, respectively. The Committee’s work is supported by the secretariat.

I.2. Report on the Committee’s activities to the next sessions of the Meetings of the Parties

8. In accordance with decision III/2, appendix (ECE/MP.EIA/6), as amended by decision VI/2 (ECE/MP.EIA/20/Add.1−ECE/MP.EIA/SEA/4/Add.1), the Committee must report on its activities at each session of the Meetings of the Parties through the secretariat. Each report shall be finalized no later than ten weeks in advance of the next sessions of the Meetings of the Parties.

I.3. If necessary, review and revision of the Committee’s structure and functions and operating rules

9. The Committee should continue to review the rules governing its mode of operation in the light of its experience and, as needed, present proposals for possible amendments to the Meetings of the Parties at their ninth and fifth sessions, respectively.

I.4. Examination of the outcome of the sixth review of implementation of the Convention and the third review of implementation of the Protocol

10. The Committee should examine the outcomes of the sixth and the third reviews of implementation of the Convention and the Protocol, respectively, with support from the secretariat, by the end of 2021, to identify possible general and specific compliance issues during the period 2021–2023.

I.5. Modification of the questionnaires for the report on implementation of the Convention and the Protocol in 2019–2021

11. The activity aims to contribute to improving the information obtained through mandatory reporting by Parties on their implementation of the Convention and the Protocol. Ultimately the activity would lead to adapting the reviews of implementation to maximise their usefulness as a source of information to highlight progress achieved and to draw attention to areas that need improvement, but also to disseminate good practices, and to inform the Implementation Committee of potential non-compliance. The Committee should present draft modified questionnaires to the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment for approval in 2021 and to finalize them on the basis of its comments in advance of distribution.

I.6. Distribution to Parties of the questionnaires for reporting on implementation of the Convention and the Protocol in 2019–2021

12. The questionnaires should be distributed by the secretariat by [the end of October 2021], for return [by the end of March 2022].

I.7. Preparation of draft reviews of implementation of the Convention and the Protocol

13. The draft reviews that summarize the outcomes of Parties’ reporting should prepared by the secretariat with support from consultants, for presentation to the Implementation Committee and the Working Group in [2022] and to the Meetings of the Parties at their next sessions in 2023.

\[\text{Budget: $25,000 required to cover the costs of consultants and translation of national reports.}\]

I.8. Collection of findings and opinions from the Committee regarding the Convention and the Protocol

14. The secretariat is to collect the Committee’s new findings and opinions and publish them on-line as an informal publication – on an annual basis.
I.9. Legislative assistance including advice on drafting primary and/or secondary legislation or amendments to them for the implementation of the treaties

15. Legislative assistance is provided for drafting of secondary legislation for the implementation of the Protocol and for amending primary and secondary legislation for the implementation of the treaties. It is coordinated by the secretariat with support from consultants and funded through the European Union for Environment (EU4Environment) programme. The assistance to be provided in 2021 and 2022 will target the following countries:
   (a) Belarus (amendment of primary and secondary legislation);
   (b) Republic of Moldova (drafting of secondary legislation).

I.10. Awareness raising events to support the adoption of the legislation

16. An awareness raising event to support the adoption of amendments to the primary and secondary legislation for the implementation of the Convention and the Protocol in Belarus is planned for 2021. It will be implemented by the secretariat in cooperation with Belarus, with funding from the EU4Environment programme.

I.11. Updating relevant parts of the available guidance documents on the application of the Convention [and the Protocol]

17. The previously prepared guidance documents are to be updated, as relevant, by the secretariat with support from consultants, subject to the availability of funding. These would include the following:
   (a) Guidance on Public Participation in Environmental Impact Assessment in a Transboundary Context
   (b) ...

   Funding required: Approximately $10,000-15,000 per document.

I.12. Development of guidance document (or good practice recommendations) on transboundary consultations [under the Protocol]

18. To be carried out by the secretariat with support from consultants, possibly involving a survey, subject to the availability of funding.

   Funding required: Approximately $15,000-25,000 per document.

II. Subregional cooperation and capacity-building to strengthen contacts between the Parties and others, including States outside the region

19. The overall objective of the activities to be undertaken under this workstream is to contribute to common understanding and improved implementation of the Convention and its Protocol within the ECE subregions, to promote cooperation among Parties within and between the subregions as well as to strengthen contacts with States and subregions outside the ECE region. They aim at increasing professional skills of officials at all government levels and increasing awareness of the public, including NGOs in relation to strategic environmental assessment and transboundary environmental impact assessment, and to the application of the Convention and its Protocol. They also aim at contributing to increased cooperation and synergies with relevant multilateral environmental agreements, other international instruments’ and organizations. Lastly, the workstream contributes to wider application of the Convention and the Protocol within and beyond the ECE region.

II.A. Baltic Sea subregion

II.A.1. Subregional seminars on the cooperation on the Convention and the Protocol

20. The lead countries from around the Baltic Sea are to organize up to three seminars on topics of interest for the sub-region that they are to identify in advance of the meeting in consultation with the other countries, and to prepare a report on the outcomes for the secretariat to make available on the
website. The seminars are funded by the countries in-kind. As relevant, the participation of the secretariat is funded from its travel budget.

II.B. South-Eastern Europe subregion

II.B.1. Meeting of the Parties to the Bucharest Agreement

21. The activity originally proposed by Romania, as depositary to the Bucharest Agreement, is subject to the identification of in-kind funding by the host-country and other lead-countries, and, as needed secretariat resources to support the activity.

II.B.2. Capacity building for implementing the Bucharest Agreement

22. The activity proposed by Montenegro aims at improving the implementation of the Bucharest Agreement, the Espoo Convention and the Protocol on SEA, in a transboundary context among the Parties to the Bucharest agreement (and other countries of the South-East European sub-region).

The activities, the modalities of their implementation, and the resources requirements remain to be specified.

II.C. Eastern Europe, the Caucasus and Central Asia

II.C.1 A Sub-regional event in Eastern Europe and the Caucasus (i.e. training workshops and/or study tours) to facilitate information exchange and experience sharing among the beneficiary countries

23. The secretariat will coordinate the organization of a subregional event for Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine, with funding from the EU4Environment programme, most likely in 2022. (The participation may be extended to other countries from the ECE region and beyond if additional funding is identified).

II.C.2. A peer-learning exercise for the countries of Central Asia to facilitate information exchange and experience sharing on application of the Convention [and the Protocol]

24. The activity requested by Uzbekistan is to be undertaken with a view to sharing knowledge and experience with Central Asian countries regarding the application of the Convention, subject to the identification of funding and a host country for the event (preferably from Western Europe) that would present its good practice in the application of the Convention. The aim of the activity is to support the legislative reforms initiated by some of the Central Asian countries, and to facilitate the establishment and application of environmental assessment systems that fully comply with the Convention [and the Protocol]. Through the activity, the beneficiary countries will:

(a) Learn about the national environmental impact assessment system of the host country and its legal, institutional and practical arrangements for the transboundary consultations under the Convention (both as a Party of origin and as an affected Party).
(b) Meet with representatives of relevant authorities, practitioners and non-governmental organizations involved with environmental impact assessments;
(c) Discuss challenges and success factors regarding the application of the Convention in the sub-region.

Funding requirements: Travel of participants: approx. $ 30,000 (for three participants from five countries). Logistical and organisational costs, including fees of the consultants and speakers, hiring a venue, interpretation and translation into Russian, local transportation $40,000

Inputs from the host country: support to programme development, logistical and practical arrangements

II.D. [Other sub-region/ Beyond the ECE region]
III. Exchange of good practices

25. The activities to be undertaken aim at sharing knowledge and experience regarding legislation and practice for implementation of the Convention and the Protocol, leading to better national legislation and improved implementation of the treaties. The workstream also contributes to awareness-raising on the two treaties and their benefits.

III.1. Workshops or seminars within meetings of the Working Group or the Meetings of the Parties on:

26. The workshops or seminars are to be organized by a lead country(ies) or organizations with support from the secretariat. From each workshop or seminar, the lead countries/organizations should produce a clear and concise document presenting advice on the most important problems identified for the theme in question, referring also to the contribution of the topics to the application of SDGs. Costs (e.g., for speakers, provision and translation of materials) of the workshops are to be covered in kind by lead countries, to the extent possible. (Travel costs for countries eligible for financial support and non-ECE countries should be covered from the budget.) The workshops/seminars to be held during the annual meetings of the Working Group in 2021–2023 and/or the sessions of the Meetings of the Parties in 2023 could cover some of the following topics:

(a) Smart and sustainable cities;
(b) Greening the Belt and Road Initiative;
(c) Biodiversity;
(d) Circular economy;
(e) ….

III.2. [Development of an on-line database on Parties’ good practice or collection and compilation of good practice]

27. The development of a database on the ECE website is to be carried out by the secretariat with support from an external consultant, subject to the availability of funding. The activity involves designing a structure and template for Parties submission of good practice as well as soliciting, proofreading, editing and uploading the good practice. Alternatively, the good practice could be collected and compiled into an on-line informal publication that would be updated regularly. Requires secretariat support and funding for consultants of $15,000-25,000.

III.3. Development of good practice recommendations

28. Good practice recommendations could be developed e.g. on any of the topics in item III.1. above, as agreed. The activity would be undertaken by external consultant(s) with support from the secretariat, possibly involving a survey to gather good practice, subject to availability of funding. Requires secretariat support and funding of $15,000-25,000 for consultant(s)

IV. Promoting practical application of the Protocol on SEA and/or the Convention

29. The activities to be undertaken aim at promoting fully compliant application of the Protocol and the Convention, including through increased capacities and professional skills of officials at all relevant administrative levels, and increased awareness of the public, including NGOs regarding the treaty provisions and their application. The activities also contribute to wider application of the Convention and the Protocol through promoting their ratification by non-Parties.

IV.1. Implementation of pilots on SEA (or transboundary EIA)

30. Pilot projects are facilitated by the secretariat, with support from consultants, and implemented with active participation of the beneficiary countries, and, as relevant, partner organizations, with a view to providing hands-on learning for implementing the SEA (or transboundary EIA) procedure, with built-in training involving analytical and consultative tasks, in accordance with the Protocol on SEA (or the Espoo Convention). The pilots will include the following:
(a) At least 5 pilots funded by the EU4Environment, in sectors to be selected by the beneficiary countries, as follows:

(i) in Armenia (2020-2021);
(ii) in Azerbaijan (2020-2021);
(iii) in Belarus (2021-2022 tbc);
(iv) in Georgia (2020-2021);
(v) in the Republic of Moldova (2021);
(vi) in Ukraine (2021-2022 tbc)

IV.2. Training workshops on the application of the Convention and the Protocol

31. The organization of workshops, including training, on the practical application of the Protocol is coordinated by the secretariat with support from consultants, in cooperation with the beneficiary countries. These will include the following workshops funded by the EU4Environment in 2021 and 2022 as follows:

(a) One in Azerbaijan;
(b) One in Ukraine (tbc).

IV.3. Awareness raising events to promote the application of the national SEA (or the transboundary EIA) legislation in line with the Convention and the Protocol

32. The organization of the events is coordinated by the secretariat with support from consultants, in cooperation with the beneficiary countries. The events will include the following awareness raising events funded by the EU4Environment in 2021 and 2022:

(a) in Azerbaijan (one event)
(b) in Belarus (one event)
(c) in the Republic of Moldova (one event)

IV.4. Awareness raising materials on SEA and/or transboundary EIA

33. The preparation of the materials (a leaflet on good practice in SEA/transboundary EIA, a brochure on the role of public participation in SEA/EIA) is coordinated by the secretariat with support from consultants, in cooperation with the beneficiary countries. These will include awareness raising materials funded by the EU4Environment in 2021 and 2022 for the following countries:

(a) Azerbaijan;
(b) Belarus;
(c) in Ukraine.

IV.5. Issue or sector-specific guidelines on strategic environmental assessment

34. The preparation of the guidelines is coordinated by the secretariat with support from consultants, in cooperation with the beneficiary countries. These will include the following guidelines funded by the EU4Environment programme in 2021 and 2022 to complement existing general guidelines on SEA, on selected issues/sectors:

(a) in Azerbaijan on SEA in regional development/transport/agriculture (sector tbc);
(b) in Belarus on SEA in urban planning:
(c) in the Republic of Moldova on internal procedure for EIA and SEA in a transboundary context;
(d) in Ukraine on SEA for urban planning.
IV.6. Developing a model for a database on strategic environmental assessment

35. The development of a model for a database aims to support the application of strategic environmental assessment in Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine, with funding from the EU4Environment programme.

Annex II: List of activities awaiting funding and/or identification of lead countries or organizations for the period 2021-2023

I. Compliance with and the implementation of the Convention and the Protocol

II. Subregional cooperation and capacity-building to strengthen contacts between the Parties and others, including States outside the ECE region

III. Exchange of good practices

IV. Promoting ratification and application of the Protocol and/or the Convention.

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