

Future directions after 10 years of implementation of the Espoo Convention

Speech of the Secretary of State, Mr. Silviu Stoica on the occasion of the side-event held in Belgrade for the 10th anniversary of the Espoo Convention

I would like to welcome all participants to this side-event and I hope that an active participation will take place in the panel discussion. I also would like to welcome the distinguished panellists.

Convention on Environmental Impact Assessment in a Transboundary Context was adopted in Espoo, in Finland, in 1991. Ten years ago it entered into force. It now has 41 Parties from the UNECE region and amendments have been adopted to make it a potentially global instrument.

But we are not interested today in looking back, but rather at looking forward. Hence title of side-event: "Future directions after 10 years of implementation". This is an opportunity to talk informally about our experiences and our future hopes for the Convention.

Romania ratified the Convention on 29 March 2001. Still, we had to ensure complete implementation of the provisions of this international treaty and this became more and more stringent with Romania accession to EU. Having in mind the relationship between the Espoo Convention and the EIA Directive, Romania adopted subsequent legislation for implementation, ensuring in the same time both the application of the Convention and of the EIA Directive. In this way we underlined the complementary link between the Espoo Convention and the EU environmental impact assessment legislation.

On 16th of November 2006 Romania has accepted the first amendment to the Espoo Convention and we consider the possibility to start this process for the second amendment.

Romania has also taken into consideration the ratification of the SEA Protocol to the Espoo Convention, which was signed in the previous Ministerial Conference "Environment for Europe" in Kiev. Currently, we scrutinize the existing legislation in order to determine which additional implementing legislation is necessary. We can say that the implementation legislation in the SEA field is enforce since the transposition of the SEA Directive has taken place (in 2004) and we have gained some experience in application of the SEA procedure to plans and programmes.

Regarding our experience in implementing this Convention, we applied its provision to a number of important projects, notably:

- ★ the second bridge (The Calafat Vidin Bridge) across the Danube River between Bulgaria and Romania, which was a joint EIA procedure, and where the Convention facilitated cooperation between the two countries. This project also illustrated how, in applying the Convention, we were able to respect each other's legislation and to develop a transboundary EIA procedure, despite differences between the national legal systems. This project is a good example of transboundary cooperation in the environmental protection field, based on the Convention's provisions.
- ★ two nuclear power plants, one in Romania (Cernavoda) close to Bulgaria and one in neighbouring Bulgaria (Belene) close to the border with Romania. The transboundary EIA procedure for unit 2 of the NPP finished and is on going for the

units 3 and 4. Regarding NPP Belene, the Bulgarian authorities took into consideration our requests which were included in the final decision.

- ★ Romania has sought to have the Convention applied to the “Bystroe Canal” project in the Danube Delta in neighbouring Ukraine. It must be underlined that the mechanism provided for by the convention, namely the Inquiry Commission, facilitated the dialog between Romania and Ukraine and a better understanding of convention’s provisions. This was the first time when this mechanism was triggered due to the fact that the two Parties had different opinions on the possible transboundary impacts of the project. The report of the Inquiry Commission concludes that the project has potentially transboundary impacts and contains several recommendations to be followed by the both countries. We continue to express our availability and openness to apply the convention’s provision to this project. In the same time, we followed the above mentioned recommendations by developing a bilateral cooperation programme.
- ★ a gold-mine at Rosia Montana in Romania for which the procedure is on going although it started in December 2004. Out of 6 states that were notified (Hungary, Serbia and Montenegro, Bulgaria, Republic of Moldova, Ukraine, Slovakia) only Hungary expressed its wish to be party to the transboundary procedure. One of the reasons for which the procedure takes a lot of time is that the project received a lot of attention. We want to underline that 16 public debates took place (14 in RO and 2 in HU) where the public had the possibility to express its opinions on the EIA documentation.

Given Romania’s location on the eastern “frontier” of the European Union, we particularly value the Convention, as a complement to EU legislation, because it provides a mechanism for applying transboundary EIA with countries outside the EU.

This does, naturally, require that such countries also be Parties to the Convention. Romania would therefore encourage non-Parties around the Black Sea, in particular, to ratify the Convention so as to protect the environment of the Black Sea. We would especially welcome the ratification by the Russian Federation in this regard and given the Convention’s importance at international level.

Romania has also sought to apply the principles of the Convention with other non-Parties, and at the same time, has wanted to implement the provisions of this Convention in detail with its neighbours. This is being achieved through the development of a *multilateral agreement among the countries of South-East Europe for implementation of the Espoo Convention*. Work on this draft agreement has also promoted understanding of each other’s EIA and decision-making processes.

Finally, I would like to invite participants to the 4th meeting of the Parties to the Convention, in Bucharest, on 20-21 May 2008. I bring to your attention the fact that the Multilateral agreement for South-East Europe will be proposed for adoption and signature by the countries of South-Eastern Europe on the occasion of the 4th meeting of the Parties, and several countries have already indicated their intention to sign. This means that in Bucharest we’ll have a high level segment dedicated to the signing of this multilateral agreement.

Thank you for your attention.