



Council of the
European Union

Brussels, 21 April 2016
(OR. en)

8137/16

ENV 237
ONU 42

NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Convention on Environmental Impact Assessment in a Transboundary
Context: 5th Meeting of the Working Group on Environmental Impact
Assessment (EIA) and Strategic Environmental Assessment (SEA)
(Geneva, 11–15 April 2016)
- Statements

Delegations will find in [Annex](#), for information, a compilation of statements delivered by the Presidency and the Commission, on behalf of the EU and its Member States, at the 5th Meeting of the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment (Geneva, 11–15 April 2016), as transmitted by the Presidency.

**5th Meeting of the Working Group on Environmental Impact Assessment (EIA)
and Strategic Environmental Assessment (SEA)
(Geneva, 11–15 April 2016)**

- Statements -

(N.B. Items numbers refer to the WG EIA/SEA agendas set out in UN doc. ECE/MP.EIA/WG.2/2016/1)

Agenda Item 1: Adoption of the agenda

The EU and its Member States would like to thank the Secretariat and the Bureau for the preparation of the agenda and the documentation and adopt the agenda of the meeting.

Agenda Item 2: Status of ratification

Item 2, para 4: Proposal by the Bureau

1. The European Union and its Member States would like to thank the Bureau and the Secretariat for presenting a proposal in which two ways are described to accelerate the entry into effect of the first amendment to the Convention (ECE/MP.EIA/WG.2/2016/L.3).
2. The proposal supports the decision made by the Parties to open the Convention for countries outside the UNECE region, recognizing that international law-making cooperation within agreements also depends on what Parties want to achieve together. In this context, also the possibilities of supporting the proposal within the spirit of international cooperation have been explored.
3. However, because of the following legal concerns, which are shared by most of our Member States, unfortunately neither of both options seems legally viable. Therefore, the European Union and its Member States cannot support the proposal and feel it would be wiser to direct our energy to accelerate the missing ratifications of the 1st amendment by member states that were parties to the Convention on 27 February 2001.
4. *Paragraphs 23 and 24* With regard to the proposal to amend article 17, par 3 of the Convention through the adoption of a new amendment (Option A): such an amendment will have to follow the procedure foreseen in Article 14. So, just like the first amendment, it will not be able to enter into force until $\frac{3}{4}$ of the States that were Party to the Convention at the time of the adoption of the amendment (this means: at least 33 of 44 States) has ratified the amendment. As recognized in the proposal, this does not seem to accelerate matters.
5. Under Article 14(4) of the Convention, amendments only enter into force for those Parties which have deposited an instrument of ratification, acceptance or approval. In derogation of this, a separate agreement would state that amendments enter into force through a simplified no-objection procedure. No such procedure is laid down in the Espoo Convention.

6. *Paragraphs 25 to 31* With regard to the adoption of an agreement modifying article 17, paragraph 3 of the Convention (option B): given the wording of such an agreement, this is very clearly not a matter of interpretation of article 17(3), but, in effect, a new treaty amending the original Convention. Therefore, all procedural rules and provisions for the conclusion of international treaties must be complied with under international and European law, as well as under the respective national laws. This may mean that a legislative procedure for a corresponding enabling law has to be completed or a parliamentary procedure has to be followed, before the country concerned could vote for this agreement.
7. Contrary to the statement in the proposal, article 30 of the Vienna Convention on the Law of Treaties is not intended as a shortcut for modifying existing treaties. This article solely deals with the application of successive treaties relating to the same subject-matter, e.g. it clarifies which treaty would be prevailing in case a new treaty on transboundary EIA would be concluded upon.
8. The precedents mentioned in the proposal are not comparable with the case of the Espoo convention, because
 - a) the treaty was amended prior to coming into force (UNCLOS), and/or
 - b) the agreement relating to the implementation contains a facultative clause (UNCLOS), and/or
 - c) the amendments only modify annexes to the treaties, not the main text, and/or
 - d) the possibility of this simplified procedure was already included in the original text of the treaties concerned, so the respective legal requirements of parties had already been applied upon it before the parties expressed their consent to be bound by a simplified procedure.
9. The EU and its Member States have also looked into other possible solutions, notably whether Article 8 of the Convention might apply. However, this does not seem the case either, as this article sees to the implementation of the Convention, not to amendments or new treaties.
10. Also the discussion on the case of the UN Water Treaty in 2012 has been mentioned. In this case more or less the same difficulties were encountered in trying to make it possible for non-UNECE-members to join. In the end it was concluded that the only way forward was to accelerate the missing ratifications by the parties to the Treaty.
11. Taking into consideration the above, we request this proposal to be withdrawn and invite the Working Group to stress the need and to prompt the 11 remaining States to ratify the first amendment as soon as possible.

Agenda Item 3: Compliance and implementation

Item 3, para 6: report of the Chair of the Implementation Committee on the Committee's 34th session

The EU and its Member States would like to thank the Implementation Committee for their work, their report and for the proposal on the frequency of the meetings of the IC. We like to discuss the proposal during the final discussion about the workplan on Thursday/Friday due to the relation with the frequency of the MOP's.

The EU and its Member States would like to support the proposal of the IC not to amend the questionnaires on the implementation of the Convention and the Protocol 2016-2019. It will indeed facilitate the discussion and the workload for the Parties.

Item 3, para 8: Draft overview of the legislative reviews and legal advice on SEA

The European Union and its Member States take note of the interesting overview of legislative and administrative reforms for implementing the SEA. We wish the concerned countries all the best in this challenging task and look forward to welcoming them as fellow Parties to the Convention and the Protocol.

Item 3, para 8: Draft practical guidance on reforming legal and institutional structures with regard to application of the Protocol on SEA

1. The EU and its Member States thank the author for the Draft practical guidance on reforming legal and institutional structures with regard to the application of the Protocol on SEA.
2. **Disclaimer**
The information and views set out in this study are those of the authors and do not necessarily reflect the official opinion of the Parties to the Espoo Convention and the SEA Protocol, nor are binding for the Parties.
3. **With regard to the references to the EU legislation, this practical guidance document does not create any obligation for EU Member States. The definitive interpretation of Union law is the sole prerogative of the Court of Justice of the EU. We request that this disclaimer be added to the cover page of the document.**
4. In addition, we also have technical remarks on the document as follows:
5. Page 7, para 42: During the Protocol negotiations the EU preferred to focus on environmental concerns (including human health), whereas the UNECE and WHO intended to create a health and environment assessment on an equal level. During the negotiations a lot of effort was dedicated to developing an instrument which considers health sufficiently but does not contradict the requirements of the SEA Directive. The guidance should not give the impression that health is not considered in the SEA Directive; Annex I para f of the SEA Directive specifies that human health aspects have to be considered. Therefore we would prefer to change the wording so the paragraph reads as follows:

“As far as the approach to health issues is concerned it is worth noting that the Protocol on SEA was a joint undertaking of two international organizations: UNECE and World Health Organization and ~~was drafted with a view~~ part of the aim was to provideing a first binding international legal instrument to comprehensively include health issues into the environmental assessment. Therefore the Protocol, ~~unlike the SEA Directive, attaches a lot of importance to health issues,~~ names health explicitly as included in the definition of environment (“environmental, including health, effect”). Examination of health issues is clearly indicated as a substantive part of the assessment and health authorities are required to be formally involved into the SEA procedure.

6. Page 11, para 54, 55: Scope of the Protocol, plans, programmes, policies and legislation. The reference to the EU Guidance is correct but not quite. The whole sentence reads: “The name alone (plan, programme, strategy, guidelines etc) will not be a sufficiently reliable guide: documents having all the characteristic of a plan or programme, defined in the directive may be found under a variety of names.” The variety of names is linked to plans and programmes but not to policies (and legislation). Also the examples listed in the SEA EU Guidance in the brackets do not speak of policies, policies are not covered in the Directive and for the SEA protocol there is a “soft” Art. 13 on policies and legislation. The EaP Guide however, puts policies on the same level as plans and programmes. We suggest the following amendments to paragraph 55:

“55. The term “legislation” is the only relatively clear term, understood the same in most national legal frameworks. In case of plans and, programmes ~~and policies~~ however there seems to be quite a diversity of approaches, with these terms being quite often used interchangeably in many countries. Furthermore, strategic documents having identical features as those called plans, or programmes ~~or policies~~ are often taking other names, like for example “strategies”, “concepts”, “guidelines” or “conditions”. The official EU guidance document on the SEA Directive ~~clearly~~ states “The name alone (plan, programme, strategy, guidelines etc) will not be a sufficiently reliable guide: documents having all the characteristic of a plan or programme, defined in the directive may be found under a variety of names” and recommends that a name of the document for the purpose of designing the range of documents subject to SEA “will not be a sufficiently reliable guide”

7. Page 12, para 65: According to the draft guidance national SEA schemes must have time frames for public participation and consultation. The court in the preliminary ruling UK C 474/10 came to a different conclusion, ruling:
“Article 6(2) of Directive 2001/42 must be interpreted as not requiring that the national legislation transposing the directive lay down precisely the periods within which the authorities designated and the public affected [...] should be able to express their opinions on a particular draft plan or programme and on the environmental report upon it. Consequently, Article 6(2) does not preclude such periods from being laid down on a case-by-case basis by the authority that prepares the plan or programme. However, in that situation, Article 6(2) requires that, for the purposes of consultation of those authorities and the public on a given draft plan or programme, the period actually laid down be sufficient to allow them an effective opportunity to express their opinions in good time on that draft plan or programme and on the environmental report upon it.”

Therefore, we suggest a rewording of paragraph 65 so it reads as follows:

“The above requirements mean that ~~for the~~ national SEA schemes:

- a) ~~It is recommended to Must~~ include time-frames for public participation and consultation with environmental and health authorities; and
- b) It is not recommended ~~Must not attempt~~ to include any time-frames for transboundary procedure (except perhaps for time-frames for initial notification)”

8. Page 13, Box II, para 4: contains a drafting suggestion for plans, programmes, policy, strategy or any other document. According to the SEA Directive and SEA Protocol, a policy is not a plan or programme for which a SEA is foreseen (as reasoned above). Therefore, we suggest the following amendments:

“Bearing in mind that in many countries there is no clear typology of strategic documents and those falling within the ambit of “plans and programmes” under the Protocol on SEA (and the SEA Directive) may take different names, it is worth considering the use of a generic term to cover such strategic documents and define them, converting slightly the definition of “plans and programmes” from article 2, paragraph 5 of the Protocol on SEA:

“Strategic document” means any plan, program, ~~policy~~, strategy or any other document regardless of its name, as well as any modifications to them that set goals for development and activity in different sectors of the economy and are:

- a) Required by legislative, regulatory or administrative provisions, and*
- b) Subject to preparation and/or adoption by an authority or prepared by an authority for adoption, through a formal procedure, by the legislative or executive bodies.”*

9. Page 14, Box II, point 12: As remarked above, setting time-frames in legislation is not mandatory.

10. Page 17-18, para 83: Depending on the national planning system, mandatory SEA for all strategic documents on land use planning may in some cases be too strict, though in other cases it may be a very good guideline. We suggest to rephrase the last sentence as follows: “Bearing in mind the role of land use planning as a tool of preventive environmental policy, making all relevant strategic documents related to land use planning, in some cases even at the local level, subject to mandatory SEA ~~seems to can~~ be ~~extremely~~ useful in particular in countries with limited administrative capacities at the local level.”

11. Page 19, para 92: We do not agree that a case by case approach is less effective than a type approach and that authorities never know what to do. We think an important disadvantage of a type approach is that it is very difficult to prove beforehand that all future types of plans and programmes will not have any significant environmental effects, since the precise content of future plans and programmes is unclear and the future environmental conditions or characteristics are equally unknown. This poses legal problems with the significance criteria. But we can agree that a combination of a type and case by case screening is useful. We suggest the following amendments to para 92 and 93:

“As far as strategic documents under article 4, paragraph 3, are concerned, practical experience shows that a case-by-case approach to determine whether an assessment is needed can be is-less effective and even troublesome, because authorities preparing strategic documents other than those under paragraph 2 never may be unsure know-what to do; ~~thus sometimes~~ they may submit for screening to environmental authorities ~~such~~ documents even if it is obvious that they do not need environmental assessment (for example plans related to raising historical education) or – alternatively – they do not submit a document that would probably require such assessment.

Thus, in case of strategic documents referred to in paragraph 3, the categorical approach (i.e. specifying types/categories of strategic documents subject to mandatory assessment) is generally ~~much~~ more effective because it gives recognisable handholds to local authorities ~~ensures legal certainty~~. As it is however almost impossible to identify all strategic documents that require assessment, individual screening (case-by-case examination) is also needed. Hence, the most commonly used approach is a combination of both, whereby the list of strategic documents other than those under paragraph 2 to be assessed is supplemented by a case-by-case approach to determine whether an assessment is needed.”

12. Page 21, Box IV, para Para 7: As stated above, it should read environmental including health effects. We suggest the following amendments:
“As for documents determining the use of small areas at local level, it is recommended to identify those which may have significant local environmental ~~or~~ including health effects (for example all local land use plans, zoning plans or waste management) and to subject them to mandatory SEA, at least at the initial stage of implementing the SEA scheme.”
13. Page 24, para 111: We suggest the following addition;
“d) Guidances, checklists, regular information exchange of the SEA authorities and environmental/health authorities”
14. Page 28, para 120: last sentence. According to our understanding neither the SEA Directive nor the SEA Protocol require a detailed explanation on how the views of the public were considered. We suggest to delete the words “in detail” in the last sentence.
15. Page 31, Box XI, Para 1, As remarked above, setting time-frames in legislation is not mandatory.
16. Page 31, Box XI, para 4: The introductory sentence speaks of “necessary to be provided”; this sounds like an obligation. However, some of the documents listed, e.g. scoping document, economic analysis, cost benefits analysis etc., are not required by the SEA protocol. We suggest to reformulate.
17. Page 32, Box XII. Regarding Point 2a, any references to ‘should’ are to be changed to read ‘could’. Regarding Point 2b(ii), ‘are binding’ is to be changed as follows: ‘due account is taken’.
18. As an overall remark, the language utilised in the draft guidance document is to be reviewed to remove all references to obligations vis-à-vis its implementation.
19. We are looking forward to discussing a new draft of this document in the next meeting in November, but we urge the authors to release the document sufficiently ahead of the meeting to allow for serious preparation.

Item 3, para 10: Aligning the authentic texts of the Protocol and the two amendments to the Convention

The EU and its Member States would like to thank the ad hoc task force for their extensive work in review the authentic language versions of the Protocol and identifying inconsistencies and discrepancies.

We agree with the joint proposal by the task force and its conclusion that an identified list of discrepancies is of technical nature and to be addressed through a correction procedure. We also support the proposal to initiate the correction procedure prior the MOPs.

Item 3, para 11: Draft Guidance on implementation of the Convention drawing on opinions of the Implementation Committee

The European Union and its Member States

1. thank the authors for the presented “annotated outline of key issues” for the draft guidance on the implementation of the Convention.
2. would like to remark that the present document strikes us as partly rather complete, in other places very immature - no more than an annotated outline indeed. This makes substantial comments difficult, as it is unclear how much of the text is actually intended to undergo more changes before completion. Therefore, we will just make some general remarks.
3. consider that, if the present document is to be seen as no more than an annotated outline, the completed product could become a very extensive document. This might be a hindrance to the actual use. Therefore we urge the authors to aim for a short, compact document (of around 50 pages) and to avoid superfluous information.
4. would like to point out that the guidance should focus on the opinions of the IC committee and these opinions should be brought in the context or relation to the specific Articles of the Espoo convention, since these opinions reflect problems which occur when applying the convention, and not go beyond the Convention and the Protocol! Articles which have not been relevant in relation to IC opinions, should not be dealt with in the Guide (e.g. Art. 9 research programmes), neither should the guidance contain theoretic analyses of the Espoo convention, an overview of historical developments or links to other conventions.
5. consider that a guidance like this inevitably touches on interpretation and case law. However, this should be clearly recognizable and if possible marked in the text in some way, e.g. by putting case law examples in boxes and/or flagging interpretation passages with some symbol in the margin of the text.
6. feel that explicit naming of countries (as is now done on page 8) should be avoided as much as possible.
7. are looking forward to discussing the completed draft guidance in November, but urge the authors to release the document sufficiently ahead of the meeting to allow for serious preparation. The time allowed for studying the present document was too short, especially in the light of the other material that was released only recently.

Agenda Item 5: Promoting ratification and application of the Protocol on Strategic Environmental Assessment

Item 5, para 16: Video and draft brochure to promote awareness of the Protocol

The EU and its Member States thank the secretariat for developing the video and the brochure. The format of the video is well-chosen as it lends itself well to translation.

Agenda Item 7: Exchange of good practices

Item 7 (a), para 23: Draft guidance on land-use planning, the siting of hazardous activities and related safety aspects

1. First, the European Union and its Member States would like to thank both Secretariats for this innovative idea of having a Joint Workshop with experts from both SEA/EEA and the Industrial Accidents Convention. Having heard the discussion this morning and afternoon, and after listening to all the excellent speakers, The EU and its Member States of the Working Group of the Espoo Convention and the SEA Protocol are strengthened in their opinion that the interlinkages between the SEA/EEA and other Conventions and Directives are very important. We fully agree that more exchanges of views could help to understand better these interrelations, and – even more important – to benefit more from the synergies they are offering us.
2. From SEA/EEA point of view, we urgently need a practical, i.e. non-technical, and very concise summary as Part A of the draft guidance document (INF.11). As a practicable guidance on a day-to-day basis, showing possibilities for making better benefit of the interlinkages between the different Conventions. As we've heard today, we could benefit much more from each other knowledge. We really hope it will be possible for the consultants to size down the report to a readable and usable Part A.
3. Let me explain a little bit more about what we are looking for as the EU and its MS for the Working Group on the ESPOO Convention. And where we are struggling finding the right way to go forward. And we want to go forward!
4. The Workshop today gives us more and more input for the guidance document on Safety and land use planning. We concluded that from the point of view of the Espoo Convention and the SEA Protocol we need a concise summary of Part A of the draft guidance document (INF.11). It must give an short overview of the overall interlinkages, synergies, complementarities . But it also can show us the overlaps and pitfalls between the instruments/ procedures of land use planning, siting of hazardous activities and related safety aspects and the application between SEA and EIA on the one hand, and the Industrial Accidents Convention on the other hand.

5. What we most of all need is a short practical guide, including a non-technical summary, also aimed for SEA- and EIA-experts and for planning authorities at all levels and not only for industrial Accidents experts. The guidance should be clear about which (parts of) procedures are mandatory and which are not. As this document is a guidance, it should steer away from interpretations of the Directives and the Conventions concerned. This could be reflected in the language by avoiding words like “should” or “must”, unless they concern clear obligations.
6. And we hope that in Part A, the consultant can give us also some worthwhile recommendations, based on good practices, with the aim of helping us finding the right balance firstly between the principles of the different Conventions and legislation. And secondly, between the functions in land-use on the one hand and safeguarding environmental quality on the other hand.
7. Part B could then give the overview of technical inventory of requirements. Based on what already is available.

Having said this, we hope that some of our remarks on the draft guidance at this stage can contribute to the completion of the document. As today’s workshop has shown us we need such guidance!

Item 7 (b), para 24, Good practice recommendations on the application of the Convention to nuclear energy-related activities

The European Union and its Member States:

1. express their gratitude to the Secretariat and the consultants for their preparatory work on gathering the information and responses to the survey and on preparing ECE/MP.EIA/WG.2/2016/5/INF.12; We realise how complicated this must have been for the consultant, Mrs. McCallum, thank you very much for your presentation of the work done until now, and your suggestions for the follow-up;
2. in addition to this, the EU and its MS would like to make a few general remarks and proposals;
3. To start: we recognize, as stated in the ‘Introductory note by the Secretariat’ that the information contained in the present INF.12 does not constitute officially coordinated national positions of the Parties nor does it reflect agreed views of the editorial group;
4. we would like to remark that, although a summary of the responses is obviously a necessary step for the consultants, this does not correspond to the final expected product defined by the Terms of Reference. The goal was to describe and understand existing good practice on EIA to nuclear energy-related activities, which would subsequently, where appropriate, seek to develop good practice recommendations.
5. Requests the Secretariat not to release any information or responses to the questionnaire provided by the respective Parties' experts. Their input was given in good faith but does not present the official position of the respective Parties towards this matter, neither does it give a full description of the existing practice;

6. suggest that INF.12 to be considered as a background document serving the needs for preparing the final document. Meanwhile, we propose that INF.12 to be kept for internal use and to be removed from the website of the Convention; this reflects option 2 as preferable next step, as presented by mrs. McCallum;
7. Consider therefore that Parties cannot answer to all the questions raised by the Secretariat in the introductory note.
8. The answers to the questions regarding publication of the provided information and the draft summary of the Sixth Meeting of the Working Group can only be provided after having an almost finalised document and in agreement with the Parties concerned.
9. propose that the final document should consist, in accordance with the terms of reference, of a number of good practice examples to be distilled from the answers given by Parties and stakeholders, without naming such Parties in the document.
10. would like to suggest that, based on the information provided by the Parties, non-Parties and other stakeholders, an illustration of good practices should be drafted to show the different phases of EIA with possible specificities for nuclear activities (screening, notification, etc.);
11. welcome the clarification of the roles of the editorial group, the Secretariat and the consultant. The editorial group should be actively involved in the development of the final document as established in the terms of reference, for example by being consulted at several stages of the drafting process.
12. Is of the opinion that an extended deadline until [the end of April/beginning of May] should be given to allow the Parties having not yet answered to provide information on their good practices and, for other Parties, to provide additional information or additional examples to illustrate their good practices;
13. takes note that the consultant can finalise the new draft by mid-September, on the condition that an informal translation of the text in Russian will be provided.

Item 7 (c), para 25, Other activities foreseen in the workplan

The EU and its Member States note with interest the plans of the EIB to organize a half-day seminar on the global application of the Convention and the Protocol focusing on non-ECE countries and international financial institutions, in November 2016.

We would like to thank the EIB for its readiness to support the global application of the Convention and the Protocol and for the organization of a half-day seminar.

The European Union and its Member States propose to organize a brainstorming session regarding future development of the Convention and the Protocol. We invite other Parties to the Convention and the Protocol and stakeholders to participate in the preparation of this session.

Agenda Item 8: Budget, financial arrangements and financial assistance

Item 8, para 26:

As the secretariat has indicated by e-mail of April 5 that the informal document 'Biannual financial report up to 31 December 2015' will not be available until after June 2016, the EU and its Member States

1. want to express their concern about the financial data on 2014-2015 not being available;
2. hope the new system will be able to generate the data shortly after June 2016.

Item 8, para 27: Report on any changes in the staff resources of the Secretariat

The EU and its Member States take note of the information provided by the secretariat.

Item 8, para 28: Report on further measures and the preparation of a new draft decision on financial arrangements

1. The EU and its Member States welcome the report of the Chair on proposed further measures by the Bureau to encourage Parties to contribute to the Convention trust fund.
2. Despite these measures the contributions to the Convention trust fund seems to be insufficient and unsustainable in the light of our present ambitions.
3. The EU and its Member States continue to favour, for the time-being, the present system of voluntary financial contributions, based upon a system of shares, established by decision III/10 of the Meeting of the Parties to the Convention.
4. We would also like to emphasize the relevance of the exercise initiated by the UNECE Secretariat regarding "Sustainable and predictable funding of ECE secretariats for multilateral environmental agreements" and we look forward to the concrete suggestions which may come out from this process regarding the budget and applicable financial arrangements.

Agenda Item 9: Preparations for the next sessions of the Meetings of the Parties

Item 9, para 29: Practical arrangements

The EU and its Member States adopt the Bureau's proposal to hold the next session of the Meetings of the Parties in Minsk from 13 to 16 June 2017 and would like to thank Belarus for its readiness to host this event.

Item 9, para 30: Draft Minsk Declaration

The EU and its Member States:

1. Would like to thank the Bureau and the Secretariat for preparing elements for a draft Minsk declaration;
2. Recognize that the Minsk Declaration is a living document, depending largely on the evolution of discussions on various other issues before the next MOP meeting in 2017;
3. Therefore, we prefer in this stage not to put forward detailed remarks about the exact wording of the Minsk declaration, but would like, instead, to ask attention for the following themes:
4. The draft declaration emphasizes repeatedly the relation between EIA and SEA with SDG's. Both EIA and SEA relate specifically to environmental effects (albeit within a broad definition of "environmental") in decision-making processes. The Convention and the Protocol themselves focus mainly on a good implementation of EIA and SEA. Thus, they can form an important contribution to the consideration of environmental issues, including health and climate issues in decision-making processes. While this is widely recognized as a prerequisite for realizing most of the SDGs, it should also be recognized that implementing the Convention and Protocol is no more than a first step towards realizing SDGs. Therefore, the wording of the Minsk declaration should not imply that good implementation of the Convention and the Protocol is the only way to achieving SDGs, but focus first and foremost on the objectives and aim of both the Convention and the Protocol. In addition, it might be desirable to investigate, in the period until the next meeting of the Working Group in November 2016, in what ways the Convention and the Protocol can contribute exactly to achieving which SDGs.
5. Background and reason for both the Convention and the Protocol are the fact that the environmental, including health, issues covered in EIA and SEA do not stop at nations' borders. Neither do they at the borders of the area covered by the Parties to the Convention and the Protocol. Therefore it would be expedient to include in the Minsk Declaration a passage on globalisation and the wish of the Parties to work towards the global application of the Convention and the Protocol and the exchange of experience with other regions of the world.
6. The option set out in the Proposal for accelerating the entry into effect of the first amendment to the Convention by adopting an agreement modifying Art 17(3) of the Convention (ECE/MP.EIA/WG.2/2016/L.3) meet, unfortunately, with legal obstructions in several EU Member States, as we have explained in the discussion on the topic. As the only remaining way to accelerate the entry into effect of the first amendment seems to be a swift ratification of the first amendment by the remaining 11 Parties, we urge those Parties to finish the ratification procedures soon.
7. Since financial resources are a prerequisite for accomplishing items from the workplan and thereby effectuate the Convention and Protocols' goals, budgetary issues as well as the tensions between resources and ambitions should be remarked upon in the Minsk Declaration.
8. Nuclear-energy related activities continue to be an important topic in practical implementation of the Convention and the Protocol. Work is currently in progress with the view to fulfil the mandate that was given by the last MOP and have it properly acknowledged.

Item 9, para 34

Note on Seminars during the MOP 2017

The EU and its Member States propose climate change as a subject to be discussed at the high-level seminar. We also propose the follow-up of the brainstorming session to be another subject for discussion at the general session.

Item 9, para 31: Draft decision on the adoption of the workplan for the period 2017-2020

The European Union and its Member States

1. Express their gratitude to the Bureau and the Secretariat for its preparatory work on the text of draft decision VII/3 – III/3 on the adoption of the workplan;
2. However, would like to make a few general remarks and proposals, as well as proposing some specific amendments to the text of the decision;
3. Consider that the repeated use of the text “environmental *and* health effects” might be interpreted to imply that health effects are somehow not part of “environmental effects”, while the Protocol explicitly mentions “environmental *including* health effects”;
4. Recognise that an ambitious and comprehensive workplan including the waiting list, with a broad range of activities, might be inviting to pledge funds or to take the lead for activities in the running up to the next MOP in 2017 and during the intersessional period to the MOP in 2020 and that the waiting list can be considered as a “wish list” of possible activities, and therefore in our opinion priorities should be established;
5. Recognise that adequate financial resources, as well as sufficient time to fulfil and time to implement the activities are required for the appropriate implementation of the workplan, while being aware of the budget constraints affecting Parties at this time;
6. Recognise that accelerating the formal entry of new Parties to the Convention and the Protocol meets legal obstructions as identified in Item 2 (Status of Ratification) on the agenda and therefore the formal entry of new Parties might be delayed for some more time;
7. We note that the information about the activities is not detailed enough to decide at this moment which activities should be realised with high priority and which have no priority.
8. Recognize that the activities under Annex II, Activity Objectives II and IV must be based on the real needs of the mentioned States or Parties.
9. Note that clarification is needed on items III and IV of the waiting list (Annex II), specifically why urban planning and climate change are singled out as environmental sectors and how those two should be defined / understood;
10. Recognise that sub-activities 2 and 3 under Activity objective IV on the waiting list are actually examples of the kind of sub-activities intended under 1; |
11. Recognise that the activity under Annex II nr. 8, subregional capacity-building activities to promote public participation, is an important subject but also very expensive, and might be considered to belong under the Aarhus-convention;

12. Support the draft decision and the workplan should be developed taking into account the following

- Preamble, paragraph 5 (*Acknowledging...*): The EU and its Member States suggest to replace the words “and health” in this paragraph by “including health” and adding “and, where appropriate”, so that the entire paragraph reads as follows:
"Acknowledging that the Convention and, in particular, its Protocol provide a framework for the integration of environmental ~~and~~ including health concerns into development activities and sectoral plans, programmes, and, where appropriate, into policies and legislation, and that, consequently, their effective application contributes to supporting countries to achieve the Sustainable Development Goals (SDGs) as set out in the 2030 Agenda for Sustainable Development";
- Preamble, paragraph 6(d)(ii) (*The implementation...*): must be deleted after the decision of this 5th Meeting of the WG on Thursday ;
- Preamble: We suggest to insert a new paragraph between paragraphs 8 (*Also noting with satisfaction...*) and 9 (*Wishing to establish...*) which reads as follows:
“Recognising with regret that accelerating the opening of the Convention to non-NUECE Parties meets legal obstructions.”
- Preamble, paragraph 10 (*Noting with concern...*): We suggest to remove the square brackets so the paragraph reads as follows:
"Noting with concern, however, the limited funding available to support the implementation of the workplan activities";
- Draft decision: We suggest to insert a new paragraph between paragraphs 3 and 4, which reads as follows:
“Invite Parties to upgrade the sustainable availability of financing for the activities on the workplan including the waiting list and also invite interested States, organizations and other stakeholders to support the mobilization of means and resources for those activities;”
- Draft decision, paragraph 4 (*Invite every relevant...*): We suggest deleting “every”, replacing “body or agency” by “bodies or agencies” and adding “where appropriate” on the end, so that the entire paragraph reads as follows:
"Invite ~~every~~ relevant bodies or agencies ~~body or agency~~, whether national or international, governmental or non-governmental and, ~~as appropriate, possibly~~ researchers, commercial firms, developers, consultants or other commercial entities to participate actively in the activities included in the workplan where appropriate";

We also suggest concrete amendments to the Annex I and Annex II of the workplan¹.

¹ See Annex to this document (Annex I and II of document ECE/MP.EIA/WG.2/2016/L.1, final workplan with amendments suggested by the EU and its MS, agreed on 15 April 2016).

Agenda item 10: Other Business

We ask the Secretariat and the Bureau to make an overview of the pros and cons of an interval period of 4 years between the MOPs instead of 3 years.

Annex I

Proposed elements for a draft workplan for the implementation of the Convention and its Protocol for the period 2017–2020 (not requiring donor funding or with identified donor/in-kind funding)

<i>Activity objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
Compliance with and implementation of the Convention and the Protocol					Most items included in Implementation Committee and secretariat costs. Exceptions are identified below.
Enhance the implementation of and compliance with the Convention and the Protocol	1. Consideration by the Implementation Committee of compliance submissions.	Undertaken by the Implementation Committee, with the support of the secretariat.	Recommendations on compliance submissions.	2017–2020, presented to MOP8 and MOP/MOP4	[May require funding for translation of submissions (\$10,000).]
	2. Report on the Committee's activities to MOP8 and MOP/MOP4.	Undertaken by the Implementation Committee, with the support of the secretariat.	Reports of the Committee meetings and a synthesis report to MOP8 and MOP/MOP4.	2017–2020, presented to MOP8 and MOP/MOP4	—

<i>Activity objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
	<p>[3. If necessary, review of the Committee's structure and functions and operating rules.]</p> <p>4. Examination of the outcome of the fifth review of implementation of the Convention and the second review of implementation of the Protocol.</p> <p>5. Distribution of the questionnaires for the report on implementation of the Convention and for the Protocol in 2016–2018 to the Parties to the Convention and to the Protocol for them to complete and return.</p>	<p>Undertaken by the Implementation Committee, with the support of the secretariat.</p> <p>Undertaken by the Implementation Committee, with the support of the secretariat.</p> <p>Carried out by the secretariat.</p>	<p>Possible revision of the Committee's structure and functions and operating rules.</p> <p>Summary of compliance issues from the fifth review of implementation of the Convention and the second review of implementation of the Protocol.</p> <p>Completed questionnaires.</p>	<p>2017–2020, presented to MOP8 and MOP/MOP4</p> <p>By the end of 2017</p> <p>Issue of questionnaires, by end of October 2018</p> <p>Return of questionnaires, by end of March 2019</p>	<p>—</p> <p>—</p> <p>—</p>

Activity objectives	Method of work (sub-activities)	Organizational arrangements	Expected outcome	Time schedule	Budget
6. Pre-accession legislative assistance, including in drafting legislation, to promote ratification and implementation of the Convention and the Protocol:	Undertaken by external consultant(s), assisted by a national counterpart, with the support of the secretariat.	Recommendations to the country on strengthening capacity, including new draft legislation/amendments to legislation, procedures and institutional arrangements.	As decided by the Party concerned	Costs: approximately \$25,000 per review, plus in-kind contributions from Parties providing experts and from target country for interpretation.	Funding from the EU. ⁴
Technical advice to Kazakhstan on improving legislation to implement the Protocol and advice in drafting the necessary legislation.	7. Collection of findings and opinions from the Committee regarding the Convention and the Protocol, posted on website.	Carried out by the secretariat.	Online collection of the Committee's findings and opinions.	Annual updates	—

<i>Activity objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
<p>Subregional cooperation and capacity-building to strengthen contacts between the Parties and others, including States outside the ECE region</p> <p>Improved application of the Convention and its Protocol within the subregions.</p> <p>Promotion of cooperation in all subregions.</p> <p>Increased professional skills of officials and increased awareness of the public, including NGOs, as well as of officials at all relevant administrative levels in relation to SEA and</p>			<p>For all subregions:</p> <p>(a) Common understanding of the requirements for implementation of the Convention and the Protocol;</p> <p>(b) Possible development of multilateral agreements;</p> <p>(c) Possible guidance on subregional issues, such as public participation and the role of NGOs.</p>		

<i>Activity objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
transboundary EIA and to the application of the Convention and its Protocol. Increased coordination between environmental treaties in Eastern Europe, the Caucasus and Central Asia.					
8137/16 ANNEX to the ANNEX			DGE 1A		KS/mv

<i>Activity objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
Eastern Europe, the Caucasus and Central Asia, and beyond	Subregional coordination and experience-sharing events to share successes, challenges, solutions and experiences as well as the results of capacity-building activities on SEA and EIA, followed by the dissemination of seminar results in all countries of Eastern Europe, the Caucasus and Central Asia, including to the public and NGOs.	Lead/host countries, with support from the secretariat and from a local counterpart/NGO for logistical arrangements.	Dissemination of seminar results: All countries of Eastern Europe, the Caucasus and Central Asia.		Require donor funding and in-kind contributions by beneficiary countries.
	Subregional workshop(s) building on the updated Guidelines on EIA in a Transboundary Context.	Lead/host country: Kyrgyzstan. Participation by all countries in Central Asia. Could be extended to countries outside ECE, e.g., in South-East Asia.	Workshop report(s).	2018 (tbc)	Funding available (carried forward funds from Switzerland); if extended beyond ECE, further donor funding required.

<i>Activity objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
Promoting ratification and application of the Protocol on SEA	<p>1. Workshops, including training, on the application of the Protocol for countries in the ECE region and other Parties to the Protocol, in particular countries of Eastern and South-Eastern Europe, the Caucasus and Central Asia:</p> <p>One national training event and one local training event (tbc).</p> <p>2. National guidance documents on SEA.</p>	<p>Lead countries with the support of the secretariat and external consultant(s) and national counterparts.</p> <p>Kazakhstan.</p> <p>Lead country: Kazakhstan</p>	<p>Ratifications and other outcomes specified below.</p> <p>Workshop and training reports.</p>	2017–2020	<p>EU funding for Kazakhstan.^a</p> <p>Funding from the EU for Kazakhstan.^a</p>

Abbreviations: EU = European Union; MOP8 = the Meeting of the Parties to the Convention at its fourth session; NGOs = non-governmental organizations; tbc = to be confirmed.

^a “Supporting Kazakhstan’s Transition to a Green Economy Model”. A European Union-funded multi-stakeholder project for 2015–2018. Funding subject to applicable procedures under the project.

Annex II

Proposed list of activities awaiting funding and/or identification of lead countries or organizations for the implementation of the Convention and its Protocol for the period 2017–2020

<i>Activity objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
I. Compliance with and implementation of the Convention and the Protocol Enhance the implementation of and compliance with the Convention and the Protocol	1. Preparation of draft reviews of implementation of the Convention and the Protocol. 2. [Reviews of legislation, procedures and practice and technical assistance in drafting legislation to strengthen Parties' implementation	Carried out by the secretariat.	Draft sixth review of implementation of the Convention and draft third review of implementation of the Protocol for consideration by the Implementation Committee, the Working Group on EIA and SEA, MOP8 and MOP/MOP4.	Presentation of the draft reviews to the Committee and the Working Group in autumn 2019 and to MOP8 and MOP/MOP4	Requires external consultants and translation of national reports (\$25,000 is required from the core budget). ^a
		Undertaken by external consultant(s), with the support of the secretariat. Including a period in-	Recommendations to the country on strengthening capacity, including amendments to legislation,		Costs: approximately \$25,000 per review, plus in-kind contributions from Parties providing experts and from target country for interpretation.

Activity objectives	Method of work (sub-activities)	Organizational arrangements	Expected outcome	Time schedule	Budget
	<p>of and compliance with the Convention and the Protocol. Prompted by the Implementation Committee or requested by Parties themselves], as follows:</p>	<p>country examining national legislation and based on earlier reviews, as available.</p>	<p>procedures and institutional arrangements.</p>		
<p>(a) Technical legislative advice further to possible Committee initiatives (as decided by the Implementation Committee) [E.g. concerning Parties whose compliance has been/is at issue by the Committee, if needed, such as Croatia, Montenegro, Serbia and the former Yugoslav Republic of Macedonia];</p>		<p>Supervised by members of the Committee.</p>			<p>Funding to be identified.</p>
<p>(b) Technical legislative advice to Parties to the Convention and/or the Protocol requesting assistance.</p> <p>3. Pre-accession legislative assistance:</p>		<p>Lead/requesting country</p>			<p>Funding to be identified.</p>

Activity objectives	Method of work (sub-activities)	Organizational arrangements	Expected outcome	Time schedule	Budget
	<p>Technical advice to a country/countries wishing to join the Protocol to review its national legislation for implementation of the Protocol and to draft primary or secondary legislation/ propose amendments.</p>	<p>(a) Azerbaijan; (b) (...).</p>			
<p>4. [Pilot on the application of transboundary EIA between Armenia and Georgia to test and improve transboundary procedures and to promote a bilateral agreement.]</p>		<p>Lead/requesting country: Armenia, in cooperation with Georgia. Undertaken by external consultant(s), with the support of the secretariat</p>			<p>Requires funding (around \$100,000).</p>

Activity objectives	Method of work (sub-activities)	Organizational arrangements	Expected outcome	Time schedule	Budget
<p>II. Subregional cooperation and capacity-building to strengthen contacts between the Parties and others, including the States outside the ECE region</p>	<p>15. Update and revision of the 1990 guidance on post-project analysis in EIA, taking into account considerations of access to information and public participation. (The need was identified at the fourth meeting of the Working Group on EIA and SEA.)</p>	<p>Prepared by external consultant with support from the secretariat. In consultation with the Bureau and the Working Group.</p>	<p>Updated guidance.</p>	<p>(tbc)</p>	<p>Requires consultant(s) for drafting and funding for translation (\$10,000–\$20,000/review).</p>
<p>II. Subregional cooperation and capacity-building to strengthen contacts between the Parties and others, including the States outside the ECE region</p>	<p>To be carried out by lead countries, with support from the secretariat, as needed.</p>	<p>For all subregions:</p> <p>(a) Possible guidance on subregional issues;</p> <p>(b) Common understanding of elements of application and possible multilateral agreements.</p>	<p>For all subregions:</p> <p>(a) Possible guidance on subregional issues;</p> <p>(b) Common understanding of elements of application and possible multilateral agreements.</p>	<p>For all subregions:</p> <p>(a) Possible guidance on subregional issues;</p> <p>(b) Common understanding of elements of application and possible multilateral agreements.</p>	<p>Participants cover their own travel and accommodation costs to the extent possible, while host countries cover organizational and venue costs in kind (approximately \$5,000–\$20 000 per workshop).</p>
<p>Baltic Sea subregion</p>	<p>1. Holding of three meetings on topics to be identified by the lead country:</p>	<p>To be organized by lead countries: Denmark, Finland and Sweden (tbc by</p>	<p>Workshop reports and possible reports on specific issues.</p>	<p>(a) 2017 in ...; (b) 2018 in ...; (c) 2019 in</p>	<p>In kind.</p>

<i>Activity objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
----------------------------	--	------------------------------------	-------------------------	----------------------	---------------

the countries).

- (a)...
- (b)...
- (c)....

<i>Activity objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
Improved and developed application of the Convention and its Protocol within the subregions.	South-Eastern Europe subregion		Workshop reports and possible reports on specific issues.		In kind contributions/ donor funding required.
Promotion of cooperation in all subregions.	2. Workshop/dedicated session on implementation of the Convention, the Protocol and the Bucharest Agreement in the subregion.	Lead countries: Croatia with Romania and Slovenia under the auspices of a regional conference on EIA hosted by Croatia (tbc).		(tbc)	Donor/in-kind funding required for travel of experts and participants;
Increased understanding and professional skills of officials and increased awareness of the public, including NGOs, as well as of officials at all relevant administrative levels in relation to SEA and transboundary EIA and to the application of the Convention and its Protocol.	3. Workshop(s) on implementation of the Convention, Protocol and Bucharest Agreement in the subregion: workshop to prepare for the first Meeting of the Parties to the Bucharest Agreement.	Lead country: Romania		(tbc)	In-kind. (tbc)
Common understanding of elements of	4. First Meeting of the Parties to the Bucharest Agreement. Eastern Europe, the Caucasus and Central Asia (and beyond)	Romania.		(tbc)	No funding confirmed yet.
	5. Promotion of SEA in	Lead countries: Central-Asian	Workshop and	2017–2020	Costs: Subregional conference for up 50

Activity objectives	Method of work (sub-activities)	Organizational arrangements	Expected outcome	Time schedule	Budget
application and possible multilateral agreements.	the “Silk Road countries” (a) Awareness-raising/training subregional event; (b) national awareness-raising/training event; (c) legislative assistance, including assistance for legal drafting.	Republics, China, Islamic Republic of Iran, Pakistan (tbc). To be carried out in cooperation with the Netherlands Commission for Environmental Assessment and with the support of the secretariat — subject to availability of project-funded staff (tbc), and a local counterpart/NGO for logistical arrangements.	training reports. Recommendations to the country on strengthening capacity, including amendments to legislation, procedures and institutional arrangements.		participants: \$40,000–\$80,000 (depending on the duration). National (2-day) trainings: \$20,000/ training. Legislative assistance: \$25,000/country. Staff costs for project management: P-3, \$15,000/month and G-4, \$8,500/month. Partial Dutch funding €50,000/year (tbc).
6. [Subregional conference with training of trainers on the application of SEA to climate change mitigation [to be followed by national training sessions, and supplemented by preparation of guidance].]		[To be hosted by a lead country and contributed to by all participants. Interest expressed by Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, the Republic of Moldova, the Russian Federation and Ukraine during the subregional	[Workshop and training reports.]		Costs: Subregional conference for up to 50 participants: \$40,000–\$80,000 (depending on the duration). [Staff costs for project management: P-3, \$15,000/month and G-4, \$8,500/month.] Requires donor funding.

Activity objectives	Method of work (sub-activities)	Organizational arrangements	Expected outcome	Time schedule	Budget
		<p>conference held in Kakheti, Georgia, in November 2014. Could be extended to all Central Asian Republics (and beyond).</p>			
		<p>To be carried out by external consultants, with support from a local counterpart and the secretariat.]</p>			
7. [Subregional training workshop on quality control of SEA documentation]		<p>[To be hosted by a lead country and contributed to by all participants. Interest expressed by Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, the Republic of Moldova, the Russian Federation and Ukraine during the subregional conference held in Kakheti, Georgia, in November 2014. Could be extended to all Central Asian</p>	<p>Workshop and training reports.</p>		<p>Costs: Subregional conference for up to 50 participants: \$40,000–\$80,000 (depending on the duration). Staff costs for project management: P-3, \$15,000/month and G-4, \$8,500/month. Requires donor funding.</p>

Activity objectives	Method of work (sub-activities)	Organizational arrangements	Expected outcome	Time schedule	Budget
	8. [Subregional capacity-building activities to promote public participation in decision-making on EIA and SEA, including to strengthen the capacities of national Aarhus Centres for Armenia, Azerbaijan and Georgia and the regional Aarhus Centres Network in the EIA and SEA processes, using the Good Practice Recommendations on Public Participation on SEA and the general guidance on enhancing systemic consistency:	Republics (and beyond).	[Capacity-building materials.	(tbc)	[Requires donor funding.
	(a) Preparation of capacity-building materials on public participation in decision-making on environmental matters;	[Lead/target countries: Countries in Eastern Europe and Central Asia, in cooperation with the Aarhus Convention.]	Workshop and training reports.]		[The total costs of the project originally submitted for ENVSEC financing: \$600,000. Individual project elements could also be implemented separately].]
	(b) Multi-stakeholder national workshops in				

<i>Activity objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
	<p>each country and one subregional workshop on challenges and opportunities for effective public participation in decision-making in various sectors and fields, as well as on communication and facilitation skills and techniques for stakeholder dialogue in the field of the environment and one regional workshop on the role of civil society organizations in addressing environment and security issues;</p> <p>(c) Support Aarhus Centres in organizing and facilitating public hearings on draft legislation, development and investment projects, and policies and programmes.</p> <p>(South-East) Asia</p>				
9. Organization or		Lead/target countries:	Workshop and	(tbc)	Requires donor funding.

Activity objectives	Method of work (sub-activities)	Organizational arrangements	Expected outcome	Time schedule	Budget
	<p>contribution to a subregional awareness-raising/capacity -building workshop on transboundary EIA and SEA.</p>	<p>(China), Mongolia, Republic of Korea, the Russian Federation, Viet Nam, to be organized in collaboration with the Mekong River Commission and the Asian Development Bank (tbc).</p>	<p>training reports.</p>		
	<p>Arctic subregion 10. Workshop/dedicated session on implementation of the Convention [and the Protocol] under the framework of the Arctic Council and its Working Group (tbc).</p>	<p>Possible lead/participating countries: Canada, Denmark/Greenland, Finland, Iceland, Norway, Russian Federation, Sweden and United States of America (tbc).</p>		<p>2017–2019</p>	<p>Requires in-kind/donor funding.</p>

<i>Activity objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
<p>III. Exchange of good practices</p> <p>Shared knowledge and experience in appropriate legislation for implementation of the Convention and the Protocol, leading to better national legislation and application.</p>	<p>Workshops or half-day seminars within meetings of the Working Group on:</p>	<p>To be organized by a lead country/lead countries With support from the secretariat.</p>	<p>From each workshop or seminar, a brief, clear document presenting advice on the most important problems identified for the theme in question.</p> <p>Contribution to the application of SDGs.</p>	<p>(tbc)</p>	<p>Costs (e.g., costs for speakers, provision and translation of materials) to be covered in kind by lead countries, to the extent possible (approximately \$10,000 per seminar). (Travel costs for countries eligible for financial support and non-ECE countries should be covered from the budget.)</p>
<p>Improved implementation and application of the Convention and the Protocol by learning from Parties' experiences.</p> <p>Awareness-raising on the Convention, its amendments and its ratification.</p>	<p>[(a) Application to the Protocol on SEA to urban planning;]</p>	<p>(a) Lead country/ countries or organization(s) to be identified. Possibly in cooperation with THE PEP, the ECE Housing and Land Management Unit, and the Local Governments for Sustainability (ICLEI) network;</p>	<p>Contributes to implementation of SDG target 11.3: "By 2030, enhance inclusive and sustainable urbanization and capacity for participatory, integrated and sustainable human settlement planning and management in all countries".</p>		
	<p>[(b) Application of the Protocol on SEA to climate change</p>	<p>(b) Lead country/ countries or organization(s) to be</p>	<p>Contributes to implementation of SDG target 13.2</p>		

Activity objectives	Method of work (sub-activities)	Organizational arrangements	Expected outcome	Time schedule	Budget
adaptation and mitigation; ¹	(c) Improving intersectoral cooperation and institutional arrangements for the application of the Protocol on SEA and the Convention (e.g., for	identified. With possible participation of the UNFCCC secretariat;	“Integrate climate change measures into national policies, strategies and planning”.		
seoping, identification of indicators, incorporation of health impacts, and quality control of EIA and SEA reports);	(c) Lead country/ countries or organization(s) to be identified. With participation from WHO (tbc);				
(d) Linkages with Synergies between transboundary EIA and SEA with biodiversity assessment.	(d) Lead country/ countries or organization(s) to be identified. Possibly in cooperation with the Bern Convention on the Conservation of European Wildlife and Natural Habitats and the <u>Convention of Biological Diversity</u> .	Contributes to implementation of SDG 15: “Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation			

Activity objectives	Method of work (sub-activities)	Organizational arrangements	Expected outcome	Time schedule	Budget
	<p>(e) Synergies between the transboundary EIA and SEA and UNCLOS Art. 204-206</p>	<p>(e) Lead country/countries or organizations. With cooperation of UNCLOS</p>	<p>and halt biodiversity loss”. <u>Contributes to implementation of SDG 14: Conserve and sustainably use of the oceans, seas and marine resources for sustainable development.</u> <u>Possible link with SDG 1 with regard in the context of the ongoing global process for strengthening of international ocean governance and development of a legal binding instrument on the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction (BBNJ).</u></p>		

<i>Activity objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
IV. Promoting ratification and application of the Protocol on SEA.					
Ratification, full legal implementation and practical application of the Protocol.	1. Development of country and sector specific guidance for the assessment of potential health impacts of plans and programmes and for the involvement of health authorities, building on the chapter on health in the SEA Resource Manual. (Could be linked with a possible subregional workshop).	Lead: secretariat in cooperation with the concerned countries and as specified below: Undertaken by external consultant(s), with the support of the secretariat and WHO.	Ratifications and other outcomes specified below. Guidance documents. Contributes to implementation of SDG target 3.9: "By 2030 substantially reduce the number of deaths and illnesses from hazardous chemicals and air, water and soil pollution and contamination".	2017–2020	Requires consultant(s) for drafting and funding for translation (\$10,000–\$20,000).
Increased professional skills of officials, and increased awareness of the public, including NGOs, as well as of officials at all relevant administrative levels in relation to SEA and to the application of the Protocol.	2. Development of good practice recommendations on the application of SEA to climate change mitigation.]	Undertaken by external consultant(s), with the support of the secretariat, involving a survey to gather good practice.	Guidance document. Contributes to implementation of SDG target 13.2: "Integrate climate change measures into national policies, strategies		Requires consultant(s) for drafting and funding for translation of the survey and responses to it (approximately \$25,000).

<i>Activity objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
	[3. Development of guidance on the application of the Protocol on SEA to urban planning.]	Undertaken by external consultants, with support from the secretariat, possibly in cooperation with THE PEP, the ECE Housing and Land Management Unit, WHO and the Local Governments for Sustainability (ICLEI) network.	Guidance document. Contributes to the implementation of SDG target 11.3: “By 2030, enhance inclusive and sustainable urbanization and capacity for participatory, integrated and sustainable human settlement planning and management in all countries”.		Requires consultant(s) for drafting and funding for translation (approximately \$25,000).
	4. Translation into national languages of the video promoting the benefits of SEA and the Protocol.	To be carried out in cooperation with the target country, with support from an external consultant.	A video for dissemination within countries.	2017–2020	Requires donor funding (around \$3,000/language version) and in-kind contributions.
	[5. Workshops for national and local sectoral authorities as well as environmental and health authorities, including training, on the	To be carried out in cooperation with the lead/target countries, e.g., Armenia, Azerbaijan, Belarus, Georgia, the	Increased awareness about SEA among key stakeholders with a view to promoting the adoption of the	2017–2020	Requires donor funding (\$10,000 for 2-day workshop) and in-kind contributions.

Activity objectives	Method of work (sub-activities)	Organizational arrangements	Expected outcome	Time schedule	Budget
	<p>application of the Protocol for countries in the ECE region and beyond; including on the application of SEA to climate change adaptation and mitigation.]</p>	<p>Republic of Moldova and Ukraine, with support from an external consultant and the secretariat.</p>	<p>Legislation (where relevant) and improving its application.</p>		
	<p>[6. Pilot SEAs in selected countries, in selected sectors, involving the following activities:</p>	<p>Lead/target countries and selected sectors (based on requests by the countries):</p>			<p>Requires funding (\$80,000–\$100,000/ pilot and staff costs of a project manager and support personnel P-3, \$15,000/month and G-4, \$8,500/month).</p>
	<p>(a) 2-3 workshops for scoping and the analysis of the baseline, impact assessment; development of mitigation measures and development of recommendations;</p>	<p>(a) Armenia (urban development);</p>			
	<p>(b) 2–3 public consultation events;</p>	<p>(b) Georgia;</p>			
	<p>(c) Preparation of the SEA report and training on its quality control.]</p>	<p>(c) Republic of Moldova;</p>			
		<p>(d) Russian Federation;</p>			
		<p>(e) Kazakhstan;</p>			
		<p>(f) Ukraine (waste management and energy sectors);</p>			
		<p>(g) Tajikistan.</p>			
		<p>In collaboration with the support of an external consultant,</p>			

Activity objectives	Method of work (sub-activities)	Organizational arrangements	Expected outcome	Time schedule	Budget
		national experts and the secretariat, in collaboration with partner organizations, as relevant.			
	7- National guidance documents on the implementation of SEA;	Lead/target country to be identified.	A guidance document.	2017-2018	Requires funding
	8. Preparation of fact sheets on application of the Protocol on SEA.	Lead: All Parties invited to propose fact sheets. (The Party preparing the fact sheet will be responsible for its layout.)	Fact sheets to be published on the Convention website by the secretariat.	2017-2020	In kind.
	9. Preparation of two-page informal pamphlets or "fasTips" on key issues in SEA practice (on topics to be suggested, e.g., SEA for water management plans; waste management sector, analytical methods used in SEA; monitoring).	Lead organization: IAIA, with the support of WHO, SEA and health experts and the secretariat.	Informal pamphlets on key issues	Ongoing (tbc)	In kind (tbc).
V. Opening of the Convention and		With lead countries/organization		2017-2020	Requires donor funding and in-kind contributions.

<i>Activity objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
the Protocol: promoting global outreach and partnerships.		ns to be identified; with support from key partners, external consultant(s) and the secretariat.			
Raising awareness on the Convention and the Protocol outside the ECE region.	1. <u>An assessment on the implications of the opening of the Convention.</u>	Bureau and the Working Group with support from lead countries, partners, and the secretariat.	A strategy document	2017–2020	Requires in-kind contributions/ possibly external consultant to support drafting (\$10,000-20,000).
Developing capacity in non-Parties and involving them in activities under the Convention and the Protocol.	2. <u>The development of a strategy based on these assessments for the implementation of the Convention and the Protocol at the global level for adoption by the Meetings of the Parties at their next session (2020), listing activities and identifying partnerships and funding mechanisms for their implementation.</u>				

Activity objectives	Method of work (sub-activities)	Organizational arrangements	Expected outcome	Time schedule	Budget
<p>Promoting exchange of experience with other regions of the world.</p> <p>Supporting countries in their efforts to accede to the Convention and the Protocol.</p>	<p>2. Development of a strategy for the contribution of the Convention and the Protocol to the achievement of relevant SDGs and targets, including their follow-up and review of activities under the High-level Political Forum on Sustainable Development.</p>	<p>Bureau and the Working Group, with support from lead countries, partners and the secretariat</p>	<p>A strategy document.</p>	<p>2017–2020</p>	<p>Requires in-kind contributions/ possibly external consultant to support drafting (\$10,000–20,000).</p>

Abbreviations: ENVSEC = Environment and Security Initiative; EU = European Union; NGOs = non-governmental organizations; IAIA = International Association for Impact Assessment; tbc = to be confirmed; THE PEP = Transport, Health and Environment Pan-European Programme; UNFCCC = United Nations Framework Convention on Climate Change; and WHO = World Health Organization.

^a The financing of the activities foreseen in the budget of the Convention and its Protocol for 2017–2020, to be set out in annex I to draft decision [VII/4–III/4], will be contingent on sufficient funds being made available by Parties through their voluntary contributions to the Convention trust fund.