



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

from: General Secretariat of the Council
to: Delegations

Subject: ESPOO Convention:
6th Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context and 2nd Meeting of the Parties to 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 (Geneva, 2-5 June 2014)
- Final statements

Delegations will find in Annex, for information, a compilation of statements delivered on behalf of the EU and its Member States, at the 6th Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context and the 2nd Meeting of the Parties to 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 (Geneva, 2-5 June 2014), as transmitted by the Presidency.

**ESPOO Convention:
6th Meeting of the Parties to the Convention on Environmental Impact Assessment in a
Transboundary Context
and
2nd Meeting of the Parties to 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
(Geneva, 2-5 June 2014)**

**STATEMENTS
delivered on behalf of the EU and its Member States**

MOP6/MOP2 agenda item 3(a)(i): Draft decision VI/2 “Draft decision on the review of compliance with the Convention” (ECE/MP.EIA/2014/L.3)

The European Union and its Member States

- 1) *express our gratitude to* the Implementation Committee for its preparatory work on the text of draft decision VI/2;
- 2) *reiterate our appreciation of, and support to,* the Implementation Committee in its role of assisting the Parties in ensuring the implementation of the Convention while at the same time endeavouring to secure a constructive solution to possible non-compliance cases that are brought to its attention;
- 3) *urge* the Parties involved in cases of non-compliance to take all necessary measures to ensure full compliance with their obligations under the Convention;
- 4) *also urge* the Parties concerned to take advantage of all possible means of effective cooperation within the provisions of the Convention;
- 5) *acknowledge* the findings of the twenty seventh session of the Implementation Committee as regards to Belarus and the follow up as regards Ukraine;
- 6) encourage Belarus to invite the International Atomic Energy Agency (IAEA) Site and External Events Design (SEED) mission to Belarus;
- 7) *support* draft decision VI/2, provided that the following amendments are made with regard to its text:

I. General part

- i) Paragraph 3. We propose to accept the deletion of the phrase “and three times regarding Ukraine” and insert the word “Ukraine” between “Romania” and “and the United Kingdom...”;
- ii) Paragraph 5(f). We suggest to delete the whole paragraph;
Paragraph 5(n). We propose to delete the whole paragraph;

II. Follow-up to decision V/4

- iii) Paragraph 27. We propose to accept the change of the phrase “...Ukraine and Romania...” to “Romania and Ukraine”;

- iv) Paragraph 44. We suggest to replace the word “Armenia” with “Azerbaijan”;

III. Submissions by Parties

- v) Paragraph 64. We propose to rephrase the paragraph, so that it reads as follows:

“[64.] Welcomes the steps taken by both Parties [~~especially by Belarus~~] since the Committee’s twenty-seventh session, in following the Committee’s recommendations to the Meeting of the Parties, and notes that [~~these~~] some steps have been taken in terms of provision of information, which will have to be assessed by the Committee pursuant to paragraph 67; [~~as detailed in the Committee’s report on its activities to the Meeting of the Parties, have the potential to address the findings of non-compliance;~~]”

- vi) Paragraph 67. We propose to accept the addition of the phrase “with a view to clarifying whether full compliance had been meanwhile ensured” at the end of the paragraph, so that it reads as follows:

“[67] Requests the Implementation Committee to thoroughly analyse the steps undertaken after the adoption of the Committee’s report on its twenty-seventh session and to reflect the conclusions of its analysis in the report of the Committee’s thirty-second session at the latest, and to report to the Meeting of the Parties at its seventh session on the matter, with a view to clarifying whether full compliance had been meanwhile ensured;”

- vii) Paragraph 67 *bis*. We propose to accept this new paragraph and delete square brackets around the phrase “a SEED”, so the entire paragraph reads as follows:

“[67 *bis*.] Encourages Belarus to further develop confidence building measures, including to invite the IAEA for {a SEED} mission with a view to evaluating the site selection criteria and studies for the NPP as well as the development and operation of the NPP to fully assure the safety;”

- viii) Paragraph 67 *ter*. We propose to delete the whole paragraph.

- ix) Paragraph 67 *quater*. We propose to delete the whole paragraph.

- x) Paragraph 71. We propose to rephrase the text, so that the paragraph reads as follows:

“Endorses [~~Takes note of~~] the finding of the Implementation Committee that the extension of the lifetime of [a] the nuclear power plant subject of the proceedings, after the initial[/~~previous~~] licence[/~~permit~~] [has] had expired, is to be considered as a proposed activity under article 1, paragraph (v), of the Convention, and is consequently subject to the provisions of the Convention;”

- xi) Paragraph 72. We suggest to retain the word “Endorses” and delete the phrase “Takes note of”, so that the paragraph reads as follows:

“72. *Endorses* [~~*Takes note of*~~] the findings of the Implementation Committee that Ukraine is in non-compliance with its obligations under article 2, paragraph 2, with respect to the general legal and administrative framework applicable in the decision-making for the extension of the lifetime for nuclear reactors;”

- xii) Paragraph 73. We suggest to retain the word “Endorses” and delete the phrase “Takes note of”, so that the paragraph reads as follows:

“73. *Endorses* [~~*Takes note of*~~] the findings of the Implementation Committee that Ukraine is in non-compliance with its obligations under article 2, paragraphs 2 and 3, article 4, paragraph 1, and articles 3 and 6 with respect to the extension of lifetime for reactors 1 and 2 of the Rivne nuclear power plant;”

- xiii) Paragraph 74. We propose to delete both proposed versions of this paragraph.

- xiv) Paragraph 75. We propose to delete the whole paragraph.

- xv) Paragraph 76. We propose to delete the whole paragraph.

- xvi) Paragraph 77. We suggest deleting the whole paragraph.

- xvii) Add a new paragraph that reads as follows:

“*Requests* the Implementation Committee, in the follow up of the assessment of the case, to take into consideration when evaluating Ukraine’s compliance with the Convention, the specific circumstances of the case and the fact that Ukraine has acted in good faith in respect to this project, on the basis of the information that will be provided by Ukraine”.

Particular position on Belarus

C. Regarding Belarus

- i. Paragraph 56. We propose to add a footnote in para. 56:

56. *Also requests* Belarus to provide to Lithuania the final decision¹ on the proposed activity taken in accordance with the previous recommendation, along with the reasons and considerations on which it was based;

1. The final decision was issued on Nov 2, 2013

ii. Paragraph 64:

64. Welcomes the steps taken by both Parties since the Committee's twenty-seventh session, in following the Committee's recommendations to the Meeting of the Parties, and notes that some steps have been taken and information about these steps was provided to the Committee, that will have to be assessed by the Committee, pursuant to para. 67;

iii. Paragraph 67:

67. Requests the Implementation Committee to thoroughly analyze the steps undertaken after the adoption of the Committee's report on its twenty-seventh session and to reflect the conclusions of its analysis in the report of the Committee's thirty-~~second~~ third session at the latest, and to report to the Meeting of the Parties at its seventh session on the matter,

iv. Paragraph 67 *bis*. We propose to accept this new paragraph and delete square brackets around the phrase "a SEED", so the entire paragraph reads as follows:

"67 *bis*. Encourages Belarus to further develop confidence building measures, including to invite the IAEA for {a SEED} mission with a view to evaluating the site selection criteria and studies for the NPP as well as the development and operation of the NPP to fully assure the safety;"

v. Paragraph 67 *ter*. We propose to delete the whole paragraph.

vi. Paragraph 67 *quater*. We propose to delete the whole paragraph.

MOP6/MOP2 agenda item 3(a)(ii): Draft decision VI/6 "Aligning the authentic language version of the Convention " (ECE/MP.EIA/2014/L.1)

The European Union and its Member States

- 1) *express our gratitude* to the Bureau and the Secretariat of the Convention for their preparatory work on the text of draft decision VI/6;
- 2) *also express their gratitude* to the ad hoc task force established by the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment and the Bureau for the preparation of the list of proposed corrections annexed to draft decision VI/6;
- 3) *note with satisfaction* that our previous comments and drafting suggestions have been taken on board;

- 4) *support* draft decision VI/6.

MOP6/MOP2 agenda item 3(a)(iii): Draft decision VI/1 “Reporting and Review of the implementation” (ECE/MP.EIA/2014/L.1)

The European Union and its Member States

- 1) *express our gratitude to* the Bureau and the Secretariat of the Convention for their preparatory work on the text of draft decision VI/1;
- 2) *note with satisfaction* that our previous comments and drafting suggestions have been taken on board;
- 3) *strongly encourage* Parties to the Convention to respond to the questionnaire on the implementation of the Convention;
- 4) *welcome* the revision and modification of the questionnaire on the implementation of the Convention;
- 5) *support* draft decision VI/1, provided that the fifth recital is modified as follows:

“Expressing concern that the following States Parties that were Parties to the Convention during the period under review had not responded to the questionnaire on time: Bosnia and Herzegovina, Greece, Ireland, Luxembourg and the United Kingdom of Great Britain and Northern Ireland and noting that Greece has responded to the questionnaire before the Sixth Meeting of the Parties,”

MOP6/MOP2 agenda item 3(a)(iii): Draft decision VI/7 “Application of the Convention to nuclear energy-related activities” (ECE/MP.EIA/2014/L.1)

The European Union and its Member States

- 1) *express our gratitude to* the Bureau and the Secretariat of the Convention for their preparatory work on the text of draft decision VI/7;
- 2) *note with satisfaction* that our previous comments were taken into account;
- 3) *urge* the Parties to the Convention to apply the Convention to nuclear energy-related activities;
- 4) *recognize the need* for good practice recommendations to support the application of the Convention to nuclear energy-related activities
- 5) *support* draft decision VI/7
- 6) *note, however,* that the numbering of the draft decision should be corrected from IV/7 to VI/7.

1. MOP6/MOP2 agenda item 3(a)(iii): Draft decision VI/8 “General guidance on enhancing consistency between the Convention and environmental impact assessment within State ecological expertise in countries of Eastern Europe, the Caucasus and Central Asia” (ECE/MP.EIA/2014/L.1)

The European Union and its Member States

- 1) *express our gratitude to* the Bureau and the Secretariat for its preparatory work on the text of draft decision VI/8;
- 2) *note with satisfaction* that our previous comments and drafting suggestions have been taken on board;
- 3) *recognize* the usefulness of taking into account the contents of the Guidance when applying and implementing the Convention;
- 4) *support* draft decision VI/8.

2. MOP6/MOP2 agenda item 3(a)(iii): Draft decision VI/9 “Good practice on communication, cooperation and conflict resolution” (ECE/MP.EIA/2014/L.1)

The European Union and its Member States

- 1) *express their gratitude to* the Bureau and the Secretariat of the Convention for their preparatory work on the text of draft decision VI/9;
- 2) *note with satisfaction* that our previous comments were taken into account;
- 3) *support* draft decision VI/9.

1. MOP6/MOP2 agenda item 3(b): Draft decision II/1 “Reporting and the review of implementation of the Protocol” (ECE/MP.EIA/SEA/2014/L.1)

The European Union and its Member States

- 1) *express our gratitude to* the Bureau of the Convention for their preparatory work on the text of draft decision II/1;
- 2) *note with satisfaction* that our previous comments were taken into account;
- 3) *strongly encourage* Parties to the Protocol to respond to the questionnaire on the implementation of the Protocol;
- 4) *welcome* the revision and simplification of the questionnaire on the implementation of the Protocol;
- 5) *support* draft decision II/1.

2. MOP6/MOP2 agenda item 3(b): Draft decision II/2 “Draft decision on the review of compliance with the Protocol” (ECE/MP.EIA/SEA/2014/L.3)

The European Union and its Member States

- 1) *express our gratitude to* the Implementation Committee for its preparatory work on the text of draft decision II/2;
- 2) *reiterate, once more, our appreciation of, and support to,* the Implementation Committee in its role to promote compliance to the Protocol;
- 3) *support* draft decision II/2.

3. MOP6/MOP2 agenda item 3(b): Draft decision II/6 “Aligning the authentic language versions of the Protocol on Strategic Environmental Assessment” (ECE/MP.EIA/SEA/2014/L.1)

The European Union and its Member States

- 1) *express our gratitude to* the Bureau of the Convention for their preparatory work on the text of draft decision II/6;
- 2) *note with satisfaction* that our previous comments and drafting suggestions have been taken on board;
- 3) *support* draft decision II/6.

1. MOP6/MOP2 agenda item 3(b): Draft decision II/7 “Format for notification under the Protocol” (ECE/MP.EIA/SEA/2014/L.1)

The European Union and its Member States

- 1) *express our gratitude to* the Bureau for their preparatory work on the text of draft decision II/7;
- 2) *also express their gratitude to* the Secretariat of the Convention and the editorial group comprising Austria and Germany for their work on the format for notification under the article 10 of the Protocol annexed to draft decision II/7;
- 3) *encourage* the Parties to the Protocol to use the proposed format for notification;
- 4) *support* draft decision II/7, provided that the following modification is made to the text:

Annex, Paragraph II.8. We propose to replace the word “should” by “could”, so the entire paragraph reads as follows:

“[8.] Bearing in mind that the notification shall, according to paragraph 1, take place as early as possible, a Party of origin [~~should~~] could consider notifying an affected Party already during the procedure specified in article 6 (scoping) for the determination of the relevant information to be included in the environmental report. If notification already takes place during this scoping phase, the documents required under paragraph 2 (a) of article 10 should be submitted as soon as they have been completed.”

2. MOP6/MOP2 agenda item 3(b): Draft decision II/8 “Good practice recommendations on public participation in strategic environmental assessment” (ECE/MP.EIA/SEA/2014/L.1)

The European Union and its Member States

- 1) *express our gratitude to* the Bureau for their preparatory work on the text of draft decision II/8;
- 2) *reaffirm* that public participation constitutes an essential part of strategic environmental assessment;
- 3) *note with satisfaction* that our previous comments and drafting suggestions have been taken on board;
- 4) *support* draft decision II/8.

1. MOP6/MOP2 agenda item 3(c)(i): Draft decision VI/3–II/3 “Adoption of the workplan”
(ECE/MP.EIA/2014/L.2–ECE/MP.EIA/SEA/2014/L.2)

The European Union and its Member States

- 1) *express our gratitude* to the Bureau and the Secretariat for its preparatory work on the text of draft decision VI/3-II/3;
- 2) *strongly support* the Convention and its Protocol and encourage Parties that have not yet ratified the latter to do so;
- 3) *note with satisfaction* that our previous comments and drafting suggestions have been taken on board;
- 4) *recognise* that adequate resources are required for the appropriate implementation of the work plan, while *being aware* of the budget constraints affecting Parties at this time;
- 5) *support, in principle*, draft decision VI/3-II/3;
- 6) *note, however, with concern* that the funding and budget allocation for some activities listed in Annexes I & II are not specified;
- 7) also *note* the following in regards to the work plan:
in sub-activity “8. Reviews of legislation, procedures and practice, and technical assistance in drafting legislation, to strengthen Parties’ implementation of and compliance with the Convention and the Protocol...” it should clearly be pointed out which activities are prompted by the Implementation Committee, according to its structure and functions (decision III/2, Appendix) and which Party is in charge of other organizational arrangements;
- 8) *propose* the following amendments to draft decision VI/3-II/3:
 - i. to include a new paragraph that reads as follows:

“[7.] *Also decide* that during the intersessional period the Working Group should meet in spring 2015, spring 2016 and late 2016 and that the Implementation Committee should hold in total eight sessions, meeting two to three times a year: in spring, in autumn and in winter; and *request* the secretariat to prepare the provisional agendas and other formal documentation for and reports on these meetings and to issue these documents in the three official languages of ECE.”
 - ii. to not include in the workplan the last minute proposals for the following sub-activities (found in Annex II):
 - a. “Preparation of Guidance for post-project analysis”,
 - b. “Development of joint good practice guidance including recommendations on land use planning, with the Industrial Accidents Convention and the ECE Committee on Housing and Land Management”, and
 - c. “Organization of a workshop to exchange experiences on approaches to land use planning with due account to the SEA Protocol’s and the TEIA Convention’s provisions and agreed approaches to land use planning in the framework of the work of the ECE housing and land management programme”;
 - iii. to make the changes to the work plan presented in the attached table:

Annex I
Workplan for the implementation of the Convention and its Protocol for the period up to the seventh session of the Meeting of the Parties to the Convention and the third session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol

<i>Page No.¹</i>	<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					
6		5. [Simplification] <u>Modification</u> of the questionnaires for the report on implementation of the Convention and, as appropriate, the Protocol, in 2013–2015.				
7		8. Reviews of legislation, procedures and practice, and technical assistance in drafting legislation, to strengthen Parties' implementation of and compliance with the Convention and the Protocol...			As decided by the Implementation Committee and[the] the Party.	

¹ Page number of the document **ECE.MP.EIA/2014/L.2-ECE.MP.EIA/SEA/2014/L.2** where the item is to be found.

<i>Page No. 1</i>	<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>Baltic Sea subregion</p> <p>3. Holding of three meetings on:</p> <p>...</p> <p>(b) i. <u>Assessment and reduction of transboundary impacts on transboundary watercourses and international lakes in the context of Espoo Convention, Protocol on SEA and Helsinki Convention;</u></p> <p>ii. <u>Effective public participation in SEA/EIA in the context of Espoo Convention, Protocol on SEA and Aarhus Convention.</u></p>				

<i>Page No. 1</i>	<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>
16	Promoting ratification and application of the Protocol on SEA	1. Preparation of factsheets on application of SEA, e.g., on industrial reconversion and investment plans or sustainable agricultural practices.		Factsheets (the Party <u>preparing the factsheet will be responsible for its layout</u>).		

<i>Page No. 1</i>	<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>
	Exchange of good practices...	<p><u>2. Development of good practice recommendations on the application of the Convention to nuclear energy-related activities.</u> <i>[This item should be deleted from Annex II.]</i></p>	<p><u>Undertaken by external consultant(s), in line with agreed terms of reference, under the supervision of an editorial group including Austria, Belarus, Finland, France, Germany, the Netherlands, Poland, Ukraine, the European Commission and European ECO Forum, and with support from the secretariat.</u></p>	<p><u>Good practice recommendations for adoption by MOP7 and MOP/MOP3.</u></p>	<p><u>2015–2016.</u></p>	<p><u>Partial funding (\$5,000) from Austria & Funding from EU (EaP-GREEN).</u></p>

2. MOP6/MOP2 agenda item 3(c)(ii): Draft decision VI/4–II/4 “Budget, financial arrangements and financial assistance” (ECE/MP.EIA/2014/L.2–ECE/MP.EIA/SEA/2014/L.2)

The European Union and its Member States

- 1) *express our gratitude* to the Bureau and the Secretariat for its preparatory work on the text of draft decision VI/4-II/4;
- 2) *note with satisfaction* that our previous comments and drafting suggestions have been taken on board;
- 3) *recognize* the value of inviting international financial institutions and other stakeholders to contribute financially;
- 4) *aware* of the need for additional staff funded by the regular budget of the United Nations in order to ensure long-term and stable secretariat functions;
- 5) *as expressed on previous occasions, we favour* a scheme of voluntary contributions and encourage parties to contribute accordingly;
- 6) *In this vein, we propose* the following amendments to draft decisions VI/4 and II/4:

A. Main text of the draft decision

- i) Paragraph 1. The phrase in brackets should be deleted, so the entire paragraph reads as follows:

“[1.] Establish a scheme of financial contributions whereby Parties and Signatories to the Convention and to the Protocol would contribute each year an amount that they may choose to pledge on a voluntary basis [~~that may be calculated based on the agreed budget ... expenses of the United Nations~~], and also invite international financial institutions, as well as other stakeholders, to contribute;”

- ii) Paragraph 2. The square brackets should be removed.
- iii) Paragraph 3. The phrase “of the 2014-2017 work plan” should be inserted between “...the combined costs” and “until that amount...”, so the entire paragraph would read as follows:

“[3.] Recognize the commitment by the European Union to contribute 2.5 per cent of the total amount not covered by the United Nations regular budget for priority 1 activities of the work plan of the Convention and its Protocol and its intention to maintain its annual pledge of €50,000 towards the combined costs of the 2014-2017 work plan until that amount becomes less than 2.5 per cent of the total, while noting that this is subject to annual endorsement by the budgetary authorities of the European Union and is without prejudice to paragraph 1;”

- iv) Paragraph 7. We propose that the entire paragraph be deleted.

- v) Paragraph 16. We propose to remove the square brackets around “10” and delete “[20]”; additionally, we suggest to remove the square brackets around “that Parties... adjustments” and to delete “[and given... adjustments]”, so that the paragraph read as follows:

“[16.] *Decide that the Executive Secretary of ECE has authority, after consultations with the Bureau, to make adjustments to the budget, up to a maximum of 10 [20] per cent, where such adjustments are necessary before the next meeting of Parties, and that Parties are promptly informed of such adjustments [and given the opportunity to comment ... to indicate confirmation of the adjustments];”*

- vi) Paragraph 18. The word “secretariat” should be replaced by the phrase “Executive Secretary of the ECE”, so the entire paragraph reads as follows:

“[18.] *Also request the Executive Secretary of ECE to seek additional staff funded by the regular budget of the United Nations to provide long-term and stable secretariat functions;*”

- vii) Paragraph 23. The phrase “for this purpose” should be added at the end, so that the paragraph would read:

“[23.] *Recommend that the Convention and its Protocol should apply the guiding criteria established and periodically updated by the Committee on Environmental Policy for financial assistance to support the participation of experts and representatives from countries with economies in transition in meetings and workshops organized within the framework of the Convention and its Protocol and other relevant activities, depending upon the availability of funds for this purpose;*”

- viii) Paragraph 24. The phrase “for this purpose” should be inserted between “...funding” and “financial assistance...”, so that the paragraph would read:

“[24.] *Request the secretariat to grant, subject to the availability of funds for this purpose, financial assistance to designated experts from non-governmental organizations identified by the Bureau for their participation in meetings under the Convention and under the Protocol, unless otherwise decided by the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment;*”

- ix) Paragraph 25. The phrase “for this purpose” should be inserted between “...funding” and “and subject...”, so that the paragraph would read:

“[25.] *Decide that the Bureau shall, depending on the availability of funding for this purpose and subject to priority being given to funding the workplan, examine requests for possible financial assistance for the participation by representatives and experts from States outside the ECE region in meetings under the Convention and its Protocol;*”

- x) Paragraph 26. As this clearly constitutes a decision on work plan related activities (meetings), the paragraph should be deleted from the text and considered in draft Decision VI/3-II/3 “Adoption of the workplan”.

B. Annex II. Draft financial strategy, B. Contributions to the trust fund

i. Point 6. The square brackets in *Alternative A* should be removed and the entire text of *Alternative B*, including footnote 4, should be deleted. Hence point 6 should read as follows:

“6. To ensure sustainable funding of the activities and an equitable and proportionate distribution of the financial burden among the Parties and the Signatories the 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, is maintained, whereby Parties to the Convention and the Protocol as well as Signatory States, other countries, international and regional organizations, international financial institutions and non-governmental organizations (NGOs) may choose to make contributions equivalent in value to a number of shares of the budget.”

ii. Point 7(c). The phrase “other than written requests for contribution” should be inserted between “...communication” and “and requiring...”, so that point 7(c) would read:

“(c) To the extent possible, the financial contributions to the trust fund under the Convention should be “unconditional”, that is, they should be provided without signed agreements or other exchange of written communication, other than written requests for contribution, and requiring no specific financial or substantive reporting by the secretariat on their use other than that provided in the biannual financial reports produced by the secretariat;”

iii. Point 7(d). The entire phrase in square brackets should be deleted, so point 7(d) reads as follows:

“(d) The secretariat should write to Parties to encourage further pledges and timely financial contributions. The letters [~~which may contain reference to the UN scale of assessments~~] should be sent out not later than 90 days before the session of the Meeting of the Parties and at the end of each subsequent calendar year of the intersessional period. The letters should also make reference to the available information on ongoing activities under the Convention and its Protocol and the status of the paid contributions;”

C. Annex III.

We suggest that the entire Annex III be deleted.

MOP6/MOP2 agenda item 3(d): Draft declaration
(ECE/MP.EIA/2014/L.4–ECE/MP.EIA/SEA/2014/L.4)

The European Union and its Member States

- 1) *express our gratitude* to the Bureau and the Secretariat for its preparatory work on the draft declaration;
- 2) *aware* that nuclear energy-related activities can lead to significant transboundary and long-range adverse environmental impacts and present special challenges;
- 3) *acknowledge* that the Convention and its Protocol are effective instruments for fostering environmentally sound and sustainable development, and for supporting closer international cooperation also beyond the ECE region;
- 4) *can support* the draft declaration as proposed by the Bureau, provided that the following modifications are made to the text:

i) Summary. We suggest deleting the following paragraph:

~~“The declaration’s section on nuclear energy-related issues builds on initial inputs from the Lithuanian Presidency of the Council of the European Union and the European Commission.”~~

A. **On the application of the Convention and the Protocol to nuclear energy issues**

ii) Paragraph 1. We suggest deleting the word “only”, so the entire paragraph reads as follows:

“1. *Emphasize* that Parties to the Convention and the Protocol that carry out nuclear energy-related activities should do so ~~only~~ in accordance with the Convention and the Protocol, in a sustainable manner, taking into consideration the precautionary and polluter pays principles, and respecting international nuclear safety standards and relevant environmental legislation;”

iii) Paragraph 2. We suggest inserting “relevant” before the word “plans”, so the entire paragraph reads as follows:

“2. *Invite* all Parties to apply the Convention and the Protocol in the nuclear energy-related field in a consistent, cooperative and transparent manner, following all the procedural steps, and ensuring that a transboundary environmental impact assessment of planned activities and a strategic environmental assessment of relevant plans and programmes are undertaken before the decision to authorize or undertake the activities is taken or the plan or programme is adopted;”

iv) Paragraph 3. We propose to delete the phrase in brackets, so the entire paragraph reads as follows:

“3. *Also invite all Parties to the Convention and the Protocol to ensure early, timely and effective consultations and public participation — when all options (including locational and technological alternatives for planned activities) are open;*”

v) Paragraph 4. We propose to rephrase the paragraph so it reads as follows:

“4. *Recommend that the environmental impact assessment documentation should describe reasonable locational and technological alternatives and identify and assess all the impacts of a nuclear energy activity [from its design, location, construction, commissioning, operation, decommissioning or dismantling phases in a life-cycle analysis and assessment,] or [throughout the whole life cycle] taking also into consideration its impacts on climate and risks;*”

vi) Paragraph 6. We suggest rephrasing this paragraph, so that the text reads as follows:

“6. *Consider that if an activity needs upgrade works during its life cycle [— following stress tests or other assessments —] that might have significant adverse environmental impacts, this should be considered as a major change to the activity in question and be subject to the provisions of the Convention;*”

vii) Paragraph 10. We propose to delete the words “more” and “documentation”, so that the text reads as follows:

“[10.] *Encourage ~~more~~ effective cooperation between Parties and secretariats with all relevant international treaties as well as international organizations to maximize synergies and strengthen capacities with a view to ensuring the highest possible quality of environmental assessment ~~documentation~~ and level of safety in the nuclear energy field, especially stressing the importance of the treaties under the auspices of the International Atomic Energy Agency (IAEA), including in particular the 1994 Convention on Nuclear Safety;*”

viii) Paragraph 11. We suggest replacing the phrase “Recommend that” by “Encourage”, so the text reads as follows:

“11. *Encourage [Recommend that] Parties to the Espoo Convention and its Protocol explore the IAEA Site and External Events Design (SEED) Review Service, in order to ensure that the best available option is selected for nuclear energy development.*”

EU High Level Statement (delivered by the Presidency)

This statement is on behalf of the EU and its 28 Member States

Mr. Chair, Excellencies, distinguished Delegates, Ladies and Gentlemen,

It is an honor for me to address these Meetings of the Parties.

Please allow me to begin by expressing, on behalf of the European Union and its member States, our appreciation to the United Nations Economic Commission for Europe and in particular the Secretariat of the Espoo Convention for organizing and hosting the Sixth Meeting of the Parties to the Espoo Convention and the Second Meeting of the Parties to the SEA Protocol. I would also like to extend our thanks to the Bureau, the Implementation Committee and the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment for all their work done since the previous Meeting of the Parties.

Over the years, the role and the meaning of the environmental assessments have gained importance and visibility in the overall environmental policy. On the EU level integrating environmental protection concerns through SEA and EIA has been recently highlighted in the 7th Environmental Action Programme, which will be guiding the European environment policy until 2020.

On the international level, the Espoo Convention and the SEA Protocol support environmentally sound and sustainable development by providing information on the interrelationship between certain economic activities and their environmental impact, particularly in a transboundary context. Both instruments enhance the regional, sub-regional and bilateral co-operation between the Parties.

Lately the Espoo Convention and the SEA Protocol are increasingly in the forefront of public interest because of some major and large-scale energy activities with significant transboundary environmental impacts.

The energy production landscape in Europe and beyond encompasses the promotion and investment in a wide range of sources varying from renewables and safe and sustainable low carbon technologies to nuclear power, and gas and oil pipelines. As the aim of the European Union and its Member States is to further intensify the diversification of Europe's energy supply, the Espoo Convention and the SEA Protocol are valuable tools in ensuring high levels of environmental protection in a transboundary context.

The European Union and its Member States recognize the value of the Espoo Convention and the SEA Protocol and hence reiterate our willingness to actively participate in and contribute to the different bodies, working groups and activities of both instruments.

To further enhance the effectiveness of the Espoo Convention and the SEA Protocol, we invite all Parties that have not yet done so, to ratify the SEA Protocol as well as the two amendments to the Espoo Convention. In this respect, allow me to stress the importance of the first amendment, which, once effective, will allow for the accession of non-UNECE United Nations Member States to the Convention. The future globalization of both the Espoo Convention and the SEA Protocol will be a significant step forward.

Mr. Chair, Excellencies, distinguished Delegates, Ladies and Gentlemen;

in conclusion, I would like to convey, on behalf of the EU and its Member States, our best wishes for the constructive co-operation amongst all Parties to the Convention and the Protocol. We are looking forward to a series of successful and fruitful discussions and exchanges over the next inter-sessional period.

Thank you for your attention.