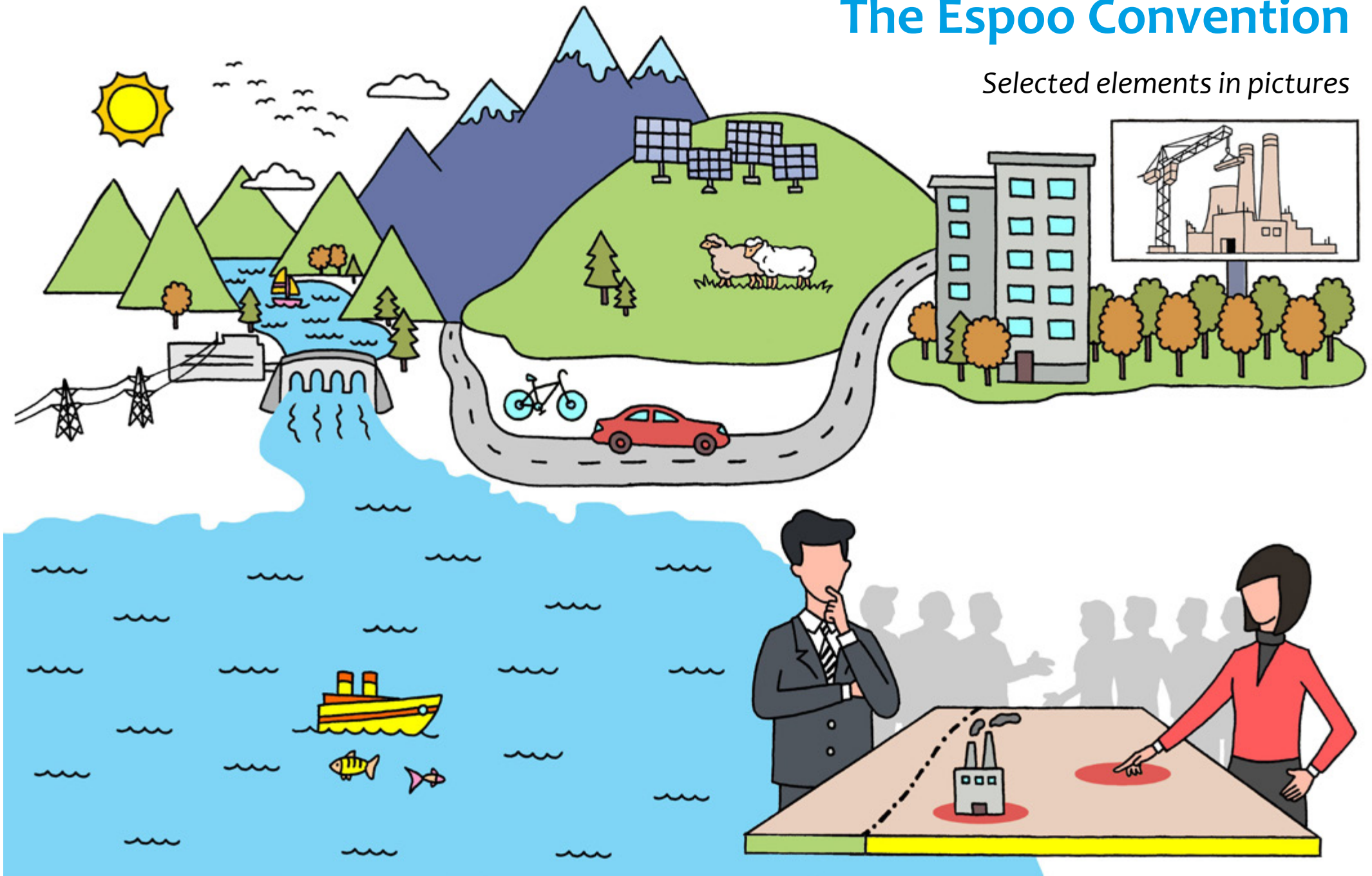


UNECE Convention on Environmental Impact Assessment in a Transboundary Context

The Espoo Convention

Selected elements in pictures





Organization for Security and
Co-operation in Europe

The views expressed in this document are those of the authors and do not necessarily reflect the views of the OSCE and UNECE. The presentation of the material in this publication is simplified and very selective, and does not in any way replace the texts of the Convention, the Protocol or any official guidance documents.

Prepared by Zoi Environment Network with contributions from the OSCE and the UNECE Espoo Convention Secretariat.

Concept: Viktor Novikov, Elena Santer, Ekaterina Molodtsova, Christian Melis

Art work: Ruslan Valitov

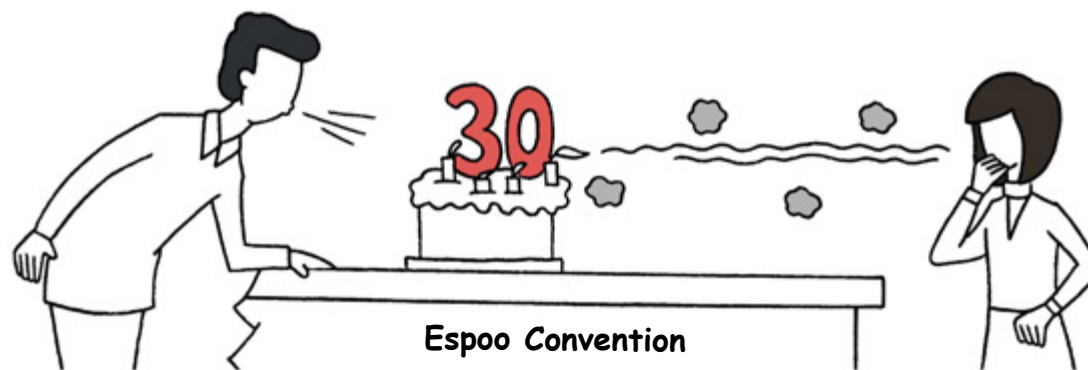
Layout: Yaroslav Tartykov

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In close cooperation with the UNECE, the OSCE supports the implementation of the UNECE Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention), in particular, through joint capacity building activities in Central Asia.

To mark the 30th anniversary of the Convention's adoption, the present publication aims to illustrate the spirit of the Convention and its role in protecting the environment and promoting international cooperation.

The UNECE Espoo Convention

Becoming global

Protocol on Strategic Environmental Assessment (SEA)

Global

ADOPTED

Espoo (Finland) in **1991**

Kyiv (Ukraine) in **2003**

In force since **1997**

In force since **2010**

NUMBER OF PARTIES AS OF MARCH 2021

45 Parties, including the EU

33 Parties, including the EU

APPLIES TO:

planned private and public activities
likely to have significant adverse
environmental impacts across borders

governmental plans, programs, policies and legislation

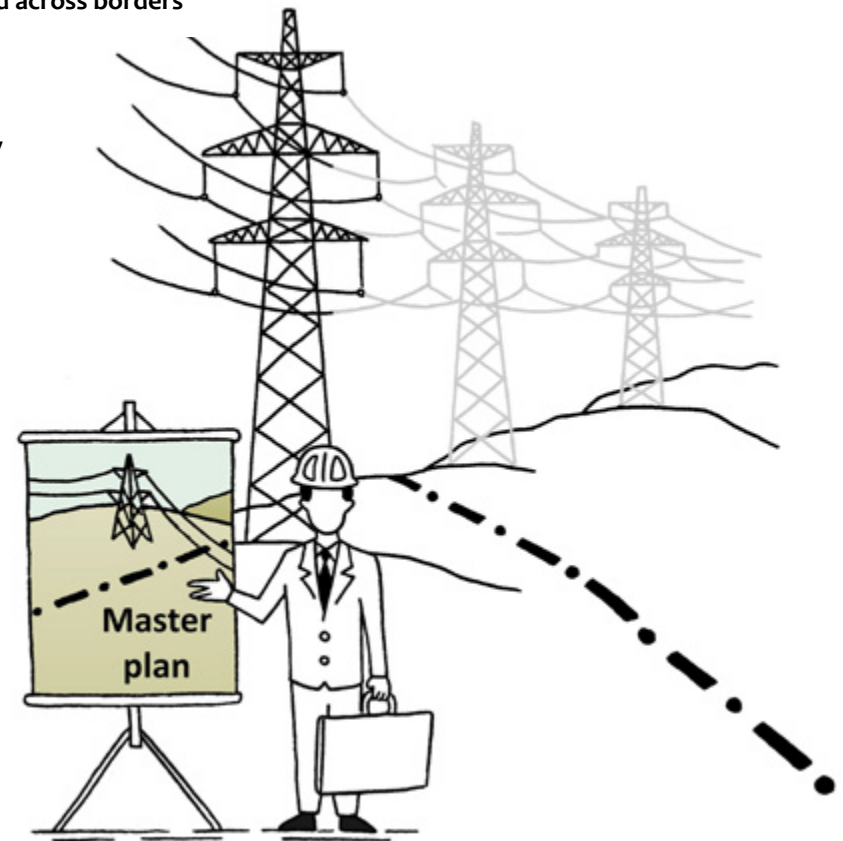
likely to have significant environmental, including health effects;
setting a framework for establishing consent for development projects

across borders

nationally and across borders

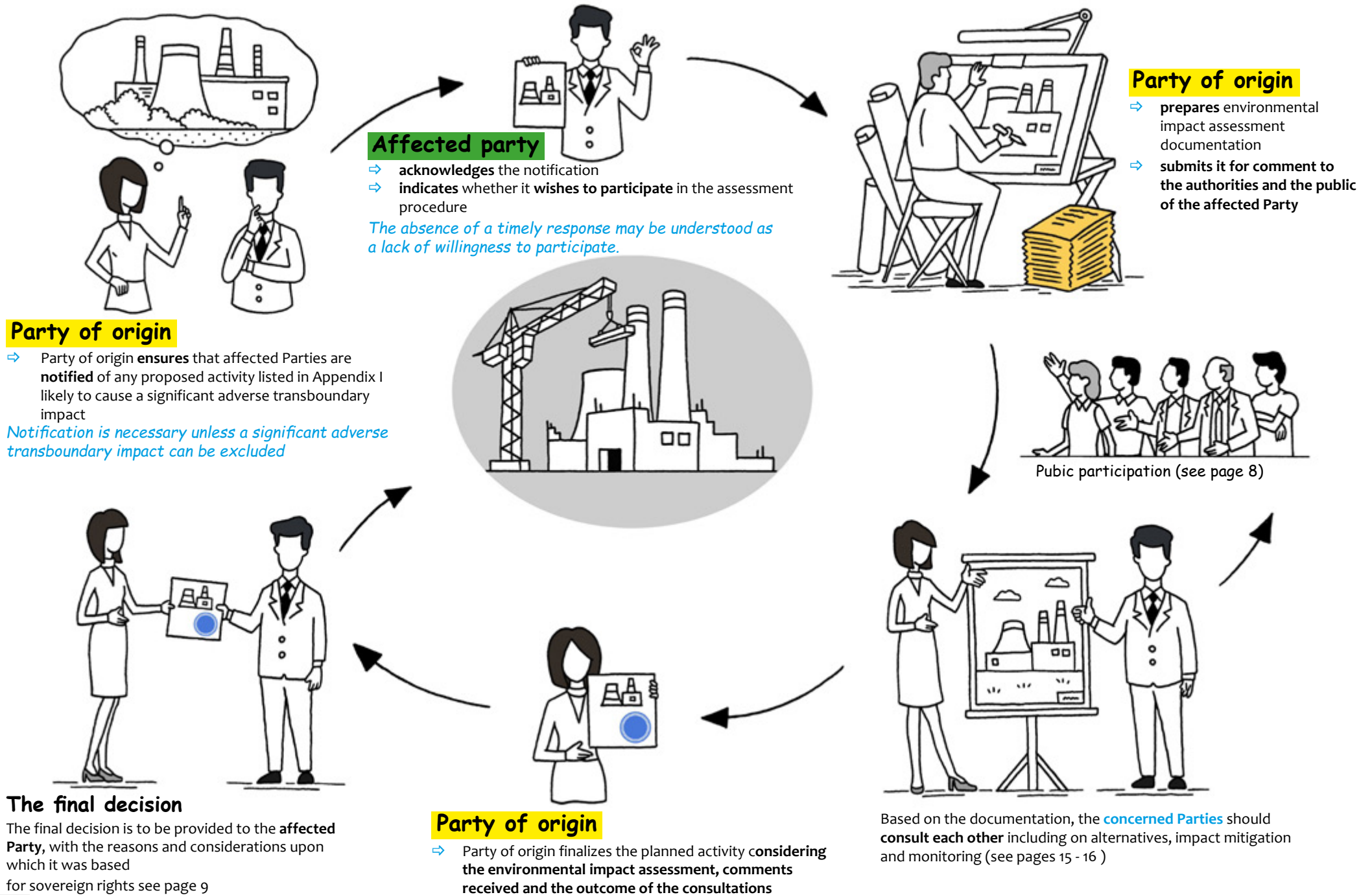
OBJECTIVE

to prevent, reduce and mitigate any
significant adverse impacts
by
integrating environmental
considerations into economic
development



For additional details on Appendix I of the Convention see pages 11 - 13

The UNECE Espoo Convention establishes a clear procedure for environmental impact assessment in a transboundary context



The Convention is applied when options are still open

Party of origin



Affected Party



Once the decision has been made the Party of origin

Provides the affected Party with

- ⇒ The final decision on the proposed activity
- ⇒ The reasons and considerations on which it was based
- ⇒ A clarification of why any comments were rejected



The Party of origin and the affected Party share the responsibility for

ensuring that the opportunity provided to the public of the affected Party is **equivalent** to that provided to the public of the Party of origin



In the absence of notification ...

Potentially affected Party



When a Party considers that it would be affected and when no notification has taken place it should ...

Request



...address the Party of origin as soon as it becomes aware of an activity with potential impact and request information on that activity.



Party of origin

Argumentation

After receiving information, the Affected Party provides its argumentation on why it considers that a significant adverse impact on its territory cannot be excluded



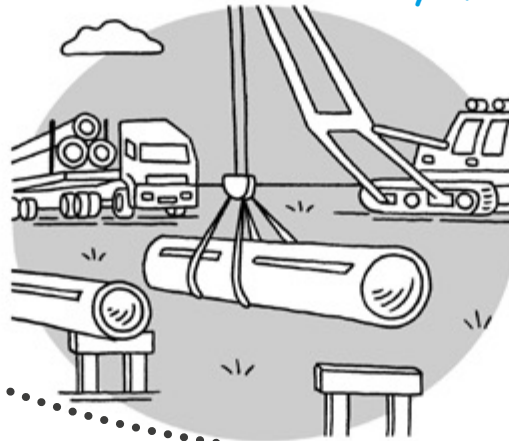
Affected Party



Obligation

Provides information that is sufficient for the purposes of holding the discussions and, if available, the EIA documentation

Party of origin



Investors need **to be cautious** of committing funds before the impact of the project is clarified and request a transboundary EIA as needed



Good will, international best practice

While the Espoo Convention does not apply to non-Parties, it is in their interest and interest of project investors to show **good will** and **exchange information**, if requested

Country of origin, non-Party to Espoo



Some methods for the dissemination of information about the project and consultation with authorities and the public of the affected Party

Dissemination of information to the public

An article in a newsletter

Billboards



Affected Parties may become aware of new projects in Parties of origin by

Monitoring of information in mass media



Methods of public participation

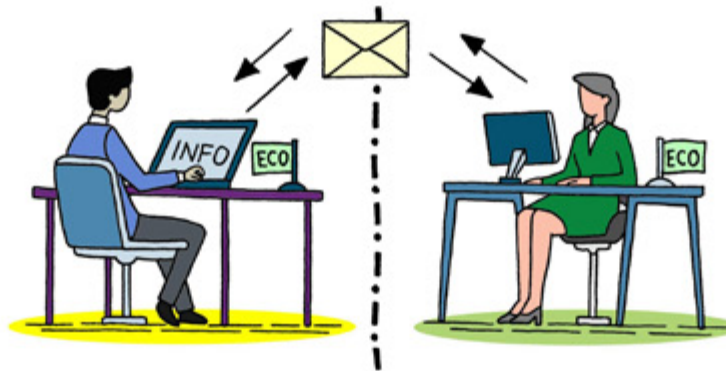
Public hearing



Public notice in mass media
(radio, television, newspapers)



Direct provision of information by email
from one focal point to another



Submission of written comments



In the absence of information the public may request information from the competent authorities of the affected Party or the Party of origin

Apply the provisions of the Aarhus Convention

Project websites



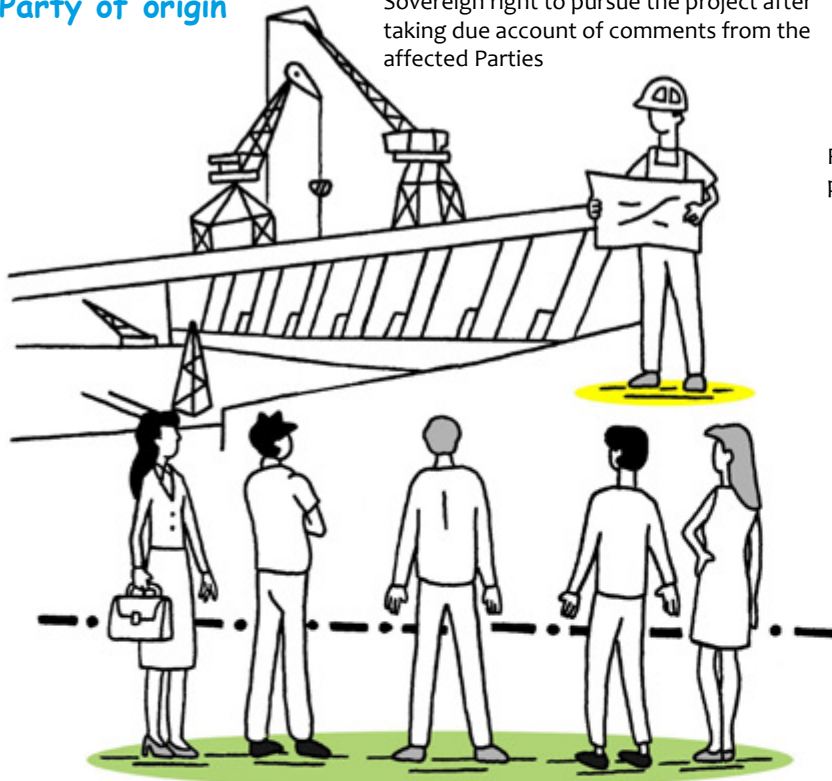
Official notification



Core Principles

Party of origin

Sovereign right to pursue the project after taking due account of comments from the affected Parties

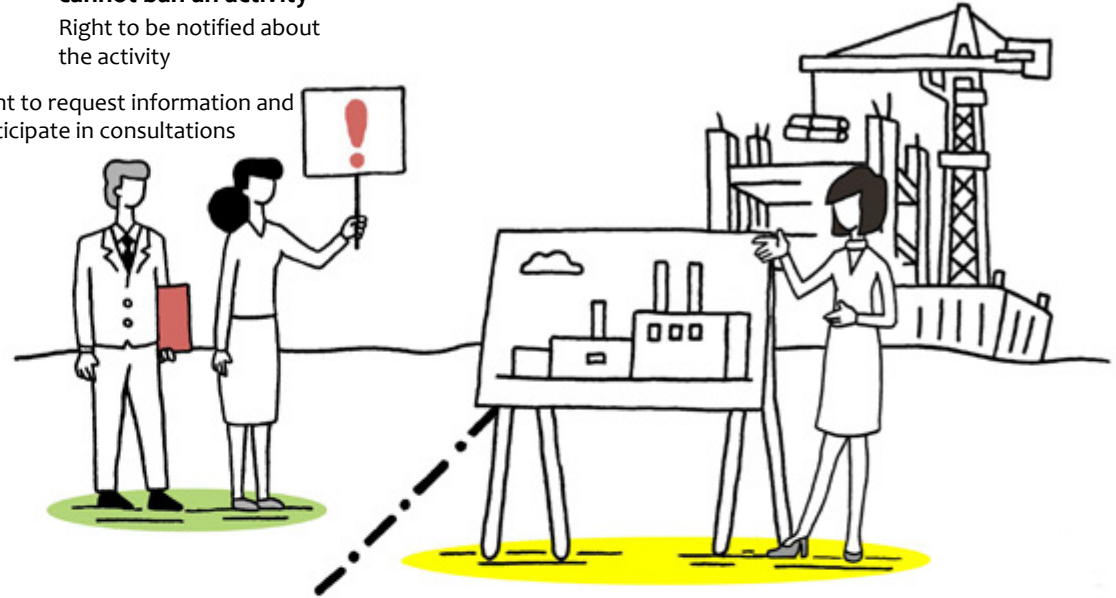


Affected party

cannot ban an activity

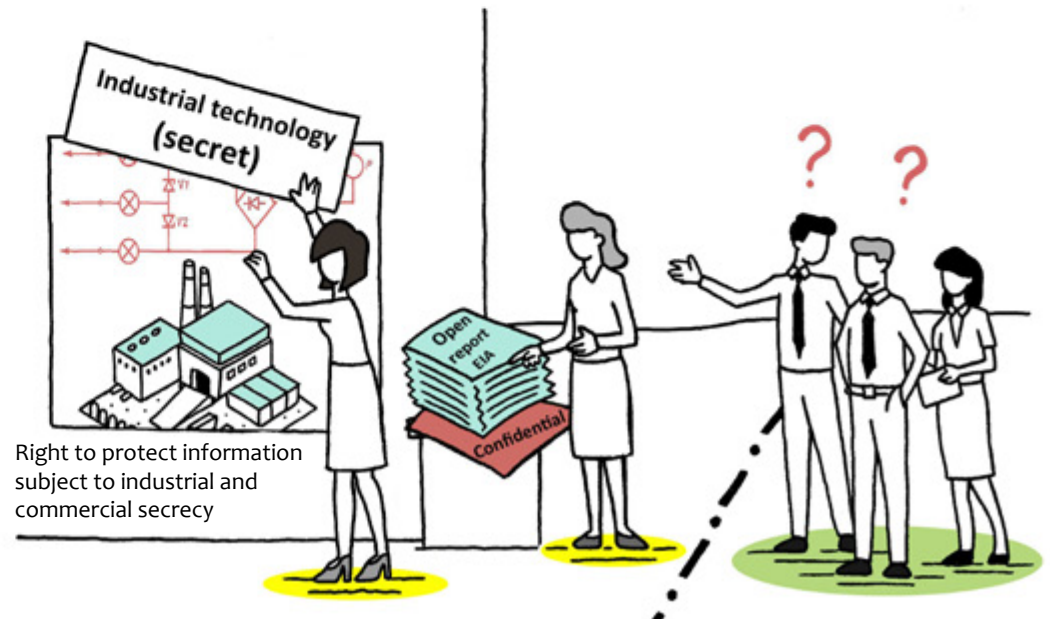
Right to be notified about the activity

Right to request information and participate in consultations

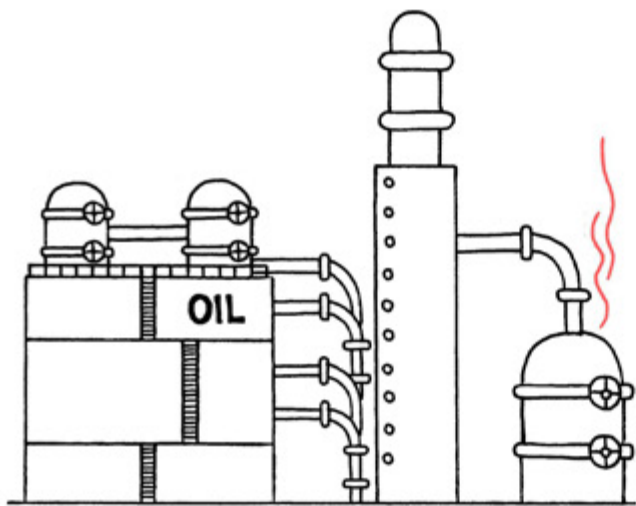


Both Parties

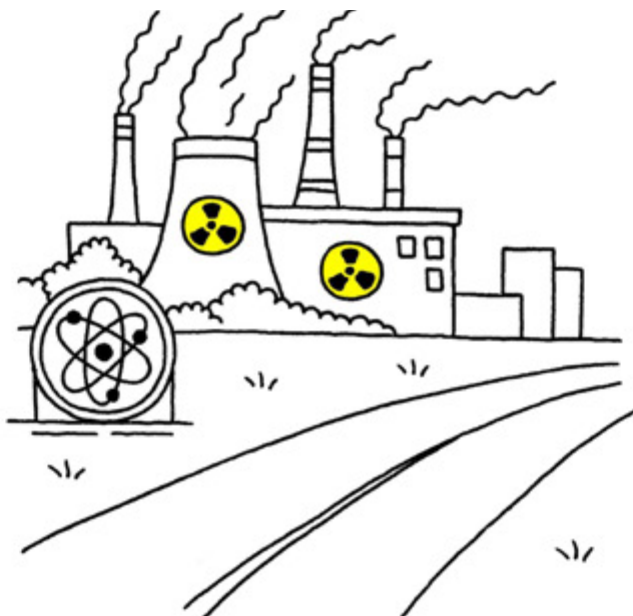
Right to dialogue, participation and consensus, including on alternatives and mitigation measures



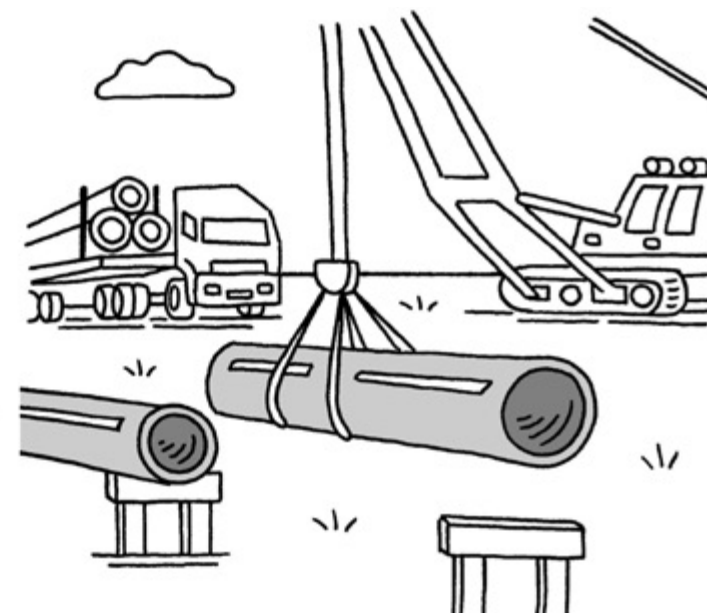
**Selected activities subject to the Convention
if a significant adverse transboundary impact cannot be excluded**



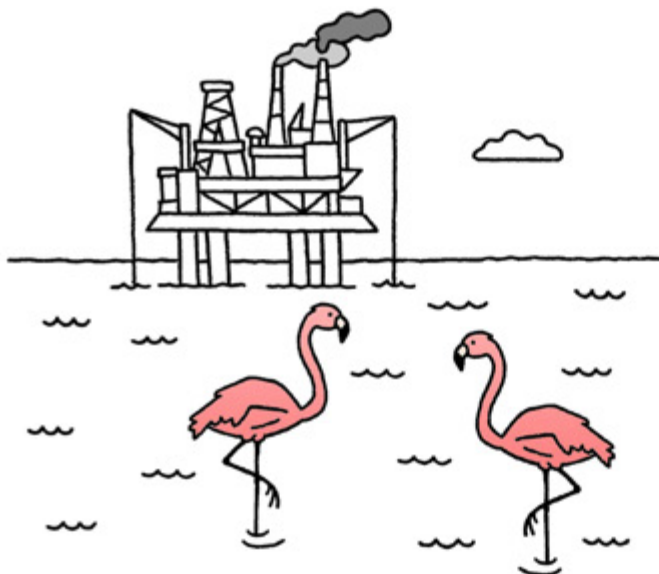
Crude oil refineries and installations for coal or bituminous shale gasification and liquefaction



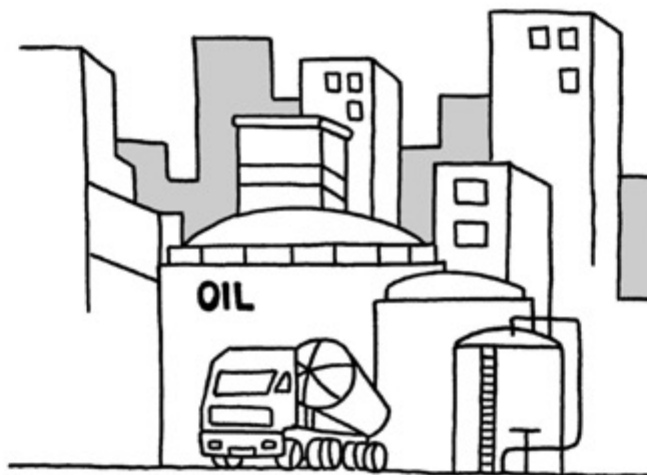
Thermal or nuclear power stations



Large-diameter oil, gas and chemical pipelines



Offshore hydrocarbon production

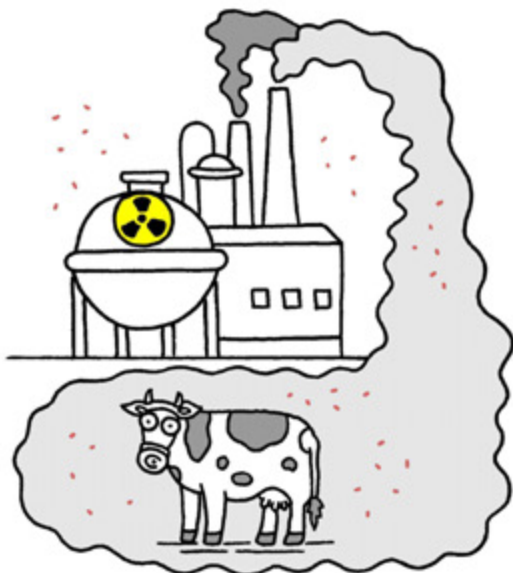


Major storage facilities for petroleum, petrochemical or chemical products

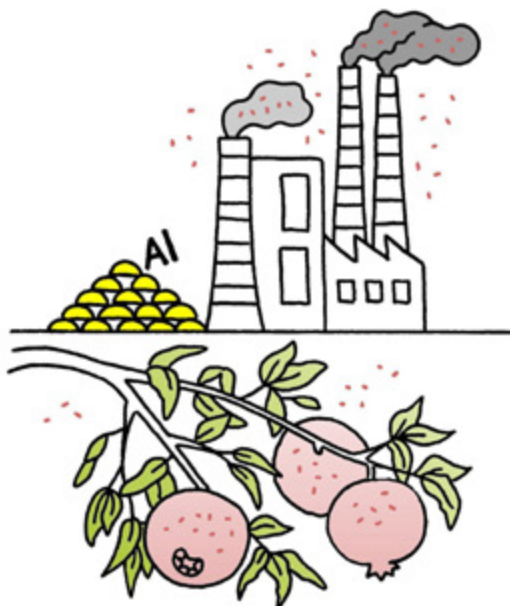


Other activities - consult article 2.5 of the Convention and Appendix 3

**Selected activities subject to the Convention
if a significant adverse transboundary impact cannot be excluded**



Installations designed for the production or enrichment of nuclear fuels, or for the storage, disposal and processing of radioactive waste



Major installations for the initial smelting of cast-iron and steel and for the production of non-ferrous metals



Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos



Integrated chemical installations



Pulp and paper manufacturing



Waste-disposal installations for the incineration, treatment or landfill of toxic wastes

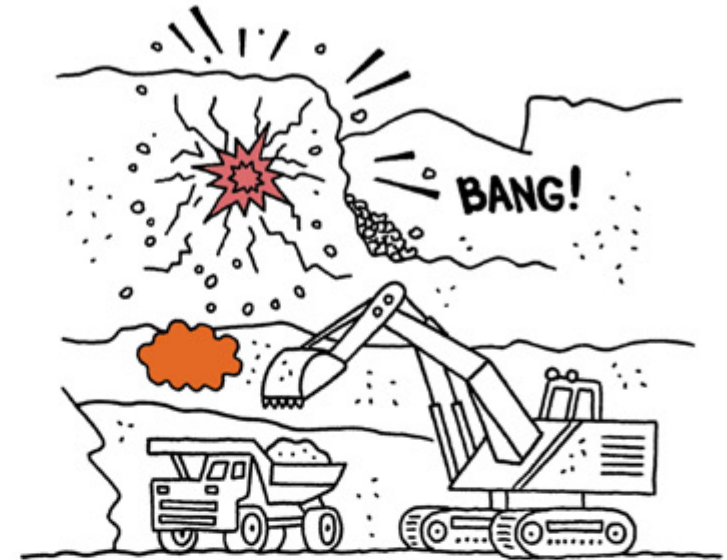
**Selected activities subject to the Convention
if a significant adverse transboundary impact cannot be excluded**



Construction of motorways, express roads and airports



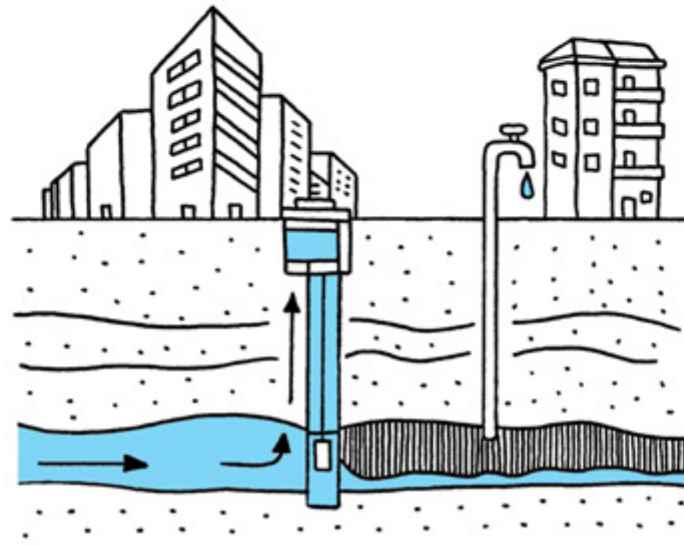
Trading ports and inland waterways



Major mining, on-site extraction and processing of metal ore or coal



Large dams and reservoirs



Groundwater abstraction



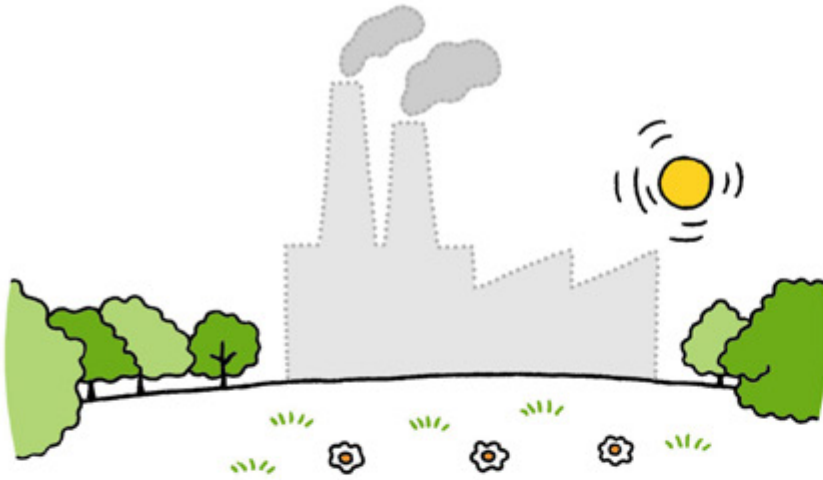
Deforestation of large areas

Some examples of environmental impact and factors to be considered in environmental impact assessments

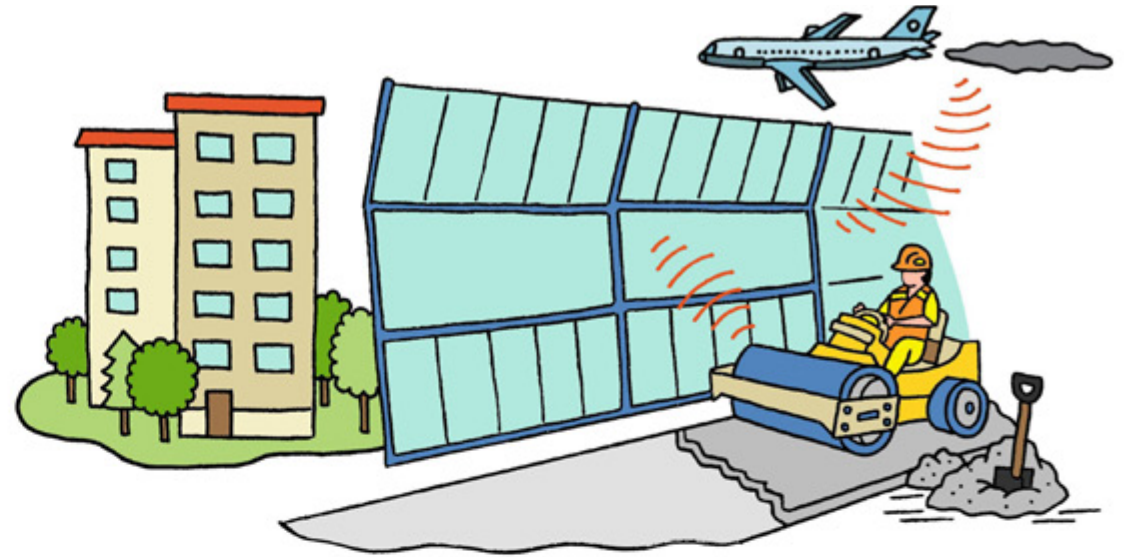


The Convention ensures the consideration of alternatives and the selection of the most appropriate mitigation measures

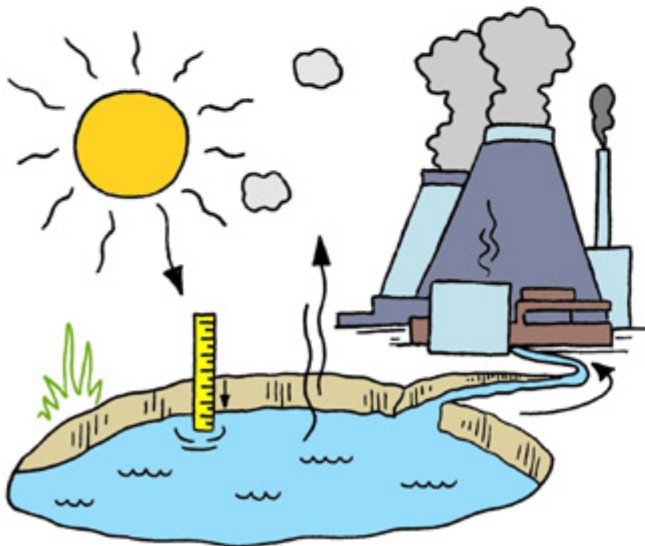
Alternative solutions for the reduction of the environmental impact of a project



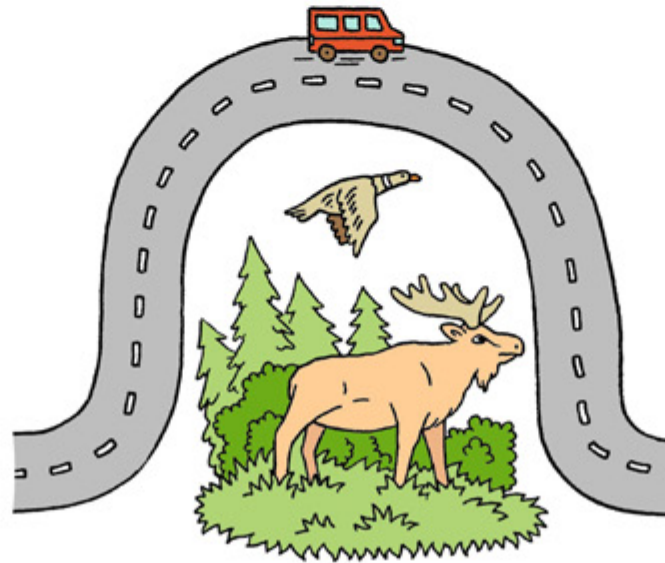
Zero alternative (abandon the project idea)



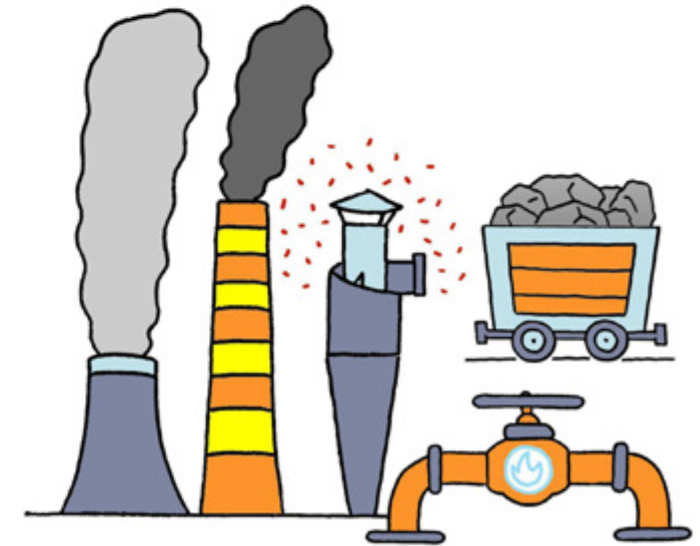
Alternative road materials, noise reduction measures



Consideration of the likely impact on climate change



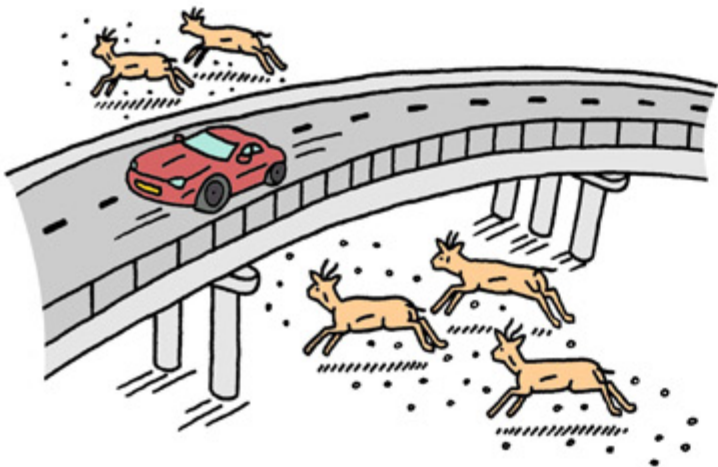
Solutions for protected sites and key biodiversity areas



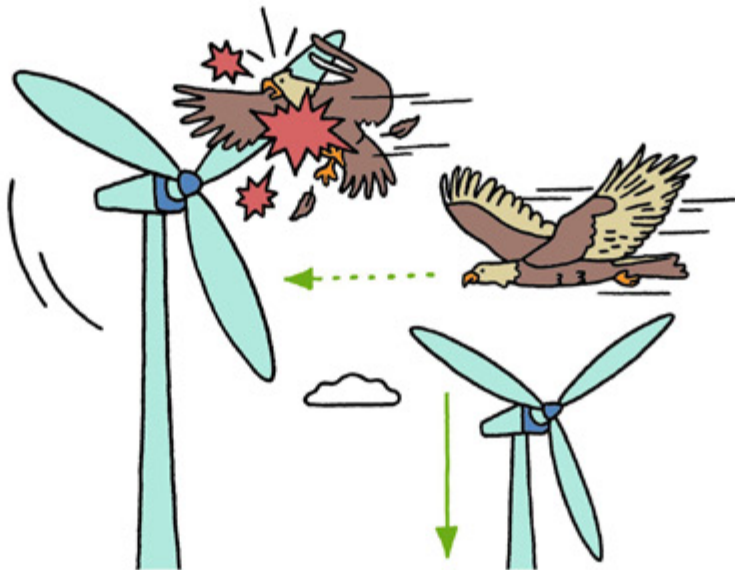
Switch fuels, emission control

The Convention ensures the consideration of alternatives and the selection of the most appropriate mitigation measures

Alternative solutions for reducing the environmental impact of a project



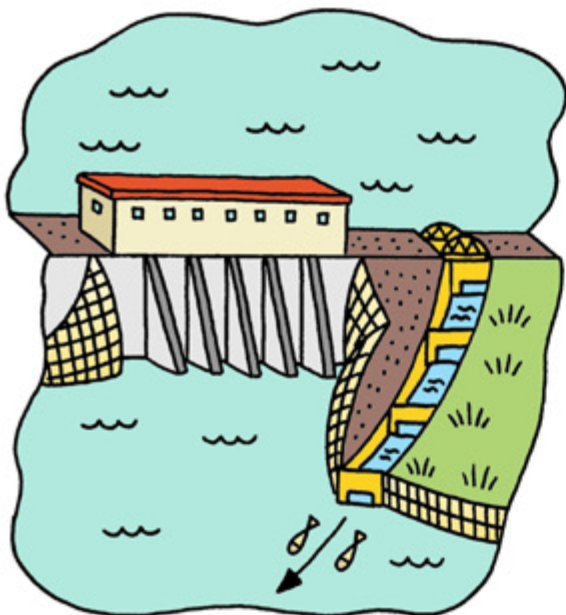
Solutions for migratory mammal species



Solutions for endangered and migratory birds



Siting solutions



Solutions for migratory fish



Pollution prevention

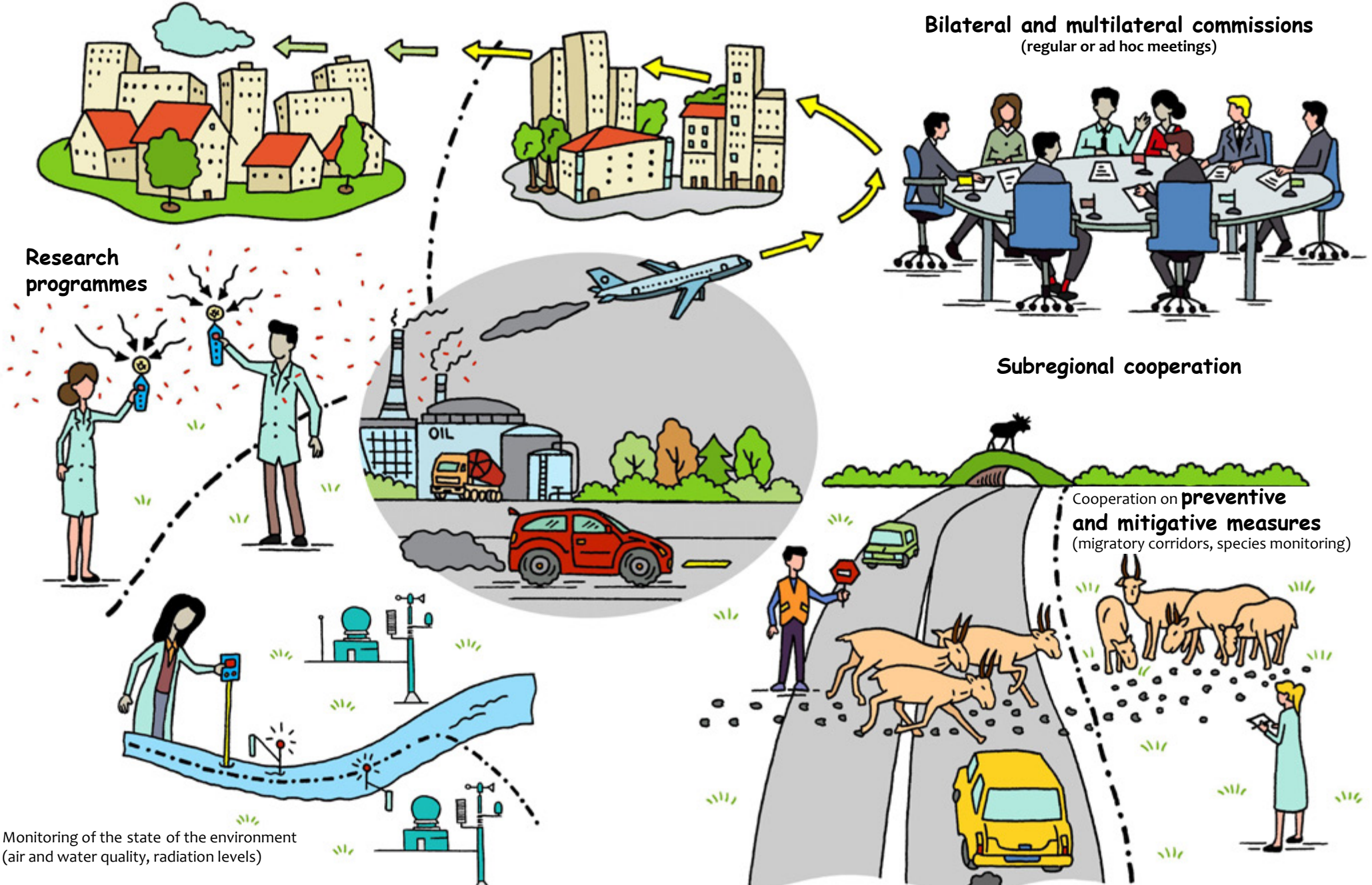


Accident preparedness and warning systems

Forms and formats of cooperation

Bilateral agreements to implement the Convention:

language to use, timeframe for response to notification, timeframe and terms for public participation, handling activities not listed in Appendix I, criteria of significance

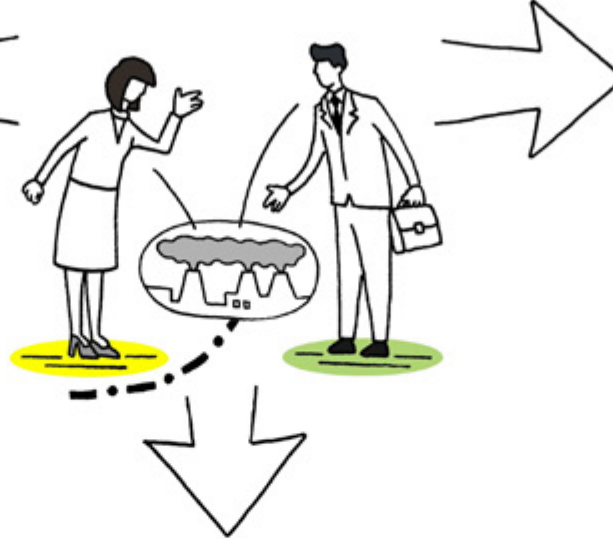


Particular situations, Implementation Committee and the settlement of disputes

Mutually agreeable solutions and dialogue



Complex international cases



International Court of Justice

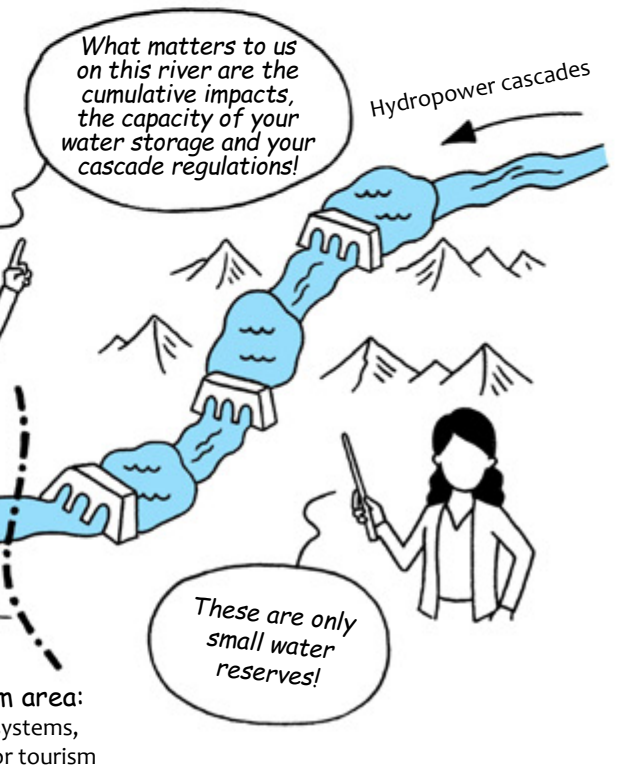
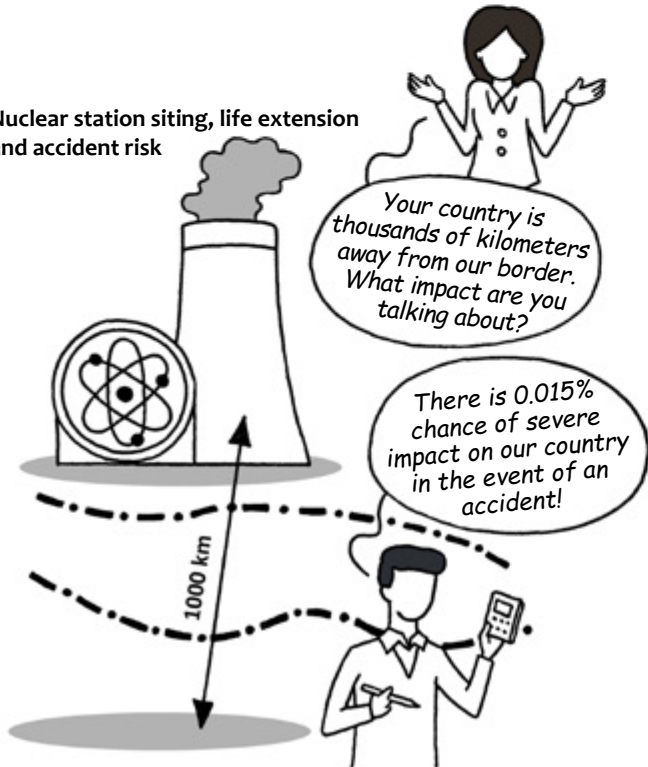
Arbitration (Appendix 7)



Implementation Committee

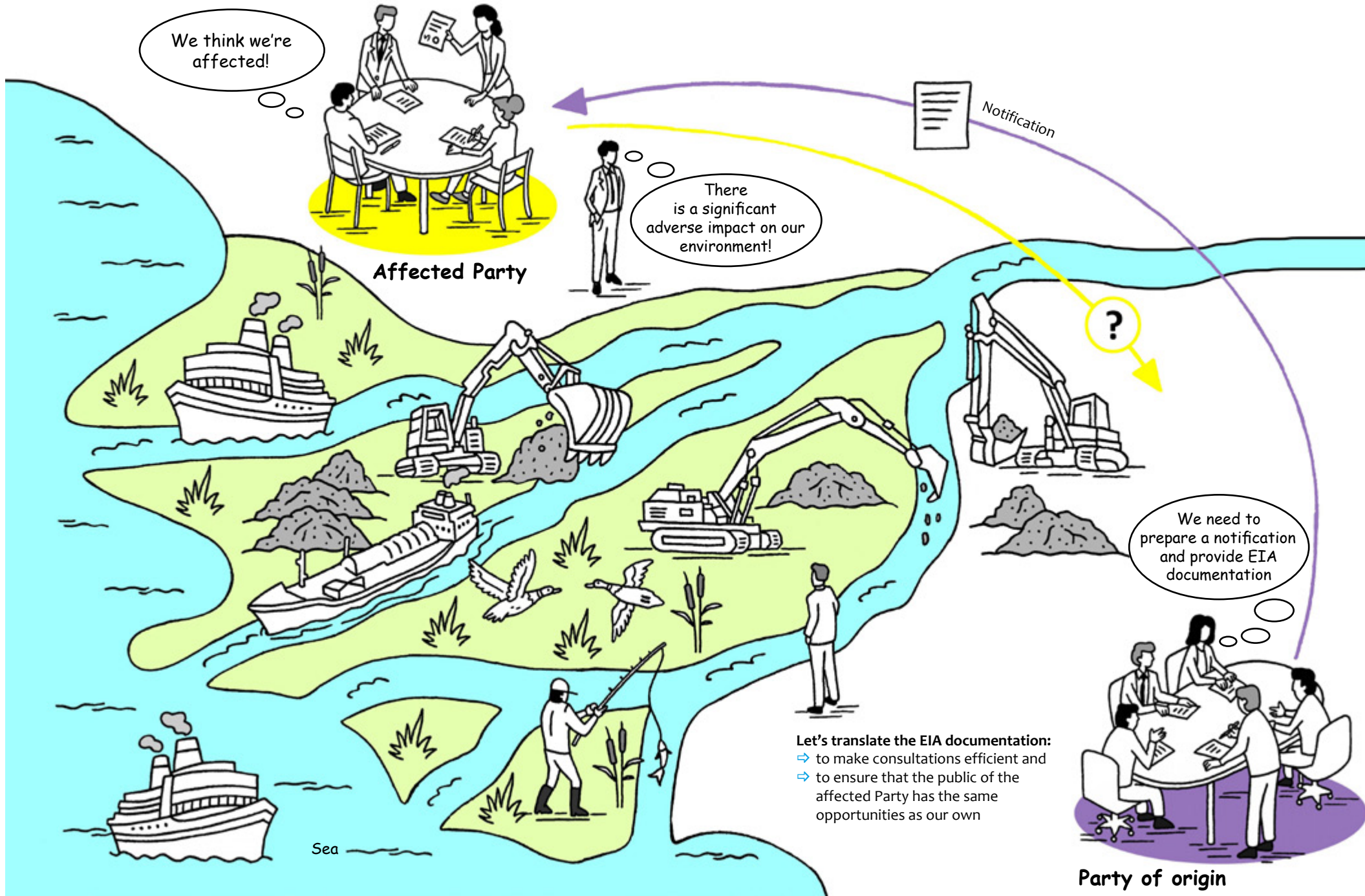


Nuclear station siting, life extension and accident risk



An example of good practice

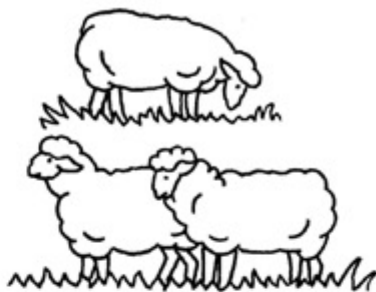
Extensive sections of a river and estuary vital for economic activity and the conservation of biodiversity



Plans, programs and strategic documents that require a strategic environmental assessment
(the Protocol on SEA applies)



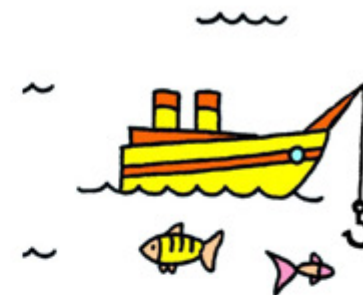
Town and country planning



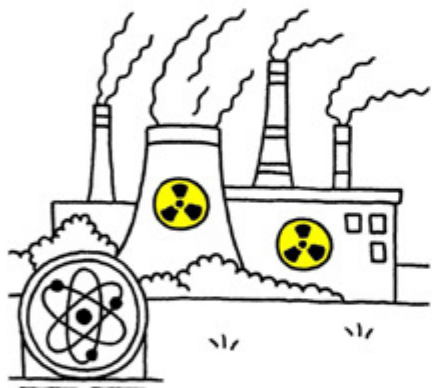
Agriculture



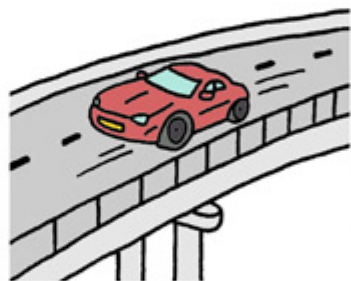
Forestry



Fisheries



Energy



Transport



Industry, including mining



Tourism



Regional development



Water management



Telecommunications



Waste management

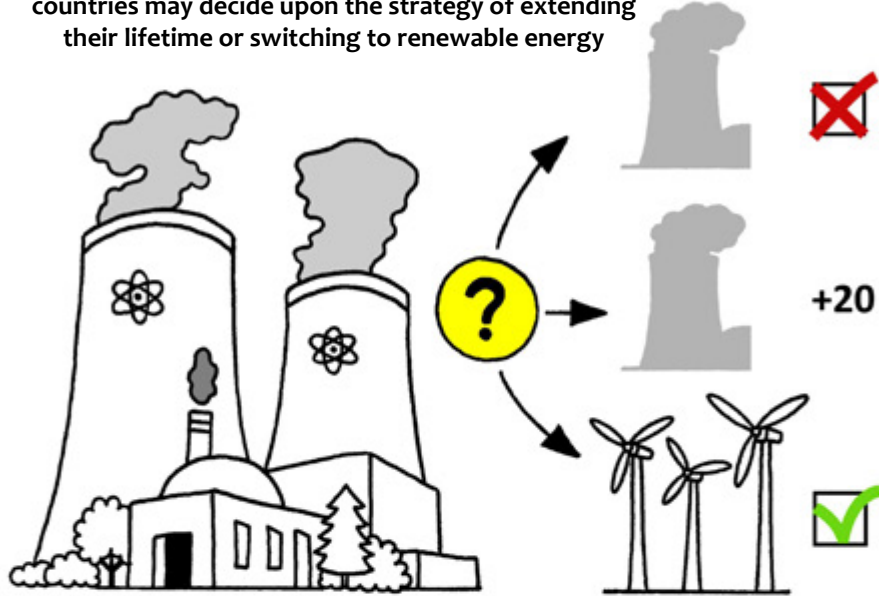


Land use

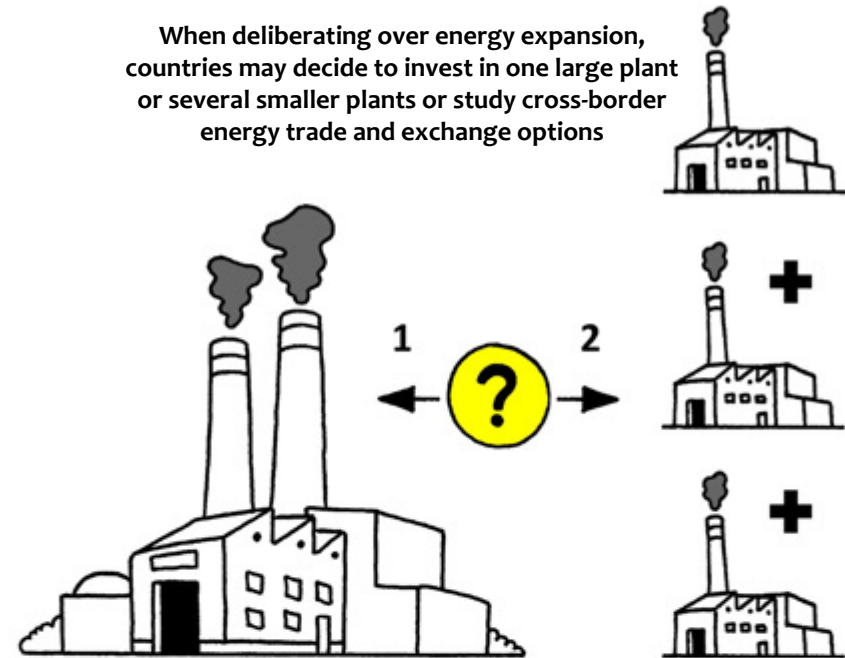
Some examples of strategic environmental considerations

Protocol on SEA

When deliberating over nuclear power plants, countries may decide upon the strategy of extending their lifetime or switching to renewable energy



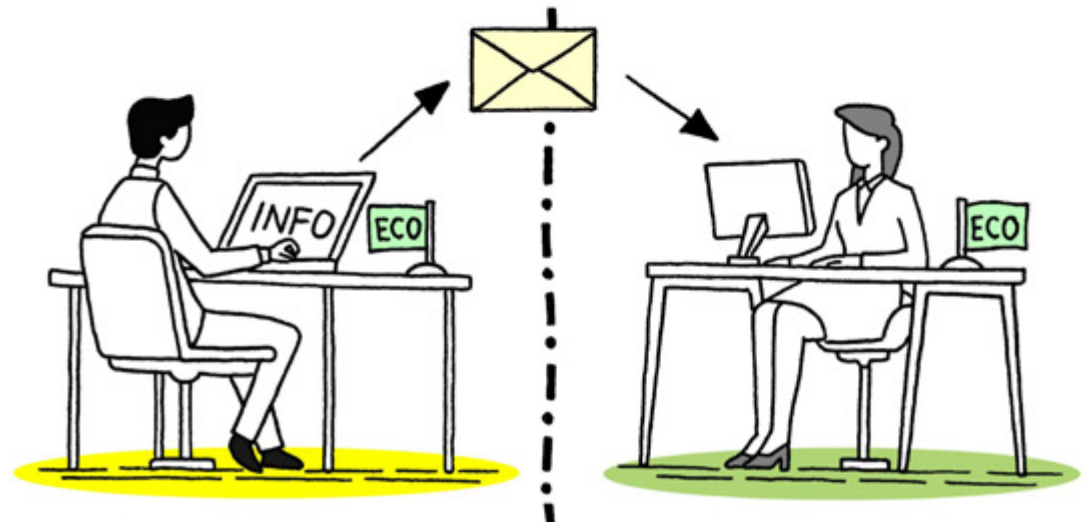
When deliberating over energy expansion, countries may decide to invest in one large plant or several smaller plants or study cross-border energy trade and exchange options



Consultations with the general public on strategic decisions and their environmental implications



Transboundary consultations, if any plans are likely to have cross-border implications



Structure and functioning of the UNECE Espoo Convention and the Protocol on SEA

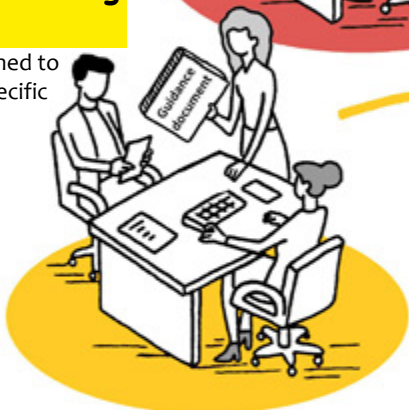
Secretariat

based in Geneva, administers the two treaties; services the MOP and other bodies; supports the workplan implementation



Temporary and ad-hoc working groups

can be formed to develop specific guidance documents



Implementation Committee -

reviews compliance by the Parties with their obligations under the treaties to assist them in fully meeting their commitments.



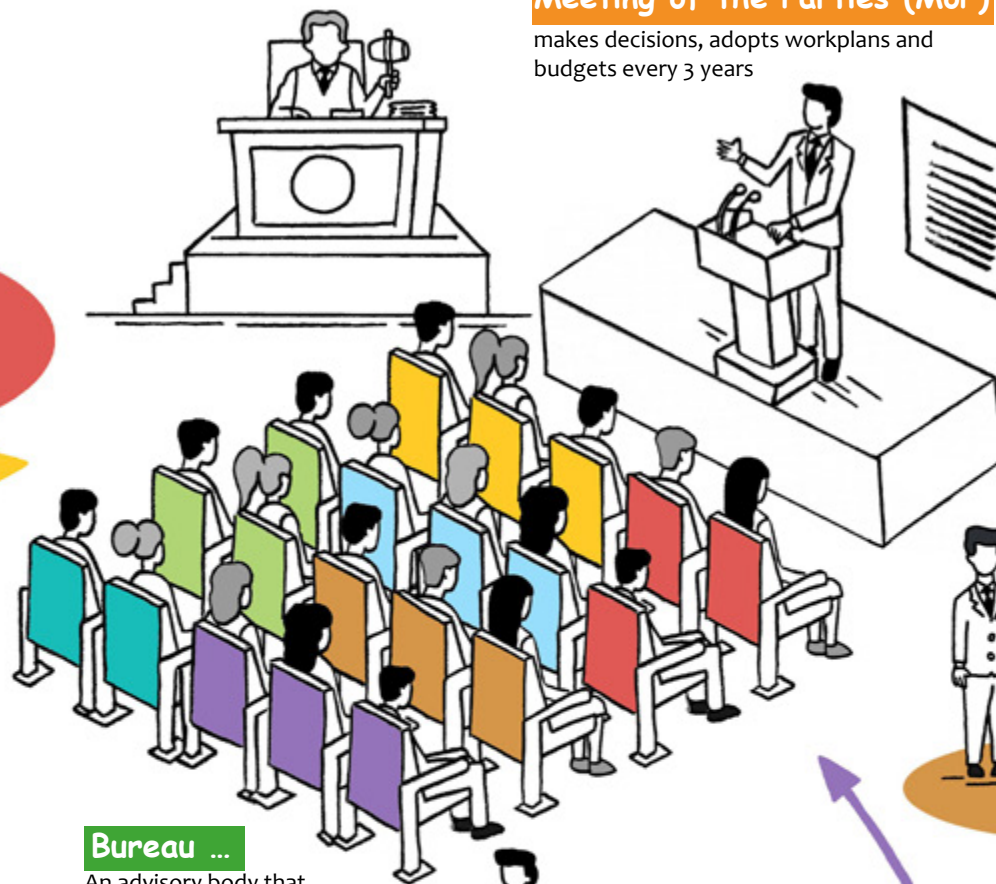
Bureau ...

An advisory body that reviews and provides guidance on the implementation of the workplan, budgetary matters and the preparation of the MoP



Meeting of the Parties (MoP)

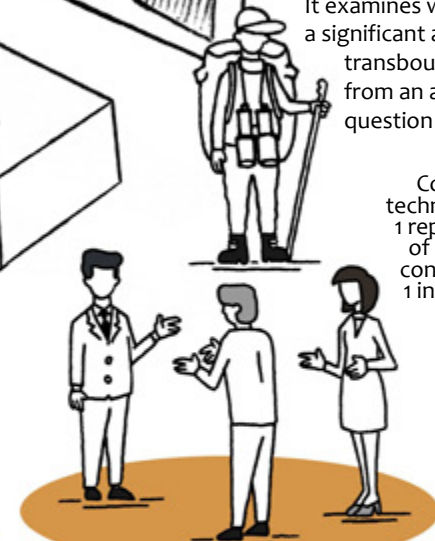
makes decisions, adopts workplans and budgets every 3 years



Inquiry Commission

can be established at a request of a Party concerned in accordance with Appendix IV, if the preconditions of article 3.7 are met (see page 7). It examines whether a significant adverse transboundary impact from an activity in question is likely.

Consist of 3 technical experts: 1 representative of each Party concerned and 1 independent expert.



Working group on EIA and SEA

a subsidiary body to the Meeting of the Parties assisting in the implementation of the convention and the protocol and the management of the workplan, meets annually

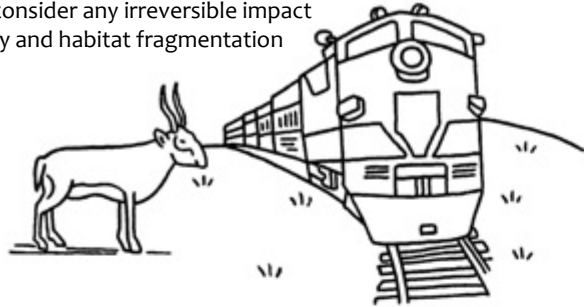
National Focal Points for administrative matters

Points of Contact for notification

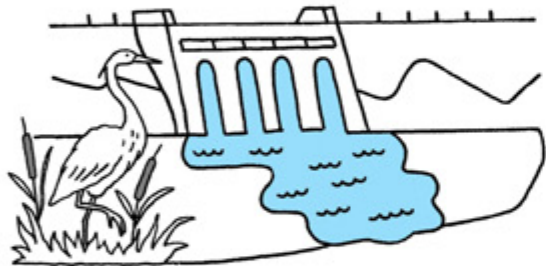
Synergies between the UNECE Espoo Convention and other conventions and goals

Convention on Biological Diversity (CBD) and Convention on Migratory Species (CMS):

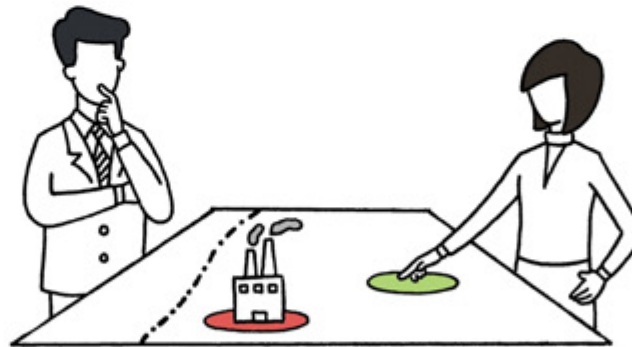
EIAs have to consider any irreversible impact on biodiversity and habitat fragmentation



The UNECE (Aarhus) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters



Water Convention and Ramsar Convention: rational water use and wetlands protection, also requires EIAs



Nuclear Safety Agreements, IAEA regulations and procedures

Industrial Safety (TEIA) Convention:

accident preparedness and risk reduction to be taken into account in EIAs

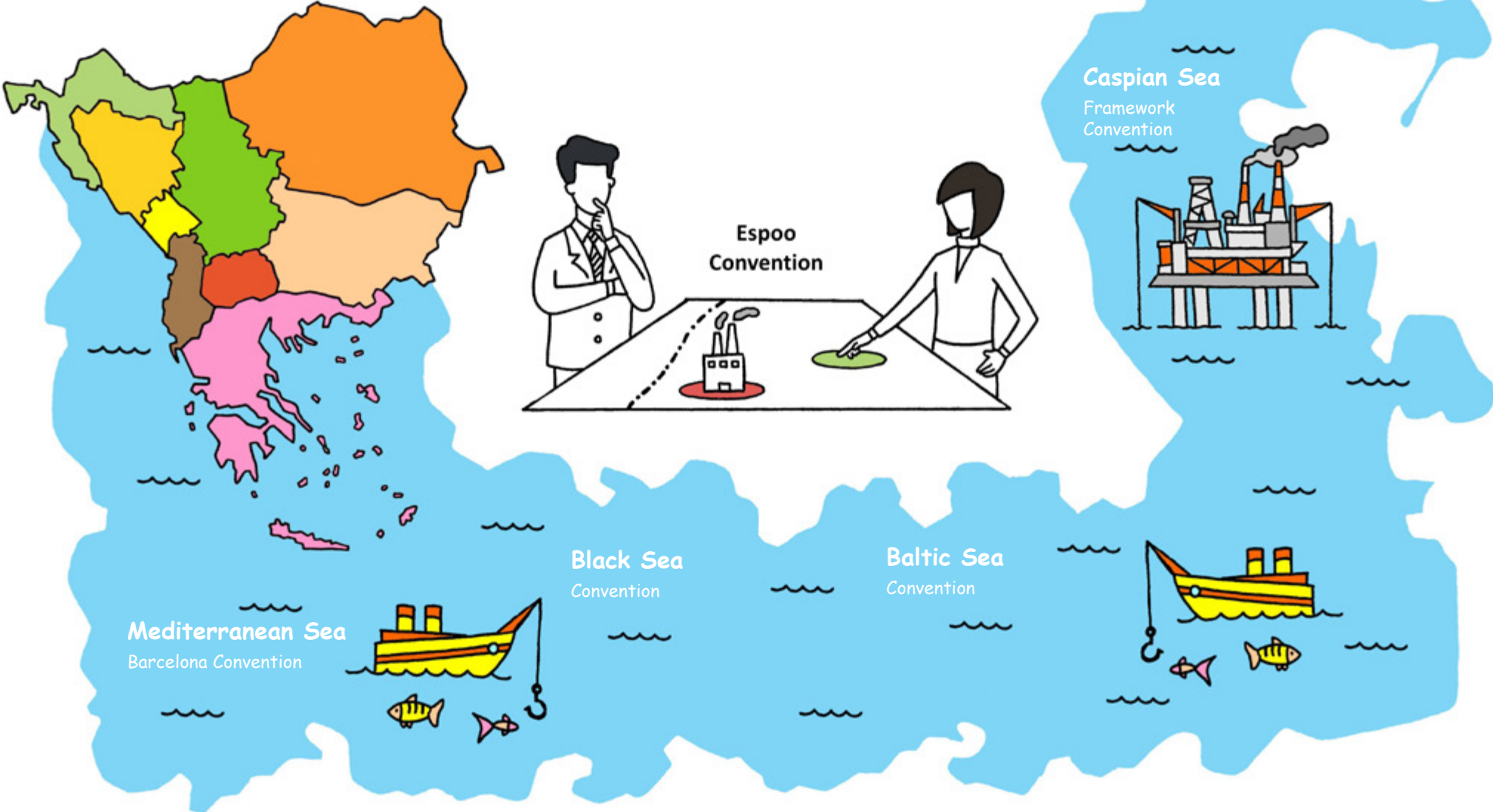


Climate Convention (UNFCCC) and the Paris Agreement:

climate-proofing planned projects in sensitive areas, contributing to the reduction of greenhouse gas emissions, to be taken into account in EIAs

Synergies between the UNECE Espoo Convention and other conventions and goals

Bucharest Agreement: Multilateral Agreement Among the Countries of South-Eastern Europe for Implementation of the Convention on Environmental Impact Assessment in a Transboundary Context



Additional information and guidance material available at: unece.org/publications/environmental-assessment

Text of the Convention on Environmental Impact Assessment in a Transboundary Context

Text of the Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context

Guidance on Notification according to the Espoo Convention

Guidance on the Practical Application of the Espoo Convention

Decisions of the Meetings of the Parties

Opinions of the Implementation Committee

Revised Guidelines on Environmental Impact Assessment in a Transboundary Context for Central Asian Countries

Guidance on land-use planning, the siting of hazardous activities and related safety aspects

Good practice recommendations on application of the Convention to Nuclear related activities

UNECE Espoo Convention, the Protocol on SEA and SDGs

Protocol on Strategic Environmental Assessment: Facts and Benefits

Good Practice Recommendations on Public Participation in Strategic Environmental Assessment

Guidance on the applicability of the Convention to the lifetime-extension of nuclear power plants

