

REPORT

**Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary
Context**

**Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary
Context serving as the Meeting of the Parties to the Protocol on Strategic Environmental
Assessment**

Intermediary sessions

Geneva, 5-7 February 2019



General information

The intermediary session of the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) was held in conjunction with the intermediary session of the Meeting of the Parties to the Protocol on Strategic Environmental Assessment. The sessions took place in Geneva, Palais des Nations, from 5 to 7 February 2019.

Following a decision taken at the last MoP in Minsk, the draft decisions of the Implementation Committee were divided into a general part on the one hand and case-specific decisions on the other hand. Various preparatory documents – draft decisions as well as informal documents and presentations/statements – had been published beforehand at the [meeting webpage](#). This is also, where adapted decisions can now be accessed.

During the meeting, the discussions were mostly focused on the draft decision on the Nuclear Power Plant of Ostrovets in Belarus as well as the Hinkley Point C Nuclear Power plant in the UK. On the evening of the first day of the meeting, the secretariat sent out additional proposals edited by the EU and its member states regarding the draft decision on general issues of compliance with the Convention as well as Ostrovets, Hinkley Point C and draft decision IS/2 on the applicability of the Convention to the lifetime extension of nuclear power plants. As regards Ostrovets and the general decision, Belarus had also proposals suggestion for adaptations.

These proposals to adapt the draft decisions led to in-depth discussions causing several adaptations to the agenda and a prolongation of the session on Wednesday, February 6th. Finally the decisions were adopted taking into account the EU proposals due to its voting majority.

Provisional Agenda:

General segment

1. Opening of the intermediary sessions
2. Organizational matters:
 - a. Election of the Chair of the general segment;
 - b. Adoption of the agenda;
 - c. Report on credentials; (Status of the Convention and its amendments and the Protocol.
3. Outstanding issues:
 - a. Draft decisions;
 - b. Nomination of the Chair of the Bureau;
 - c. Tentative calendar of meetings for 2019 and 2020.
4. Review of the workplan:
 - a. Subregional cooperation and capacity-building;
 - b. Exchange of good practices;
 - c. Promoting ratification and application of the Protocol.
5. Review of compliance, implementation and the activities of the Implementation Committee.

High-level segment

6. Opening ceremony for the high-level segment:
 - a. Election of the Chair of the high-level segment;
 - b. Introductory speeches.
7. Statements by ministers and high-level representatives.
8. Adoption of decisions by the Meeting of the Parties to the Convention.
9. Election of the Chair of the Bureau.
10. Date and venue of the next meetings.
11. Other business.
12. Adoption of the report and closing of the session.

Tuesday, Feb. 5th, 2019

Official opening of the general segment

Organisational matters

- Practical announcements; 14 official documents were published online at the meeting webpage, as well as 6 informal documents; statements and presentations will also be posted
- ClientEarth organises a side event on transboundary impact assessment of coal and lignite-related activities from 1.30 to 2.30 pm on Wednesday
- Romania, currently holding the presidency for the European Council, will provide for coffee and snacks during the breaks and a cocktail reception at 6.30pm on Wednesday
- the list of focal points shall be reviewed and adapted

Election of the Chair for intermediary session: George Kremlis (UK)

Adoption of the agenda

- Belarus asks to adapt agenda regarding draft decision IS/1d; discussion will be held under agenda item 5
- EU and its member states express their gratitude for the organisation of the meeting and the preparation of the agenda, no other comments

Report on credentials

- 5 parties have not provided credentials; should be brought up during the day

Status of Convention and its amendments and the Protocol

- In 2017, the MoP urged all the parties to ratify the amendments promptly
6 parties still need to ratify 1st amendment (should provide progress report by Jan 29th, 2019)
- Since the meeting in Minsk, Denmark has ratified both amendments in August 2017 (entered into force in November); Greece ratified in November 2018 (entered into force in January 2019)
- Progress reports received from Belgium and UK (not from Macedonia, Armenia, Ukraine and Azerbaijan)
- Romania has deposited the ratification to the Bucharest agreement
- Armenia received written inquiry – no clarity as when they will be able to ratify (velvet revolution threw parliament into backlog); new parliament has just been formed
- Azerbaijan: internal review has been finished and submitted to the cabinet of ministers (consent is at final approval stage); EIA law adopted in July 2018
- Belgium: complex process for ratification of treaties (federal and regional level); approval of one region is still lacking; for amendments, the ratification of the federal parliament is still lacking; expected to introduce both amendments in February; priority to Sofia amendment
- Macedonia submitted adoption to government in the past months
- Ukraine focuses on implementation regarding EIA; strategy is reviewed at the moment; should facilitate work to ratify amendments
- UK: ministers have been prepared to ratify 1st amendment; UK will continue to work on transboundary issues also after Brexit
- France prepared a draft law to ratify the amendments; hope to continue legislative procedure and hopefully finish this year

- Georgia adapted a new Environmental Assessment Code (regulates SEA and EIA); limited practical experience regarding SEA
- Ireland: Ireland is committed to ratification, but currently no news
- Republic of Moldova submitted draft legislation to the president in October 2018, no news since then, will talk to secretary on results
- Bucharest agreement: Romania has sent letters to BiH, Croatia; Serbia and Greece to push ratification
- BiH is absent
- Croatia: no news on the status of the Bucharest agreement
- Greece: status has not changed
- Serbia is absent
- Belarus notes that it was not asked about status of ratification of the 2nd amendment to SEA Protocol; concerned about methods of providing assistance; no trust in Convention and Protocol; requires a careful legal evaluation of all consequences
- Kirgizstan: the date for ratification has not yet been set
- Chairman asks countries to proceed promptly and report to the bureau
- Chair of the EIC stresses the need to preserve independence and credibility of compliance mechanism

Outstanding issues – draft decisions (Part I)

- Secretariat notes that titles of Russian translations have a slight discrepancy with the agenda; will be corrected without delay
- as suggested by the delegation of Ukraine in June 2017, the Committee decided to split draft decisions into 8 country-specific draft decisions and one decision on general compliance mechanism present to facilitate their subsequent consideration and adoption
- the chair of the Committee stresses that the compliance mechanism is essential to work (consensus of all committee members, strictly following the rule of conflict of interest)
- Draft decision IS/1a on compliance by Armenia with its obligations under the Convention in respect of its national legislation (ECE/MP.EIA/2019/2)
 - By the end of 2018, Armenia adapted a law with assistance of the secretariat
 - Chair of the EIC reports that the Armenian law has some discrepancies vis-à-vis the requirements of the Convention
 - Adaption suggested by Armenia: “without delay” should be replaced by “at its earliest convenience”; after a discussion, the MoP accepts the wording “as soon as possible”
- Draft decision IS/1b on compliance by Armenia with its obligations under the Convention in respect of a nuclear power plant in Metsamor (ECE/MP.EIA/2019/3)
 - Armenia repealed the decision on NPP Metsamor, therefore no more non-compliance
- Draft decision IS/1c on compliance by Azerbaijan with its obligations under the Convention in respect of its national legislation (ECE/MP.EIA/2019/4)
 - Chair reports that the adapted law of Azerbaijan has some deficiencies / discrepancies
 - Azerbaijan proposes to replace the wording “without delay” with “as soon as possible” (as in the draft decision concerning Armenia)
 - Chairman points out that Azerbaijan does not have the same objective constraints as Armenia (supported by France)
 - Belarus suggest to choose the wording “as soon as possible” in the spirit of compromise
 - decision is adopted accordingly (replacement of “without delay”)
- Draft decision IS/1d on compliance by Belarus with its obligations under the Convention in respect of the Belarusian nuclear power plant in Ostrovets (ECE/MP.EIA/2019/5)
 - Draft decision is moved to the 1st agenda item after the lunch break as Belarus requests more time for reflection

- Draft decision IS/1e on compliance by Serbia with its obligations under the Convention in respect of a third block of the Kostolac lignite power plant (ECE/MP.EIA/2019/6)
 - Chair of the EIC reports that the power plant is located next to the river Danube, close to boarder with Romania
 - Serbia is absent, therefore discussion on the draft decision is rescheduled
- Draft decision IS/1f on compliance by Ukraine with its obligations under the Convention in respect of the Danube-Black Sea Deep Water Navigation Canal in the Ukrainian sector of the Danube Delta (ECE/MP.EIA/2019/7)
 - Chair of the EIC reports that Ukraine adopted a law on EIA in line with the Convention; was willing to address recommendations; despite positive steps, compliance of activity must be emphasized
 - Ukraine states that the future approach of the guidance on LTE will be applied as well
 - chairman invites Ukraine to participate in the ad hoc working group on LTE
 - draft decision adopted as such
- Draft decision IS/1g on compliance by Ukraine with its obligations under the Convention in respect of extension of the lifetime of the Rivne nuclear power (ECE/MP.EIA/2019/8)
 - Discussion on draft decision is postponed
- Draft decision IS/1h on compliance by the United Kingdom of Great Britain and Northern Ireland with its obligations under the Convention in respect of the Hinkley Point C nuclear power plant (ECE/MP.EIA/2019/9)
 - Discussion on draft decision is postponed

Review of the workplan

- Elena Santor reports that the secretariat has been providing technical and legal support to Armenia, Azerbaijan, Republic of Moldova to adopt legislation
- Azerbaijan reports that EIA law was adopted in June 2018, SEA law in July 2018; both documents have entered into force; the president decided to prepare necessary implementation legislation (all submitted to cabinet of ministers in the end of 2018)
- Uzbekistan reports that there is currently work on the state plan; programmes and law are adopted; government works closely with the departments for environment; 2 seminars were conducted with officials, also to implement EIA and SEA in Uzbekistan; a bill on EIAs has been drafted; Uzbekistan expresses its gratitude for international consultants of secretariat
- Tajikistan is absent; submitted an information in writing to express its gratitude for professional implementation of projects together with the governments of Sweden and Germany
- Kazakhstan points out a report from the of energy; amendments of environmental codes regarding EIA and SEA as well as the evaluation procedures in a transboundary context have been adopted
- Russia reports that the environmental ministry introduced amendments to the environmental act and other legislation to implement Espoo, SEA and state environmental assessment; Russia will only ratify Espoo Convention and SEA Protocol when national legislation is in line with their content
- Switzerland supports Central Asian states to implement Convention and Protocol; stresses importance of regulatory measures regarding infrastructure projects within the UNECE region
- Serbia submitted a message that the representative could not make it to the meeting; agrees with the text of Draft decision IS/1e

Outstanding issues – draft decisions (Part II)

- Draft decision IS/1d on compliance by Belarus with its obligations under the Convention in respect of the Belarusian nuclear power plant in Ostrovets (ECE/MP.EIA/2019/5)
 - Vice Chair of the Committee reports that decision 6/2 was not adopted; it included 2 alternatives for receiving external expert advice; more than 1.000 pages of document files

- were considered for the draft decision; no assessment of nuclear safety issues in Ostrovets; EIA documentation made assessments to alternatives, but lacked information on why the Ostrovets site was chosen
- Belarus stresses that it does not agree with the conclusions of the committee as they are “unfounded and discriminatory”
 - Vice Chair of the EIC reports that the committee presented questions or suggestions that could help, Belarus did not implement these recommendations; the committee members agree that the recommendation was taken in a hasty manner
 - Belarus declares itself ready to continue practical and reasonable cooperation with Lithuania and others
 - EU and member states support the decision on Belarus/Ostrovets; prepared suggestions for adaptations of the draft decision, 24 hours before the exMoP; adaptations suggested by Belarus would lead to a complete redrafting of the decisions
 - Chairman asks Belarus to consider EU suggestions and in how far they meet their view; reviewing the complete decision of the EIC is bad practise that has never happened so far
 - Chairman proposes the creation of a Consultative sub-committee
 - Switzerland points out not to be content that EU is given the floor to present so many suggestions; expresses confidence regarding the preparatory work of the EIC; however would find themselves ready agree with amendments of the EU
 - Jan Haverkamp as NGO observer points out that the Committee usually does not deal with issues of substance (more procedural matters); urges Belarus to support the draft decision in favour of the Espoo community
 - Norway agrees with amendments of EU; encourages Belarus to respect the recommendations
 - Chairman suggests to move to another room with an ad hoc group of about 6 participants (e.g. EU, Norway, Switzerland, Belarus)
 - Belarus regards it as procedural issue that decision was broadened with no time to react before the draft decision was presented to the community
 - Chairman points out that the views of Belarus were shared with committee on time; the bureau and several member states (they were considered and Belarus received the Committee’s reply in writing)
 - Further discussion on the matter is postponed to agenda item 5 to leave time to establish a process for reconsideration
 - Belarus stresses that the same date the decision was published, the state of Belarus transmitted their comments
 - Vice Chair of the Committee responds that the reference to Article 4(1) was brought up for a longer time (not newly mentioned); the letter of the party had already been covered by the previous decision; a silent majority obliges Belarus to accept the decision
 - Belarus refers to the unprecedented historical change related to the content of EIC decisions; safety issues are not anymore relevant; the Committee should focus on procedural requirements; lacks the nuclear expertise to assess cases in that respect
 - Vice Chair of the Committee states that there has not been an assessment of site safety
 - Belarus and Lithuania have brief presentations on the case of Ostrovets
- Draft decision IS/1f on compliance by Ukraine with its obligations under the Convention in respect of the Danube-Black Sea Deep Water Navigation Canal in the Ukrainian sector of the Danube Delta (ECE/MP.EIA/2019/7)
 - Chair of the Committee states that references should be made regarding the official documents/final decisions
 - EU accepts the draft decision as it stands
 - Ukraine suggests to take out the reference to the “roadmap”
 - Chairman notes that the roadmap is still on its way and should be kept in the decision

- In para 7 reference to 25(b) of the decision VI/2 is added (instead of general reference to para 25)
- UK proposes to first have a discussion on draft decision IS/1 and then on draft decision IS/1h

Wednesday, Feb. 6th, 2019

Outstanding issues – draft decisions (Part III)

- Draft decision IS/1h on compliance by the United Kingdom of Great Britain and Northern Ireland with its obligations under the Convention in respect of the Hinkley Point C nuclear power plant (ECE/MP.EIA/2019/9)
 - UK states that they will send timely notifications regarding future nuclear power plants
 - EU proposes some amendments to the draft decision (were sent out by the secretariat the previous evening)
 - General decision rephrases decisions and does not leave room for specific approach
 - Attracta Ui Bhroin as NGO representative points out that the present decision is being made subject to a general decision of compliance ; it should be considered only after having a discussion on the general implementation decision (also regarding Belarus)
 - Belarus responds that there should not be a discussion on the general decision without concluding on the individual ones; text of para 5 is based on the Committee’s opinions on country-specific matters
 - Chairman notes that there has not been sufficient progress/outcome on the Ostrovets draft decision, therefore the discussion should be continued regarding the general decision
 - EU suggests to delete para 4
 - Belarus requests to discuss the Belarusian proposal first, as it has been at an earlier stage to all parties
 - Switzerland proposes to include all proposals (EU, Belarus, possibly others) in one single document and continue the discussion on another draft decision in the meantime
- Draft decision IS/2 on the application of the Convention to the lifetime extension of nuclear power plants (ECE/MP.EIA/2019/11)
 - Chair of the Committee reports that there is a growing number of cases concerning LTE (currently around 25 NPP units concerned); the Committee will continue gathering information; LTE concerns nuclear safety as well as the environment; the outcome of the ad hoc WG will serve as main objectives of the Convention; the guidance will be adapted at the MoP in December 2020
 - Germany reports (as co-chair of ad hoc group) that there have been 2 meetings so far, following a workshop in May 2018, the co-chairs reviewed the outcome and extended the mandates of the ad hoc group (preparation of progress report); since then meetings took place in June 2018 (Berlin) and October 2018 (London); main issue is the question, in what cases LTE should be regarded a major change, possible LTE scenarios are gathered; all included in the progress report; next meetings will take place in autumn and December 2019 to define the role of periodic safety assessments and explore practical cases regarding adverse transboundary impacts; two meetings were held with NGOs (in August and December 2018); input will be considered
 - Chairman invites Armenia, Belarus and Ukraine to participate in the ad hoc working group; donations are necessary to ensure that countries concerned have resources to attend the meetings
 - Switzerland welcomes the steps of the working group; hopes to see progress in the future

- EU presents amendments to LTE draft decision; i.a. the term *draft* findings must be added as the WG cannot take any decisions on their own; replacement of the word “application” with “applicability”
- Belarus notes that the changes of the EU are rational and supported by Belarus; the “applicability” of draft decisions is already clear (since 2014); the title should therefore be kept as “application” (as this is what now needs to be decided)
- Azerbaijan agrees that “applicability” has already been proven; “application” should be kept in the title
- EU notes that there is no substantive modification behind this change, it is more about consistency; so far the term “applicability” was used
- Chairman notes that “applicability” is a broader term and implies “application”
- Jan Haverkamp (on behalf of Nuclear Transparency Watch, EEB and Friends of the Earth Europe) welcomes the input of Committee to working group, as they already reached findings
- Chairman points out that the mandate given to the working group in Minsk indicated to use the term “applicability”
- MoP decides to adapt title to “applicability”
- Draft decision IS/1 on the general issues of compliance with the Convention (ECE/MP.EIA/2019/1)
 - Belarus notes that para 1(a) is a reference to the mandate; it is acceptable to state that the EIC follows the rules of structure and procedure
 - Chair of the Committee agrees to add it; same regarding para 1(c) (reference to consistency, transparency, credibility etc.), although it is not clear what Belarus is questioning here; the draft decisions of the Committee show that para 1(d) is fulfilled, there is no need for repetition
 - Belarus proposes to add “Acknowledges that the Committee does not have the capacity or the mandate to examine the environmental and scientific issues^{1,2,3} raised in connection with nuclear energy-related activities due to their complexity and cross-disciplinary character”
 - Chairman points out that this is not in line with the Convention
 - EU suggests to delete para 4, as this is a general document, it should not refer to certain cases; the cases mentioned are ongoing and the outcome not yet clear, they should not be mentioned
 - Belarus adds that the discussion between states may or may not lead to agreements, but this cannot be regarded as an infringement; it should not be required to carry out EIA for possible alternatives

Lunchbreak: Side event organised by ClientEarth on “Transboundary Environmental Impacts of Coal and lignite-related activities”

Speakers: Rob Maas (Senior scientific advisor integrated environment assessments, the Dutch National Institute for Public Health and the Environment – RIVM) and Jerzy Jendroska (Legal expert, Partner of Jendroska Jermanski Bar & Partners, an environmental law firm based in Poland)

¹ECE/MP.EIA/IC/2013/2, para. 29.

²ECE/MP.EIA/IC/2016/6, para 26.

³ECE/MP.EIA/IC/2017/2, para. 9.

Outstanding issues – draft decisions (Part IV)

- Draft decision IS/1g on compliance by Ukraine with its obligations under the Convention in respect of extension of the lifetime of the Rivne nuclear power (ECE/MP.EIA/2019/8)
 - Ukraine suggests to postpone discussion until the next MoP; measures taken by Ukraine are not sufficiently reflected in the draft decision
 - Armenia accepts the proposal to postpone the decision
 - EU and Switzerland oppose the postponing
 - Belarus supports proposed wording by Ukraine
 - Ukraine points out that it was quite a commitment to choose clear date (1. Jan 2021); wishes to seek coordination with EU in order to find a solution
 - EU will reconsider and consult with Ukraine
 - Draft decision will be adopted under general segment on Thursday
- Updated guidelines on environmental impact assessment in a transboundary context for Central Asian countries (ECE/MP.EIA/2019/12)
 - Uzbekistan: supports guidelines
 - Kirgizstan considers guidelines as highly relevant
- Draft decision IS/3 on the updated guidelines on environmental impact assessment in a transboundary context for Central Asian Countries (ECE/MP.EIA/2019/13)
 - EU and Switzerland support the draft decision; Switzerland was involved in the first elaboration of the guidelines
 - draft decision on guidelines can be adopted

Nomination of the chair of the bureau

- EU and its member states suggest to have Mr. George Kremlis renewed as chair of the bureau until the MoP in December 2020
- Armenia supports candidacy
- Mr. George Kremlis will be proposed for election to the high level segment

Tentative calendar of meetings for 2019 and 2020

- ad hoc working group will still specify the dates; so far no state expressed their wish to host the MoP in 2020, hence it will take place in Geneva (wishes to host MoP can still be expressed until November 2019)
- an IAIA Conference will take place in Sevilla in April/May 2020; all delegates are invited; within the next bureau meeting it will be discussed whether a side event could be organised
- Budget for extended summer period LIFE 2020; additional resources will be needed to cover expenses of secretarial support; currently only one other pledge by Romania; further pledges shall be announced by the next bureau meeting in June

Review of the workplan

- subregional cooperation and capacity-building
 - Seminar in Tashkent on applying EIA and SEA in Central Asia (representatives of 5 countries)
 - Finland, Sweden and Denmark will host the next meetings on the Convention on the Protection of the Marine Environment of the Baltic Sea Area; meeting in spring 2020 will take place in Copenhagen
 - Romania as depository of Bucharest agreement is willing to organise a workshop in preparation for the next MoP
 - The 4th regional conference will take place in September 2019 in Croatia; all delegates are invited to join the conference

- exchange of good practices and promoting ratification and application of the Protocol
 - 3 thematic workshops are planned (in November 2019, June 2020 and December 2020)
 - a seminar on health in SEA (improving intersectoral cooperation) might be organised in November 2019
 - EU will organise a seminar on SEA and transboundary EIA
 - Proposal to organise a thematic seminar or workshop during the MoP in 2020
 - Switzerland suggests a topic on the relations of big infrastructure projects and the implementation of SDGs
 - IAIA introduced 18 different FasTips on impact assessments; available on the IAIA website
 - Report by Kazakhstan: support for the transition of Kazakhstan to the “green economy” model
 - Andriy Andrushevych (RACSE) reports on an awareness raising project with ÖKOBÜRO regarding the application of Espoo Convention and SEA Protocol with CSOs from the Caucasus region funded by the German Federal Environmental Agency (UBA); a conference took place in Lviv
 - No questionnaire submitted so far (must be submitted by 31st of March in order to prepare draft reviews); Chairman asks Russian-speaking countries/organisations offer translation of answers that will be submitted in Russian (Canada offered to translate French answers to English)
 - Chairman points out that reporting is required under the Convention, otherwise compliance issues are raised

Review of compliance, implementation and the activities of the Implementation Committee

- the Committee had 5 sessions in this period; only after the revision of draft decision 7/2, new information submitted could be considered
- the Committee’s workload has clearly increased since June 2017 (28 cases were already considered since 2017 – in the last period it was 21 cases in total); 25 cases are related to compliance of parties under the Convention, 3 to the SEA Protocol; increase also in complexity of compliance cases
- the duration of sessions was extended from 3 to 4 days (still 3 meetings per year)
- the Committee proposed to add a 10th meeting of the intersessional period (as MoP was postponed from summer 2020 to December 2020)
- Committee expresses the wish that governments send English-speaking participants
- Russia criticises that the current procedure is not stringent enough; all parties should be treated equally; disagreements are not in favour of Russia’s decision to possibly ratify the Convention
- Chairman points out that Russia is already applying EIA (and SEA?) with Nord-Stream
- Netherlands invite everyone to participate in thinking on the future and action that needs to be taken to improve the Espoo Convention (event was organised back to back with the ad hoc working group in October 2018); all parties should participate in the next meeting
- Austria points out that based on the brainstorming exercise two years ago and the other two sessions, action needs to be taken on an international, global level (in favour of sustainability, climate protection); stressed the importance to be connected to the UNECE region and the coordination with other related Convention; also parties outside the EU should participate
- Switzerland stresses the need to better share the costs of all parties

Outstanding issues – draft decisions (Part V)

- Draft decision IS/1f on compliance by Ukraine with its obligations under the Convention in respect of the Danube Black Sea Deep Water Navigation Canal in the Ukrainian sector of the Danube Delta (ECE/MP.EIA/2019/7)

- during the EU coordination meeting EU members could not reach another conclusion regarding Bystroe; EU sticks to the original proposal
- Ukraine asks for additional time to reflect this information
- Chairman suggests that Ukraine states the final position during the high level segment
- Switzerland proposes to adapt para 10 (“Welcomes the declaration of Ukraine of its genuine wish to bring the Bystroe Canal Project into full compliance with the Convention”) to “fulfil the decision”
- Draft decision IS/1 on the general issues of compliance with the Convention (ECE/MP.EIA/2019/1)
 - EU expresses its concerns regarding the way debates are managed; leads to a lack of time for the final ambit of the decision; there might be no time to discuss the two remaining decisions; EU is open for an extension of the present session that would allow necessary presentations and explanations, otherwise there is no time to enter into the substance; open to any comments of member states regarding the proposals that were spread; otherwise there should be a discussion on Thursday before the high-level segment (also concerning Ostrovets and Hinkley Point C)
 - Chairman notes that there is no consensus; in this case there must be a vote during the high level segment
 - EU declares itself open for consensus until tomorrow morning; if this cannot be reached, the EU and its member states would require a vote to related decisions (Hinkley Point C, Ostrovets, Bystroe and general decision on compliance)
 - Chairman stresses the need for a bilateral discussion
 - EU declares to stand ready to comment on the suggestions of Belarus
 - Switzerland stresses that it would be highly regrettable to have to vote; consultations should take place this evening to avoid the imposition of a decision
 - Chairman extends the session in order to avoid voting
 - Ukraine accepts the proposal of the EU on Bystroe
 - Chairman asks the EU to present their proposals on the general decision
 - Belarus requests to discuss all proposals in the same order as they were submitted; does not insist on keeping certain changes regarding the procedures and work of the EIC in the proposal
 - EU states that member states did not seek to undermine the substance of the proposed decision, but to have the wording of the Convention reflected in the decision; invites Belarus to make suggestions on the basis of the comments that EU has formulated; recalls that parties to the Espoo Convention cannot undermined the content of the Convention by objecting completely to the content of the decisions of the EIC
 - Attracta Ui Bhroin (on behalf of the Irish Environmental Network, Nuclear Transparency Watch, EEB and Friends of the Earth Europe) expresses sincere concerns regarding the amendments suggested (para 5 of the general decision, Belarus and Hinkley Point C); they hijack the work of the EIC and embody a complete renegotiation of decisions; changes of the EU are no more clarification, but substantial amendments
 - EU points out that the MoP is entitled to adapt decisions proposed by the EIC
 - Belarus stresses the need to treat all parties equally; does not want to add suggestions to the EU proposal, but all proposals to be treated equally
 - Azerbaijan expresses willingness to stay longer and keep on discussing draft decision IS/1 to reach some kind of concession
 - Chairman agrees to go through the Belarusian proposal step by step
 - Switzerland supports the deletion of para 4 and 5(b)
 - Adoption of para 5(c) is supported by Belarus and EU
- Draft decision IS/1d on compliance by Belarus with its obligations under the Convention in respect of the Belarusian nuclear power plant in Ostrovets (ECE/MP.EIA/2019/5)

- MoP votes to adapt the decision as amended by the EU
- Draft decision IS/1h on compliance by the United Kingdom of Great Britain and Northern Ireland with its obligations under the Convention in respect of the Hinkley Point C nuclear power plant (ECE/MP.EIA/2019/9)
 - Norway and Switzerland oppose a linkage between the specific and the general decision; no added value to have para 0 added
 - The Secretariat points out that "In its accordance with the general decision," can only be phrased as such, if it actually is in accordance; the draft decision on Hinkley Point C is linked to the original draft of the EIC, now that IS/1 has been revised the content is not anymore directly linked to it
 - Switzerland notes that the addition of para 0 would create legal uncertainty
 - EU and other parties have a discussion during a break of the official session
 - EU will reconsider and present another suggestion on Thursday morning

Thursday, Feb. 7th, 2019

High-level segment

See "INFORMAL RECORD OF THE MAIN DECISIONS TAKEN", available at:

http://www.unece.org/fileadmin/DAM/env/eia/meetings/2019/IS_MOP_5-7_February_2019_Geneva/IS_MOP_Conclusions_Informal_record_7Feb2019_FINAL.pdf