



FIFTH MINISTERIAL CONFERENCE
ENVIRONMENT FOR EUROPE

KIEV, UKRAINE
21-23 May 2003

PROVISIONAL AGENDA
FOR THE SECOND JOINT SPECIAL SESSION
OF THE MEETING OF THE PARTIES TO THE CONVENTION ON
THE PROTECTION AND USE OF TRANSBOUNDARY
WATERCOURSES AND INTERNATIONAL LAKES
AND THE CONFERENCE OF THE PARTIES
TO THE CONVENTION ON THE TRANSBOUNDARY EFFECTS
OF INDUSTRIAL ACCIDENTS

submitted by

the Conventions' secretariats

through the Ad Hoc Working Group of Senior Officials



UNITED NATIONS
ECONOMIC COMMISSION FOR EUROPE



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ECONOMIC COMMISSION FOR EUROPE

**MEETING OF THE PARTIES TO THE CONVENTION ON
THE PROTECTION AND USE OF TRANSBOUNDARY
WATERCOURSES AND INTERNATIONAL LAKES**

**CONFERENCE OF THE PARTIES
TO THE CONVENTION ON THE TRANSBOUNDARY
EFFECTS OF INDUSTRIAL ACCIDENTS**

Second joint special session, Kiev, 21 May 2003

PROVISIONAL AGENDA FOR THE SECOND JOINT SPECIAL SESSION
to be held at the International Exhibition Centre, Kiev (Ukraine),
on Wednesday, 21 May 2003, from 4 to 5 p.m.

1. Opening of the second joint special session (ECE/MP.WAT/7 - ECE/CP.TEIA/5 and E/ECE/778/Rev.3).
2. Adoption of the agenda.
3. Report on the credentials.
4. Election of officers.
5. Introduction to the draft protocol on civil liability and compensation for damage caused by the transboundary effects of industrial accidents on transboundary waters (MP.WAT/2003/1 - CP.TEIA/2003/3).
6. Statements by representatives of Parties and other delegations.
7. Adoption of the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters (MP.WAT/2003/1 - CP.TEIA/2003/3) and of the decision by the Parties to both Conventions and (MP.WAT/2003/2 - CP.TEIA/2003/4).
8. Closing of the second joint special session.

Documents of the first and second joint special sessions and of the meetings of the Intergovernmental Working Group on Civil Liability can be downloaded from the Conventions' web sites at: www.unece.org/env/teia or www.unece.org/env/water by selecting "civil liability".

The International Exhibition Centre is located at the following address:

15, Brovarskoy avenue, UA-02089 Kiev

Tel./Fax: +380 44 201 11 33

For information on organizational matters, including hotel reservations, participants are invited to contact the national focal points for the preparation of the Kiev Ministerial Conference.

The credentials shall be submitted to the Conventions' secretariat without delay.

Exceptionally, credentials may be handed over in Kiev to the representatives of the Conventions' secretariats on 21 May 2003 from 10 to 11 a.m.

After adoption, the Protocol will be open for signature during the Kiev Ministerial Conference "Environment for Europe" from 21 to 23 May 2003. Information

regarding the submission of the instruments of full powers is contained in the annex below.

EXPLANATORY NOTES

Item 1: Opening of the second joint special session

Ms. Phani Daskalopoulou-Livada (Greece), Mr. Carel de Villeneuve (Netherlands) and Mr. Ernst Berger (Switzerland), the Chairperson and Vice-Chairpersons elected at the first joint special session, will open the second joint special session and chair items 1 through 4.

Following the decisions of the first joint special session (ECE/MP.WAT/7 - ECE/CP.TEIA/5, para. 9), the Meeting will apply, mutatis mutandis, the rules of procedure of the Economic Commission for Europe (E/ECE/778/Rev.3) on the understanding that decisions will be made by consensus among the Parties to either or both of the Conventions present at the joint special session.

Item 2: Adoption of the agenda

The Meeting is expected to adopt its agenda as set out in the present document.

The provisional agenda was prepared by the Conventions' secretariats in consultation with the Bureaux of the Meeting of the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes and of the Conference of the Parties to the Convention on the Transboundary Effects of Industrial Accidents as well as with the Chairperson of the Intergovernmental Working Group on Civil Liability.

Item 3: Report on the credentials

The Chairperson will report on the credentials to the Meeting.

Item 4: Election of officers

The Meeting will elect a chairperson and three vice-chairpersons from among the representatives of the Parties to either or both of the Conventions.

Item 5: Introduction to the draft protocol on civil liability and compensation for damage caused by the transboundary effects of industrial accidents on transboundary waters

The Chairperson of the Intergovernmental Working Group on Civil Liability, Ms. Daskalopoulou-Livada, will introduce the draft protocol.

Item 6: Statements by representatives of Parties and other delegations

The Chairperson will invite a limited number of representatives of the Parties to the Conventions to make keynote statements.

Other delegates will also be invited to address the joint special session.

Item 7: Adoption of the Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters and of the decision by the Parties to both Conventions

The Parties to either or both of the Conventions present at the second joint special session are invited to adopt the text of the Protocol as contained in document MP.WAT/2003/1-CP.TEIA/2003/3. They are also invited to adopt a decision as contained in document MP.WAT/2003/2 - CP.TEIA/2003/4.

Item 8: Closing of the joint special session

The Chairperson will close the joint special session on 21 May 2003 at 5 p.m.

Annex

**SUBMISSION OF FULL POWERS FOR THE SIGNING OF THE PROTOCOL
DURING THE KIEV MINISTERIAL CONFERENCE**

The Protocol on Civil Liability and Compensation for Damage Caused by the Transboundary Effects of Industrial Accidents on Transboundary Waters to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes and the 1992 Convention on the Transboundary Effects of Industrial Accidents will be open for signature **from 21 to 23 May 2003 in Kiev**. Thereafter, the Protocol will remain open for signature at United Nations Headquarters in New York until 31 December 2003. The signature ceremony will commence at **6 p.m. on 21 May 2003**.

In accordance with the 1969 Vienna Convention on the Law of Treaties and the established practice of the Secretary-General, as Depositary, only Heads of State, Heads of Government or Ministers for Foreign Affairs are empowered, by virtue of their functions, to sign a treaty on behalf of a State without having to produce full powers to that effect. **Other representatives wishing to sign a treaty must be in possession of appropriate full powers, which expressly authorize signature of a specified treaty by a named representative issued and signed by one of the three above authorities.** It is further noted that full powers are distinct from credentials. Credentials alone are not adequate for the purpose of signing a treaty.

States wishing to sign the above Protocol shall, as necessary, provide duly signed original instruments or copies of the required full powers by **12 May 2003** for the purpose of verification to:

United Nations Office at Geneva (UNOG),
Legal Liaison Office
Mr. Ulrich von Blumenthal
Palais des Nations, Office 176
Avenue de la Paix 8-14
CH-1211 Geneva 10
Facsimile: +41 22 917 00 01

States which submit copies of full powers in advance for verification are required to provide the original instruments of full powers at the signature ceremony in Kiev.

Delegations are urged to respect the 12 May 2003 deadline for the submission of full powers to ensure sufficient time for States to clarify any questions regarding their full powers which may be raised during the verification process, or resubmit their full powers in cases where the original instruments are invalid. Late submissions of instruments may lead to non-acceptance.

States which have not submitted original instruments or copies of the required full powers by **12 May 2003** for the purpose of verification may, exceptionally, submit original instruments of full powers to the representative of the Secretary-General, as Depositary, in Kiev on 20 May 2003 from 1 to 6 p.m. Delegations will be informed about the precise venue, once arrangements have been finalized with the host country of the Ministerial Conference.

Model instruments of full powers in English, French and Russian can be downloaded from the Internet at

<http://untreaty.un.org/English/TreatyHandbook/annex3.htm>,

<http://untreaty.un.org/French/TreatyHandbook/annex3.htm> and

<http://untreaty.un.org/English/TreatyHandbookRus.pdf>