



# Economic and Social Council

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## Economic Commission for Europe

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

#### Fifth session

Geneva, 20–23 June 2011

Item 2 (b) of the provisional agenda

**Organizational matters: adoption of the agenda**

### **Annotated provisional agenda for the fifth session**

**To be held at the Palais des Nations, Geneva, on Monday, 20 June 2011,  
starting at 3 p.m.\***

## **I. Provisional agenda**

### **General segment**

1. Opening of the session.
2. Organizational matters:
  - (a) Election of the Chair of the Meeting of the Parties at its fifth session for the general segment;
  - (b) Adoption of the agenda;
  - (c) Report on credentials;

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\* Delegates are requested to complete the registration form available from the Convention's website (<http://www.unece.org/env/eia/>) and to transmit it to the Convention secretariat, at the latest two weeks prior to the meeting, either by fax to +41 22 917 0107 or by e-mail to [eia.conv@unece.org](mailto:eia.conv@unece.org). On their way to the meeting, delegates should obtain an identification badge at the Pass and Identification Unit of the United Nations Office at Geneva Security and Safety Section, located at the Pregny Gate entrance to the Palais des Nations (14, Avenue de la Paix; a map is available at <http://www.unece.org/meetings/map.pdf>). In case of difficulty, please contact the Convention secretariat by telephone at +41 22 917 1193.

- (d) Status of the Convention and its amendments.
3. Outstanding issues:
  - (a) Draft decision on the review of compliance;
  - (b) Draft decision on the adoption of the workplan;
  - (c) Draft decision on the budget, financial arrangements and financial assistance;
  - (d) Accession by Member States of the United Nations not members of the Economic Commission for Europe;
  - (e) Other draft decisions;
  - (f) Nomination of officers and tentative calendar of meetings for the next intersessional period.
4. Seminar on 20 years of law and practice under the Convention.
5. Review of the workplan and of work done by the Working Group on Environmental Impact Assessment:
  - (a) Subregional cooperation and capacity-building;
  - (b) Exchange of good practices.
6. Review of compliance, review of implementation and work done by the Implementation Committee.
7. Panel discussion on nuclear energy-related projects.
8. Presentation on the Swiss-organized programme on Environmental Impact Assessment in Central Asia and Azerbaijan.

### **High-level segment**

9. Opening ceremony for the high-level segment:
  - (a) Election of the Chair of the Meeting of the Parties at its fifth session for the high-level segment;
  - (b) Introductory speeches;
  - (c) Report on panel discussion on nuclear energy-related projects.
10. Statements by Ministers and high-level representatives.
11. Adoption of decisions:
  - (a) Decisions to be taken by the Meeting of the Parties;
  - (b) Decisions to be taken jointly.
12. Election of officers for the next intersessional period.
13. Date and venue of next meetings.
14. Other business.
15. Conclusion of the session:
  - (a) Adoption of the outline report of the session;
  - (b) Closing of the session.

## II. Proposed organization of the sessions: overview<sup>1</sup>

Two bodies will meet in conjunction in a single meeting room within a sessional period from 20 to 23 June 2011:

- (a) The Meeting of the Parties to the Convention (MOP), for its fifth session;
- (b) The Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol (MOP/MOP), for its first session.

Delegates will be invited to be present throughout the sessional period.

The Chair of the Bureau of the Meeting of the Parties to the Convention will open the fifth session of the MOP. The MOP will take up items 1 and 2 of the provisional agenda. The opening meeting will then be adjourned.

The first session of the MOP/MOP will then be opened. The MOP/MOP will take up items 1 and 2 of its provisional agenda. The opening meeting will then be adjourned.

The MOP and the MOP/MOP will convene in joint and individual meetings, in sequence, until the high-level segment is convened.

The high-level segment will open in the morning of Thursday, 23 June, and continue until 6 p.m. The MOP and the MOP/MOP will convene in joint and individual meetings, in sequence, including for the adoption of decisions and a declaration. Ministers and other heads of delegation will be invited to deliver statements to a joint meeting of the MOP and the MOP/MOP.

## III. Annotations to the provisional agenda

### General segment

#### 1. Opening of the session

*Tentative timing:* Monday, 20 June, afternoon

*Documentation:* ECE/MP.EIA/2011/L.1 (Compendium of draft decisions forwarded for adoption by the Meeting of the Parties to the Convention)

The Meeting will be opened by the Chair of the Bureau, Mr. A. Vesic, Assistant Minister, Ministry of Environment and Spatial Planning, Serbia.

The Chair of the Bureau will invite the Meeting to adopt the decision V/1 on the amendment of rule 7 of the rules of procedure.

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<sup>1</sup> As the fifth session of the Meeting of the Parties to the Convention (MOP5) and the first session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol (MOP/MOP1) will be held during the same sessional period, this overview addresses both meetings. For ease of reference for Parties and observers, the text of this overview is also contained in the annotated provisional agenda for MOP/MOP1 (ECE/MP.EIA/SEA/1).

## 2. Organizational matters

*Tentative timing:* Monday, 20 June, afternoon

### (a) Election of the Chair of the Meeting of the Parties at its fifth session for the general segment

The Meeting will be invited to elect its Chair for the general segment.

### (b) Adoption of the agenda

*Documentation:* ECE/MP.EIA/14 (Annotated provisional agenda for the fifth session)  
ECE/MP.EIA/2011/INF.1 (Informal notes on the agenda)

The secretariat, in agreement with the Chair of the Bureau, has drafted the provisional agenda for the session contained in the present document, taking into account views expressed by the Parties during the fourteenth meeting of the Working Group on Environmental Impact Assessment, and after consulting the Bureau.

### (c) Report on credentials

According to rule 16 of the rules of procedure (ECE/MP.EIA/2, decision I/1), the credentials of representatives of Parties, as well as the names of alternate representatives and advisers, shall be submitted to the secretariat if possible not later than 24 hours after the opening of the session. Any later change in the composition of the delegation shall also be submitted to the secretariat. The credentials shall be issued either by the Head of State or Government or by the Minister of Foreign Affairs or, in the case of a regional economic integration organization, by the competent authority of that organization. The Bureau will examine the credentials and report on them to the Meeting (see rule 17 of the rules of procedure). Representatives shall be entitled to participate provisionally in the session, pending a decision by the Meeting to accept their credentials (see rule 18 of the rules of procedure). Only Parties with valid credentials will be able to participate in the adoption of a decision or declaration.

The Meeting will be invited to take note of the report on credentials of the representatives of Parties attending the fifth session of the Meeting of the Parties. Representatives may participate provisionally, pending this action.

### (d) Status of the Convention and its amendments

*Documentation:* ECE/MP.EIA/2011/INF.2 (Status of ratification of the Convention, its amendments and its Protocol)

The secretariat will inform the Meeting about the status of ratification of the Convention and the declarations made by Parties upon deposit of their instruments of ratification of the Convention since the fourth session of the Meeting of the Parties. The secretariat will similarly inform the Meeting of the Parties about the status of ratification of the amendments to the Convention adopted at the second and third sessions of the Meeting of the Parties.

### 3. Outstanding issues

*Tentative timing:* Monday, 20 June, afternoon, and Tuesday, 21 June, morning

*Documentation:* ECE/MP.EIA/2011/L.1 (Compendium of draft decisions forwarded for adoption by the Meeting of the Parties to the Convention)

ECE/MP.EIA/2011/L.2 (Compendium of draft decisions forwarded for adoption by the Meeting of the Parties to the Convention, and the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol on Strategic Environmental Assessment, meeting in joint session)

ECE/MP.EIA/2011/L.3 (Draft decision on the review of compliance)

ECE/MP.EIA/2011/1 (Report on the budget and financial arrangements in the period since the fourth session of the Meeting of the Parties to the Convention)

ECE/MP.EIA/2011/INF.3 (Informal assessment of the completion of the workplan)

ECE/MP.EIA/2011/INF.4 (Status of contributions to the trust fund)

ECE/MP.EIA/2011/INF.5 (Informal list of nominations)

ECE/MP.EIA/2011/INF.6 (Informal list of events planned)

#### (a) Draft decision on the review of compliance

The Chair of the Implementation Committee will present draft decision V/4 on the review of compliance prepared by the Committee. He will highlight elements for which alternative wording is provided, depending on developments in Parties on the subject of the follow-up to decision IV/2 regarding both Armenia and Ukraine and concerning the Committee initiative on Azerbaijan. The Meeting is expected to discuss and finalize draft decision V/4.

The MOP and the MOP/MOP will then convene in a joint meeting and are expected to discuss and agree on the outstanding issues set out below prior to the high-level segment.

#### (b) Draft decision on the adoption of the workplan

The Chair of the Bureau will present revised draft decision I/9 on the adoption of the workplan, amended by the Bureau in response to the comments made at the third session of the Meeting of the Signatories to the Protocol and at the fourteenth meeting of the Working Group on Environmental Impact Assessment. The secretariat will present an informal assessment of the degree to which the workplan adopted at the fourth session of the Meeting of the Parties has been completed. The Meeting is expected to review the draft decision in detail, ensuring that for each sub-activity full information is provided on the organizational arrangements, expected outcome, time schedule and budget. The Meeting is expected to discuss and finalize draft decision I/9.

#### (c) Draft decision on the budget, financial arrangements and financial assistance

The Chair of the Bureau will present revised draft decision V/10 on the budget, financial arrangements and financial assistance, amended by the Bureau in response to the comments made at the third session of the Meeting of the Signatories to the Protocol and at the fourteenth meeting of the Working Group. The secretariat will present its report on the budget and financial arrangements in the period since the fourth session of the Meeting of the Parties.

Delegations will then be invited to pledge contributions to the budget.

The Meeting is expected to finalize the text of the draft decision V/10 in the light of the above information and of its earlier deliberations under item (b) above.

**(d) Accession by Member States of the United Nations not members of the Economic Commission for Europe**

The secretariat will report on interest in acceding to the Convention expressed by any Member State of the United Nations not member of the Economic Commission for Europe.

**(e) Other draft decisions**

Delegations will be invited to comment on other draft decisions under consideration by the Meeting.

**(f) Nomination of officers and tentative calendar of meetings for the next intersessional period**

The Chair for the general segment will invite delegations to nominate a chair and a number of vice-chairs of the Bureau. He or she will suggest that the Bureau include the chair and three vice-chairs of the working group that is expected to be established later in the sessional period. In addition, the general segment Chair will propose that the chair and one vice-chair of the Implementation Committee — once elected by the Committee and in accordance with the expected decision on the application of the compliance procedure of the Convention to the Protocol — be members of the Bureau. Further, he or she will suggest that the chair of the future working group be a representative of a State or a regional economic integration organization that is a Party to both the Convention and the Protocol.

Following each nomination, the Chair will ask the secretariat to inform the MOP and the MOP/MOP of whether the State nominated is a Party to the Convention or the Protocol. Once sufficient nominations have been made, the Chair will invite the MOP and the MOP/MOP to consider the endorsement of the nominations in turn. Formal election of the Bureau members will take place later in the sessional period (item 12), once a decision has been taken on the establishment of a subsidiary body.

The above procedure will be repeated for the new members of the Implementation Committee.

The Meeting may agree a tentative calendar of meetings of its subsidiary bodies in the intersessional period. Delegations may also wish to put forward proposals for hosting such meetings.

#### **4. Seminar on 20 years of law and practice under the Convention**

*Tentative timing:* Tuesday, 21 June, afternoon

*Documentation:* ECE/MP.EIA/2011/INF.7 (Information on seminar on 20 years of law and practice under the Convention)

Invited academic and other experts will provide insights into 20 years of law and practice under the Convention, since its entry into force in 1991.

Delegations will be invited to make short interventions from the floor in response to the expert presentations.

## 5. Review of the workplan and of work done by the Working Group on Environmental Impact Assessment

*Tentative timing:* Tuesday, 21 June, afternoon

The secretariat will report on the implementation of the workplan. The secretariat will itemize the sub-activities of the workplan, specifying whether each was implemented as foreseen.

### (a) Subregional cooperation and capacity-building

Delegations will be invited to report on subregional cooperation and capacity-building workshops held since the fourteenth meeting of the Working Group.

### (b) Exchange of good practices

Delegations will be invited to report on events for the exchange of good practices held since the fourteenth meeting of the Working Group.

## 6. Review of compliance, review of implementation and work done by the Implementation Committee

*Tentative timing:* Wednesday, 22 June, morning

*Documentation:* ECE/MP.EIA/2011/2 (Draft review of implementation regarding legal, administrative and other measures taken to implement articles 2–4 of the Convention)

ECE/MP.EIA/2011/3 (Draft review of implementation regarding legal, administrative and other measures taken to implement articles 5–9 of the Convention, and regarding practical experiences)

ECE/MP.EIA/2011/4 (Report on the activities of the Implementation Committee)

The Chair of the Implementation Committee will report on the Committee's activities in the period since the fourth session of the Meeting of the Parties.

The secretariat will report on the completion by Parties of the questionnaire on the implementation of the Convention for the period from 2006 to 2009, and on the subsequent preparation of the review of implementation.

## 7. Panel discussion on nuclear energy-related projects

*Tentative timing:* Wednesday, 22 June, afternoon

*Documentation:* ECE/MP.EIA/2011/5 (Background paper on the application of the Convention to nuclear energy-related activities)

ECE/MP.EIA/2011/INF.8 (Information on panel discussion on nuclear energy-related projects)

A panel comprising invited high-level representatives from governmental institutions, together with representatives from non-governmental organizations and other stakeholders from across the region, will provide insights into how the Convention is applied to nuclear

energy-related projects likely to have significant adverse transboundary impact. The panel might address solutions to problems identified by the secretariat in the background paper.

Thereafter, delegations will be invited to make short interventions from the floor in response to the panel discussion providing specific examples of how the Convention has been applied to such activities in their countries.

## **8. Presentation on the Swiss-organized programme on Environmental Impact Assessment in Central Asia and Azerbaijan**

*Tentative timing:* Wednesday, 22 June, afternoon

The delegation of Switzerland is expected to provide an outline of its programme on environmental impact assessment capacity-building in Central Asia and Azerbaijan. The delegations of these countries are then expected to provide further insights into their work within the programme.

### **High-level segment**

## **9. Opening ceremony for the high-level segment**

*Tentative timing:* Thursday, 23 June, morning

### **(a) Election of the Chair of the Meeting of the Parties at its fifth session for the high-level segment**

The MOP and the MOP/MOP will convene in a joint meeting and will be invited to elect their Chair for the high-level segment.

### **(b) Introductory speeches**

The high-level segment will begin with a keynote speech by a senior official from Switzerland. The Executive Secretary of the Economic Commission for Europe will make an opening statement.

### **(c) Report on panel discussion on nuclear energy-related projects**

The moderator of the panel discussion on nuclear energy-related projects (agenda item 7) will report back to the high-level segment on the outcomes of the panel discussion. The Meeting will be invited to consider possible follow-up actions under the Convention.

## **10. Statements by Ministers and high-level representatives**

*Tentative timing:* Thursday, 23 June, morning

Statements by delegates will be heard in a joint meeting of the MOP and the MOP/MOP.

Ministers and other heads of delegation, as well as representatives of intergovernmental organizations and non-governmental organizations, may make statements, with a recommended time limit of three minutes. The full texts of the official statements will be circulated if sufficient numbers of copies are provided to the secretariat in the course of the session. Delegations are requested to register statements in advance of the session.

## 11. Adoption of decisions

*Tentative timing:* Thursday, 23 June, morning

The Chair will introduce each decision to the Meeting, indicating its title and number, the symbol of the document containing the draft text for consideration and an indication of which States are invited to consider and adopt the decision: States Parties to the Convention; States Parties to the Protocol; or States Parties to either instrument. Members of the Bureau will provide additional information on each decision, as appropriate. The decisions will be introduced in the sequence indicated below.

### (a) Decisions to be taken by the Meeting of the Parties

*Documentation:* ECE/MP.EIA/2011/L.1 (Compendium of draft decisions forwarded for adoption by the Meeting of the Parties to the Convention)

ECE/MP.EIA/2011/L.3 (Draft decision on the review of compliance)

ECE/MP.EIA/2011/2 (Draft review of implementation regarding legal, administrative and other measures taken to implement articles 2–4 of the Convention)

ECE/MP.EIA/2011/3 (Draft review of implementation regarding legal, administrative and other measures taken to implement articles 5–9 of the Convention, and regarding practical experiences)

ECE/MP.EIA/2011/4 (Report on the activities of the Implementation Committee)

ECE/MP.EIA/2011/6 (Opinions of the Implementation Committee, 2001–2010)

The Meeting will be invited to consider adoption of the following decisions proposed by the Bureau:

- (a) Decision on the interpretation of article 14 of the Convention on amendments (MOP decision V/2);
- (b) Decision on the review of implementation (MOP decision V/3);
- (c) Decision on the review of compliance (MOP decision V/4).

### (b) Decisions to be taken jointly

*Documentation:* ECE/MP.EIA/2011/L.2 (Compendium of draft decisions forwarded for adoption by the Meeting of the Parties to the Convention, and the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol on Strategic Environmental Assessment, meeting in joint session)

ECE/MP.EIA/2011/1 (Report on the budget and financial arrangements in the period since the fourth session of the Meeting of the Parties to the Convention)

Meeting jointly, the MOP and the MOP/MOP will be invited to consider adoption of the following joint decisions proposed by the Bureau:

- (a) Decision on the establishment of a subsidiary body (MOP decision V/5);

- (b) Decision on the application of the compliance procedure of the Convention to the Protocol (MOP decision V/6);
- (c) Decision on reporting and the review of implementation (MOP decision V/7).
- (d) Decision on the accession by Member States of the United Nations not members of the Economic Commission for Europe (MOP decision V/8).
- (e) Decision on the adoption of the workplan (MOP decision V/9);
- (f) Decision on the budget, financial arrangements and financial assistance (MOP decision V/10).

## **12. Election of officers for the next intersessional period**

*Tentative timing:* Thursday, 23 June, afternoon

*Documentation:* ECE/MP.EIA/2011/INF.5 (Informal list of nominations)

The MOP and the MOP/MOP will convene in a joint meeting and will be invited to elect officers for the next intersessional period, following the earlier agreement on nominations (item 3 (f) above).

The Meeting will consider the election of States nominated as a Party to both instruments, i.e., the Parties to either instrument will be invited to consider the nomination.

The Meeting will consider the election of States nominated as a Party to the Convention, i.e., only Parties to the Convention will be invited to consider the nomination.

The Meeting will consider the election of States nominated as a Party to the Protocol, i.e., only Parties to the Protocol will be invited to consider the nomination.

The above procedure will be repeated for the new members of the Implementation Committee.

The Chair will invite the Meeting to express its gratitude to the outgoing members of the Bureau and the Implementation Committee.

## **13. Date and venue of next meetings**

*Tentative timing:* Thursday, 23 June, afternoon

The MOP and the MOP/MOP will convene in a joint meeting and will be expected, in accordance with rule 4 of the rules of procedure, to decide on the date and venue of the sixth session of the MOP to be held in conjunction with the second session of the MOP/MOP.

## **14. Other business**

*Tentative timing:* Thursday, 23 June, afternoon

Delegations wishing to propose points under this item are requested to inform the secretariat as soon as possible.

## **15. Conclusion of the session**

*Tentative timing:* Thursday, 23 June, afternoon

### **(a) Adoption of the outline report of the session**

The Chair will present the main decisions taken at the fifth session of the Meeting of the Parties. The Meeting will be invited to adopt the draft report and authorize the secretariat to complete the report after the session under the guidance of the Bureau.

### **(b) Closing of the session**

The Chair will close the session.

## Annex

## Provisional overview of the sessional period

<i>Date</i>	<i>Time</i>	<i>Agenda item MOP</i>	<i>Agenda item MOP/MOP</i>
Monday, 20 June	3–6 p.m.	Opening of the session (item 1)	
		Organizational matters (item 2)	
			Opening of the session (item 1)
			Organizational matters (item 2)
		Outstanding issues (item 3)	
		(a) Draft decision on the review of compliance	
			Outstanding issues (item 3)
			(a) Draft declaration
Tuesday, 21 June	10 a.m.–1 p.m.	Outstanding issues (item 3 (b)–(f))	Outstanding issues (item 3 (b)–(f))
		(continued)	(continued)
	3–6 p.m.	Seminar on 20 years of law and practice under the Convention (item 4)	
		Review of the workplan and of work done by the Working Group on Environmental Impact Assessment (item 5)	
Wednesday, 22 June	10 a.m.–1 p.m.	Review of compliance, review of implementation and work done by the Implementation Committee (item 6)	
			Review of the work done by the Meeting of the Signatories (item 4)
	3–6 p.m.	Panel discussion on nuclear energy-related projects (item 7)	
		Presentation on the Swiss-organized programme on Environmental Impact Assessment in Central Asia and Azerbaijan (item 8)	

(continued overleaf)

## High-level segment

<i>Date</i>	<i>Time</i>	<i>Agenda item MOP</i>	<i>Agenda item MOP/MOP</i>
Thursday, 23 June	10 a.m.–1 p.m.	Opening ceremony for high-level segment (item 9)	Opening ceremony for high-level segment (item 5)
		(a) Election of the Chair of the MOP at its fifth session during the high-level segment	(a) Election of the Chair of the MOP/MOP at its first session during the high-level segment
		(b) Introductory speeches	(b) Introductory speeches
		(c) Report on panel discussion on nuclear energy-related projects	
		Statements by Ministers and high-level representatives (item 10)	Statements by Ministers and high-level representatives (item 6)
		Adoption of decisions (item 11)	
		(a) Decisions to be taken by the MOP	Adoption of decisions (item 7)
			(a) Decisions to be taken by the MOP/MOP
		(b) Decisions to be taken jointly	(b) Decisions to be taken jointly
	3–6 p.m.		Adoption of declaration (item 8)
		Election of officers for the next intersessional period (item 12)	Election of officers for the next intersessional period (item 9)
		Date and venue of next meetings (item 13)	Date and venue of next meetings (item 10)
			Other business (item 11)
			Conclusion of the session (item 12)
		Other business (item 14)	
		Conclusion of the session (item 15)	