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

Fifth session

Geneva, 20–23 June 2011

Items 3 (b)–(e) and 11 (b) of the provisional agenda

Outstanding issues: draft decision on the adoption of the workplan; draft decision on the budget, financial arrangements and financial assistance; accession by Member States of the United Nations not members of the Economic Commission for Europe; other draft decisions

Adoption of decisions: decisions to be taken jointly

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

First session

Geneva, 20–23 June 2011

Items 3 (b)–(e) and 7 (b) of the provisional agenda

Outstanding issues: draft decision on the adoption of the workplan; draft decision on the budget, financial arrangements and financial assistance; accession by Member States of the United Nations not members of the Economic Commission for Europe; other draft decisions

Adoption of decisions: decisions to be taken jointly

Compendium of draft decisions forwarded for adoption by the Meeting of the Parties to the Convention and by the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol, meeting in joint session

Proposal by the Bureau

Summary

This compendium of draft decisions was prepared by the Bureau of the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context, with the support of the Convention secretariat, as requested by the Meeting of the Signatories to the Protocol at its third session and the Working Group on Environmental Impact Assessment at its fourteenth meeting. Draft decisions V/5 and V/6 were initially prepared by a small group comprising Germany, the Netherlands and the United Kingdom of Great Britain and Northern Ireland.

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Draft decision V/5

(to be considered by the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context at its fifth session)

Draft decision I/5

(to be considered by the 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 at its first session)

Establishment of a subsidiary body

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,

Recalling article 14, paragraph 4 (d), of the Protocol, which concerns the establishment of subsidiary bodies necessary for the implementation of the Protocol,

Recalling also decision I/2 of the Meeting of the Parties to the Convention on mechanisms for the implementation of the Convention, which established the Working Group on Environmental Impact Assessment as a subsidiary body to assist in the implementation of the Convention and the management of its workplan,

Having considered the most appropriate ways of effectively implementing the Convention and the Protocol and successfully taking forward their workplan,

Recognizing that there are both synergies and differences between the Convention and the Protocol,

Concluding that a subsidiary body is needed to assist in the implementation of the Convention and the Protocol and the management of their workplan,

1. *Discontinue* the Working Group on Environmental Impact Assessment;
2. *Establish* a subsidiary body, called the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment, to assist in the implementation of the Convention and the Protocol and the management of their joint workplan;
3. *Request* this subsidiary body, in carrying out the tasks assigned to it in paragraph 2, to take the necessary steps to take forward the workplan agreed at the fifth session of the Meeting of the Parties to the Convention and the first session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol, to monitor the expenditure of funds associated with the implementation of the workplan, to report to both bodies at their subsequent sessions on progress in the implementation of the workplan and monitoring of expenditure, and to ensure the efficient management of workplans which are agreed from time to time by the Meeting of the Parties to the Convention and the Meeting of the Parties to the Convention serving as the Meeting of Parties to the Protocol;
4. *Invite* the subsidiary body, in the light of experience in the implementation of the workplan, to make recommendations for consideration at subsequent sessions of 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 of further work necessary to ensure the effective implementation of the Convention and the Protocol;

5. *Also invite* non-Parties to the Convention that are member States of the United Nations Economic Commission for Europe (UNECE) and governmental, non-governmental and other relevant international organizations and institutions, and, as appropriate, researchers, commercial firms, developers, consultants or other commercial entities to contribute fully, in accordance with the rules of procedure, as observers to the work undertaken by the subsidiary body to implement the Convention;

6. *Further invite* non-Parties to the Protocol that are member States of UNECE and governmental, non-governmental and other relevant international organizations and institutions, and, as appropriate, researchers, commercial firms, developers, consultants or other commercial entities to contribute fully, in accordance with the rules of procedure, as observers to the work undertaken by the subsidiary body to implement the Protocol.

Draft decision V/6

(to be considered by the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context at its fifth session)

Draft decision I/6

(to be considered by the 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 at its first session)

Application of the compliance procedure of the Convention on Environmental Impact Assessment in a Transboundary Context to the Protocol on Strategic Environmental Assessment

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,

Recalling article 14, paragraph 6, of the Protocol, which concerns the application of the procedure for the review of compliance with the Convention to the Protocol,

Noting the appendix to decision III/2 of the Meeting of the Parties to the Convention, setting out the structure and functions of the Implementation Committee and procedures for the review of compliance, and annex IV to decision IV/2 of the Meeting of the Parties to the Convention, setting out operating rules of the Implementation Committee,¹

Recalling also the decision by the Meeting of the Parties to the Convention at its fifth session to keep under review and develop if necessary the structure and functions of the Implementation Committee, as well as its operating rules, particularly in the light of

¹ *Note by the secretariat:* The Bureau proposes reference also to annex IV to decision IV/2, as shown.

experience gained by the Committee in considering issues relating to compliance with the Protocol,²

Having considered the modalities for the application of the procedure for the review of compliance, pursuant to article 14, paragraph 6, of the Protocol,

Emphasizing that, in applying to the Protocol the structure and functions of the Implementation Committee and the procedures for review of compliance which are set out in the appendix to decision III/2 of the Meeting of the Parties to the Convention, references in the appendix to the Convention and to the Meeting of the Parties to the Convention shall, where review of compliance with the Protocol is concerned, be understood as references to the Protocol and to the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol, respectively,

1. *Decide* that, where the Implementation Committee is considering issues relating to compliance with the Convention, it shall be comprised only of Parties to the Convention, and that, where the Implementation Committee is considering issues relating to compliance with the Protocol, it shall be comprised only of Parties to the Protocol;

2. *Also decide* that the Parties to the Convention shall decide upon the composition of the Implementation Committee, in accordance with paragraph 1 of the appendix to decision III/2 of the Meeting of the Parties to the Convention, after which the Parties to the Protocol shall elect the number of Parties necessary for the operation of paragraph 1 of the current decision, to take the place on the Implementation Committee of those Parties to the Convention which at that time are not a Party to the Protocol, for the same term as those Parties; and decide that the Chair of the Implementation Committee shall be from a Party to the Convention which is also a Party to the Protocol;

3. *Further decide* that the two election processes set out in paragraph 2 shall take place during a joint session of 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, at which the Parties to the Convention and to the Protocol shall also cooperate with a view to ensuring that the total of the number of Parties elected under the Convention and under the Protocol shall preferably not exceed twelve;

4. *Further decide* that when the appendix to decision III/2 of the Meeting of the Parties to the Convention is amended by the Meeting of the Parties to the Convention, the amended appendix shall also apply *mutatis mutandis* to the Protocol, unless otherwise decided by the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol;

5. *Further decide* that the operating rules of the Implementation Committee which are set out in annex IV to decision IV/2 of the Meeting of the Parties to the Convention shall also apply *mutatis mutandis* to the Protocol, and shall continue to apply when amended by the Meeting of the Parties to the Convention, unless otherwise decided by the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol.

² *Note by the secretariat:* The Implementation Committee proposes inclusion of this paragraph and is supported by the Bureau.

Draft decision V/7

(to be considered by the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context at its fifth session)

Draft decision I/7

(to be considered by the 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 at its first session)

Reporting and the review of implementation

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,

Recalling decisions III/1 and IV/1 of the Meeting of the Parties to the Convention on the review of implementation,

Recalling also article 14 bis of the Convention, as adopted by decision III/7 of the Meeting of the Parties to the Convention, that provides a legal obligation on Parties to report on their implementation of the Convention,

Recalling further article 14, paragraph 4, of the Protocol, which concerns the keeping under regular review of the implementation of the Protocol,

Recalling furthermore article 14, paragraph 7, of the Protocol, which concerns the reporting by each Party on measures that it has taken to implement the Protocol,

Recalling additionally article 13, paragraph 4, of the Protocol, which concerns the reporting by each Party on its application of article 13 on policies and legislation,

Recognizing that there are both synergies and differences between the Convention and the Protocol,

Recognizing also that regular reporting by each Party provides important information that facilitates the review of compliance under the Convention and the Protocol and thereby contributes to the work of the Implementation Committee,

Emphasizing the importance of the timely submission of reports,

1. *Request* the Implementation Committee to modify the current questionnaire to provide a questionnaire on the implementation of the Convention and of the Protocol during the period 2010–2012, for consideration by the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment and for circulation, and for conversion into a parallel Internet-based questionnaire by the secretariat thereafter;

2. *Decide* that Parties to the Convention shall complete the parts of the questionnaire relating to the Convention as a report on their implementation of the Convention during the period 2010–2012, taking note of the obligation to report arising from article 14 bis of the Convention as adopted by decision III/7 of the Meeting of the Parties to the Convention, and that a failure to report on implementation might be a compliance matter to be considered by the Implementation Committee;

3. *Also decide* that Parties to the Protocol shall complete the parts of the questionnaire relating to the Protocol as a report on their implementation of the Protocol during the period 2010–2012, taking note of the obligations to report arising from article 14, paragraph 7, and article 13, paragraph 4, of the Protocol;

4. *Request* the secretariat to put the project lists included in the answers to the questionnaire on the website of the Convention unless the responding Party does not agree;

5. *Further decide* that a draft review of implementation of the Convention and of the Protocol during the period 2010–2012 based on the reports by Parties will be presented at the sixth session of Meeting of the Parties of the Convention and the second session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol, and that the workplan shall reflect the elements required to prepare the draft review;

6. *Also request* the secretariat to post the review of implementation of the Convention and of the Protocol and national reports on the website of the Convention in the languages in which they are available.

Draft decision V/8

(to be considered by the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context at its fifth session)

Draft decision I/8

(to be considered by the 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 at its first session)

Accession by Member States of the United Nations not members of the United Nations Economic Commission for Europe

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,

Recalling article 17, paragraph 3, of the Convention, as adopted by decision II/14 of the Meeting of the Parties to the Convention, which concerns the accession upon approval of a State that is a Member of the United Nations but that is not a member of the United Nations Economic Commission for Europe (UNECE),

Recalling also article 23, paragraph 3, of the Protocol, which concerns the accession upon approval of a State that is a Member of the United Nations but that is not a member of UNECE,

1. *Request* any State that wishes to accede to the Convention or to the Protocol, and that is a Member of the United Nations but that is not a member of UNECE, to address a letter to the Executive Secretary of UNECE from its Minister of Foreign Affairs expressing the State's desire to accede to the Convention or to the Protocol;

2. *Also request* a State referred to in paragraph 1, which wishes to accede to the Convention, to provide a copy of its legislation in one of the official languages of the

United Nations, establishing clear, transparent and effective procedures for environmental impact assessment in a transboundary context in accordance with the provisions of the Convention;

3. *Further request* a State referred to in paragraph 1, which wishes to accede to the Protocol, to provide a copy of its legislation in one of the official languages of the United Nations, establishing clear, transparent and effective procedures for strategic environmental assessment in accordance with the objective and provisions of the Protocol;

4. *Expect* to consider the information referred to in paragraphs 1, 2 and 3, when deciding whether to approve the accession of a State that is a Member of the United Nations but that is not a member of UNECE;

5. *Also expect* to instruct the secretariat to inform the Depositary of any decision to approve the accession of a State that is a Member of the United Nations but that is not a member of UNECE;

6. *Further expect* to use the formats presented in the annex to this decision when deciding whether to approve the accession of a State that is a Member of the United Nations but that is not a member of UNECE.³

Annex

Formats for decision

I. Accession to the Convention

The Meeting of the Parties to the Convention,

Recalling article 17, paragraph 3, of the Convention, as adopted by decision II/14 of the Meeting of the Parties to the Convention, which concerns the accession upon approval of a State that is a Member of the United Nations but that is not a member of UNECE,

Having received a copy of a letter addressed to the Executive Secretary of UNECE from the Minister of Foreign Affairs of ... expressing that State's desire to accede to the Convention,

Having also received a copy of the legislation of ... in one of the official languages of the United Nations, establishing clear, transparent and effective procedures for environmental impact assessment in a transboundary context in accordance with the provisions of the Convention,

1. *Approves* the accession of ... to the Convention;
2. *Instructs* the secretariat to inform the Depositary of this decision.

II. Accession to the Protocol

The Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol on Strategic Environmental Assessment,

Recalling article 23, paragraph 3, of the Protocol, which concerns the accession upon approval of a State that is a Member of the United Nations but that is not a member of the Economic Commission for Europe,

³ *Note by the secretariat:* The Bureau proposes addition of this paragraph together with the annex.

Having received a copy of a letter addressed to the Executive Secretary of UNECE from the Minister of Foreign Affairs of ... expressing that State's desire to accede to the Protocol,

Having also received a copy of the legislation of ... in one of the official languages of the United Nations, establishing clear, transparent and effective procedures for strategic environmental assessment in accordance with the objective of the Protocol,

1. *Approves* the accession of ... to the Protocol;
2. *Instructs* the secretariat to inform the Depositary of this decision.

Draft decision V/9

(to be considered by the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context at its fifth session)

Draft decision I/9

(to be considered by the 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 at its first session)

Adoption of the workplan

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,

Recalling article 11, paragraph 2 (f), of the Convention, stipulating that additional action that may be required to achieve the purposes of the Convention shall be undertaken,

Recognizing that it is essential for Parties to the Convention to meet fully their legal obligations arising under the Convention,

Recognizing also that Parties to the Convention should take action to maximize the effectiveness of their application of the Convention so that the best possible practical results are achieved,

Recognizing with appreciation the valuable work carried out under the workplan adopted at the fourth session of the Meeting of the Parties to the Convention (decision IV/7), particularly:

(a) The steps taken by Parties and non-Parties to ensure their environmental impact assessment systems are consistent with the provisions of the Convention and to report accordingly;

(b) The workshops and pilot projects for subregional cooperation and capacity-building organized by the Governments of Belarus, Bulgaria, Finland, France, [Georgia,] Germany, Italy, Kyrgyzstan, Lithuania, Montenegro, [Morocco,] Portugal, Slovenia, Spain,

Sweden , Tajikistan and Tunisia[, and by the Regional Environmental Centres for Central and Eastern Europe and for Central Asia];⁴

(c) The seminars for the exchange of good practices organized by the Governments of Armenia and Austria and by the European Commission;

Noting with satisfaction that the activities in the workplan adopted at the fourth session of the Meeting of the Parties to the Convention were approximately [90] per cent completed, specifically [98] per cent of priority 1 activities were completed and approximately [87] per cent of priority 2 activities were completed,

1. *Adopt* the workplan for the period up to the sixth session of the Meeting of the Parties to the Convention and the second session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol, as set out in the table below;

2. *Suggest* that lead countries that carry out the relevant activities should consult each other in order to benefit from each other's experience and to avoid unnecessary overlap;

3. *Call on* the Parties, and also invite non-Parties, to arrange, host and participate actively in seminars, workshops and meetings to facilitate implementation of and compliance with the Convention and the Protocol;

4. *Invite* every relevant body or agency, whether national or international, governmental or non-governmental, and, as appropriate, researchers, commercial firms, developers, consultants or other commercial entities to participate actively in the activities included in the workplan.

⁴ *Note by the secretariat:* The secretariat proposes recognition of the roles played by these organizations.

Workplan for the implementation of the Convention and its Protocol for the period up to the sixth session of the Meeting of the Parties to the Convention and the second session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol

<i>Activity Objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements^a</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
<p>Compliance with and implementation of the Convention and the Protocol</p> <p>Enhance the implementation of and compliance with the Convention and the Protocol</p>					Most items included in Implementation Committee and secretariat costs. Exceptions are identified below.
	1. Consideration by the Implementation Committee of received compliance submissions.	Undertaken by the Implementation Committee, with the support of the secretariat.	Recommendations on compliance submissions.	2011–2014, presented to MOP6 ^b and the MOP/MOP2. ^c	Requires budget for translation of submissions: \$10,000.
	2. Report on the Committee's activities to MOP6 and MOP/MOP2.	Undertaken by the Implementation Committee, with the support of the secretariat.	Reports of the Committee meetings and a synthesis report to MOP6 and MOP/MOP2.	2011–2014, presented to MOP6 and MOP/MOP2.	–
	3. If necessary, review of the Committee's structure and functions and operating rules.	Undertaken by the Implementation Committee, with the support of the secretariat.	Possible revision of the Committee's structure and functions and operating rules.	2011–2014, presented to MOP6 and MOP/MOP2.	–
	4. Examination of the outcome of the third review of implementation.	Undertaken by the Implementation Committee, with the support of the secretariat.	Summary on compliance issues from the third review of implementation.	By the end of 2011.	–

<i>Activity Objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements^a</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
	5. Simplification of the questionnaire for the report on implementation of the Convention, and its extension for the report on implementation of the Protocol.	Undertaken by the Implementation Committee, with the support of the secretariat and, where appropriate, of the World Health Organization (WHO). ^d	One questionnaire with two distinct parts.	Presentation of draft modified questionnaire to the Working Group by the end of 2012.	–
	6. Distribution of the questionnaire to the Parties to the Convention and to the Protocol for them to complete and return.	Carried out by the secretariat	Completed questionnaires.	Issue of questionnaire, early 2013. Return of questionnaires by mid-2013.	–
	7. Preparation of a draft review of implementation of the Convention and the Protocol.	Carried out by the secretariat	Draft fourth review of implementation for consideration by the Working Group and MOP6 and MOP/MOP2.	Presentation of draft review to the Working Group at the end of 2013 and to MOP6 and MOP/MOP2.	Requires an external consultant, budget: \$20,000.

<i>Activity Objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements^a</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
	<p>8. Country-specific performance reviews and technical assistance in drafting legislation, in agreement with Parties wishing to strengthen their implementation of and compliance with the Convention and the Protocol.</p> <p>(a) Review would include a period in-country examining legislation, procedures and practice (case study), and would build upon earlier reviews further to decision IV/2. Parties experiencing similar problems might be assisted jointly.</p> <p>(b) Development of general guidance on resolving a possible systemic inconsistency between the Convention and environmental assessment within the framework of State ecological expertise.^e</p>	<p>Undertaken by external consultant(s) under supervision of members of the Committee, with support of the secretariat and, where appropriate, WHO.^f</p>	<p>Recommendations to the country on strengthening capacity, including amendments to legislation, procedures and institutional arrangements.</p>	<p>As decided by the Implementation Committee.</p>	<p>\$75,000 (approximately \$25,000 per review), plus in-kind contributions from Parties providing experts and from target country providing interpretation, translation, etc.</p>

<i>Activity Objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements^a</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
	<p>9. Pre-accession legislative assistance:</p> <p>(a) Technical support to Uzbekistan to review its national legislation for implementation of the Convention and to propose amendments;</p> <p>(b) Technical advice to Belarus and Ukraine on improving legislation to implement the Protocol and advice in drafting necessary amendments. Review of legislation and administrative measures with aim to ratify Protocol.</p>	Undertaken by external consultant(s), with support of the secretariat.	Recommendations to the country on strengthening capacity, including amendments to legislation, procedures and institutional arrangements.	(a) 2012–2013; (b) 2011–2012.	Donor or in-kind contributions by beneficiary countries.
	10. Collection of findings and opinions from the Committee regarding the Convention and the Protocol, posted on website.	Carried out by the secretariat.	Online collection of the Committee's findings and opinions.	Annual updates.	–

<i>Activity Objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements^a</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 UNECE^g region</p> <p>Improved and developed application of the Convention and its Protocol within the subregions.</p> <p>Promotion of cooperation in all subregions.</p> <p>Increased professional skills of officials and increased awareness of the public, including NGOs,^h as well as of officials at all relevant administrative levels in relation to SEAⁱ and transboundary EIA^j and to the application of the</p>	<p>[South-Eastern Europe subregion</p> <p>1. Workshop(s) on implementation of the Convention, Protocol and Bucharest Agreement in the subregion.]^k</p>	<p>[Lead countries: the former Yugoslav Republic of Macedonia, ..., with support of the secretariat and UNEP]^l</p>	<p>For all subregions:</p> <p>(a) Possible evaluation of relevant guidance;</p> <p>(b) Possible guidance on subregional issues such as public participation and the role of non-governmental organizations (NGOs);</p> <p>(c) Common understanding of elements of application and possible multilateral agreements.</p>	<p>...</p>	<p>Participants cover their own travel and accommodation costs, while host countries cover organizational and venue costs in kind (approximately \$20,000 per workshop).</p> <p>Donor in-kind (e.g., project) funding might be applicable.</p>

<i>Activity Objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements^a</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
Convention and its Protocol. Increased coordination between environmental treaties in Eastern Europe, the Caucasus and Central Asia.	<p>Mediterranean subregion, including Adriatic Sea</p> <p>2. Workshop in France on practical application of the Convention on the basis of the results in the previous workshops</p>	Lead country: France, in collaboration with Spain.		...	
	<p>Baltic Sea subregion (with the possible involvement of North Sea countries)</p> <p>3. Holding at least two meetings, on issues such as:</p> <ul style="list-style-type: none"> • Biodiversity and water management; • Cumulative impacts (especially of off-shore wind farms); • Climate change in EIA and SEA; • Marine ecosystems and protected marine areas; • Marine spatial planning and SEA; • Case studies on transboundary EIAs and SEAs, including large-scale projects and nuclear installations; • Transboundary access to justice by the public and NGOs; • Post-project analysis and monitoring; • Carbon capture and storage; 	Lead countries: Sweden, Poland, Germany[, Estonia][, Finland].		<p>(a) Seminar on “The relationship between EIA and SEA with particular emphasis on biodiversity conservation and proper water management”, on 27–28 October 2011 in Poland.</p> <p>(b) Meeting in 2012/13.</p> <p>(c) Possible further meeting in 2012/13.</p>	In kind

<i>Activity Objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements^a</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
	<ul style="list-style-type: none"> • Efficiency of resources in EIA and SEA; • Implications of the review of the EIA Directive by the EU^m on the Convention and Protocol defining “likely significant effects” under the Protocol (case studies). 				
	Eastern Europe, the Caucasus and Central Asia				Donor or in-kind contributions by beneficiary countries
	4. Subregional training courses for authorities and for NGOs.	...		...
	5. Pilot bilateral projects between countries of subregions and inter-subregional projects (energy, transboundary watercourses, mining, other), including seminars prior and during the pilot projects with the sectoral ministries, project developers, NGOs, communities and other stakeholders.	...		...
	6. Improvement of guidance on the legislative and normative issues to promote implementation of the Convention and the Protocol.	...		...
	7. Development of recommendations or guidance on implementation of the Convention in the subregion.	...		...

<i>Activity Objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements^a</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
	8. National workshops on EIA in the context of climate change, biodiversity, desertification (forming platform of collaboration with other environmental treaties). ⁿ	...		...
	[9. Development of model projects on EIA in main sectors: mining and processing , watercourses]. ^o	[Lead country: Uzbekistan]		...	
	10. Seminars (twice per year) for all countries of Eastern Europe, the Caucasus and Central Asia for the exchange of information and good practice between all States, followed by the dissemination of seminar results in each country, including to the public and NGOs. Themes: (a) Exchange among those countries that reformed their national legislation and have experience in strengthening their professional potential (invite experts from EU, for example); (b) On EIA, nature protection areas and mining, and guidance on sectors [such as mining, energy and construction].	(a) Lead countries: Ukraine, Uzbekistan, ... (b) Lead country: Ukraine. Dissemination of seminar results: All countries of Eastern Europe, the Caucasus and Central Asia.		(a) ... (b) 2012.	
	11. Publications: National reviews of EIA systems with regard to implementation of the Convention.	...		...

<i>Activity Objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements^a</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
	12. Translation into national languages of guidance on subregional cooperation and practical application of the Convention.	Lead country: Armenia.		...	
	13. Conference on climate change and EIA, Republic of Moldova.	Lead country: Republic of Moldova, with the support of the secretariat.		...	
	14. Conference "Silk Road: development and environmental protection in EIA", Uzbekistan.	Lead country: Uzbekistan.		...	
Exchange of good practices	Workshops or half-day seminars within meetings of the Working Group on:		From each workshop or seminar, a brief, clear document presenting advice on the most important identified problems for the theme in question.		\$40,000 (approximately \$10,000 per seminar, with up to four seminars)
Shared knowledge and experience in appropriate legislation for implementation of the Convention and the Protocol, leading to better national legislation and application.	[1. Projects with long-range transboundary impacts/risk of accidents, especially nuclear energy-related activities.]	[Lead country: ...]		...	
Improved implementation and application of the Convention and the Protocol by learning from Parties' experiences.	2. Climate change in EIA and SEA, both adaptation and mitigation, including carbon capture and storage.	Lead country: [EU member State], REC-CEE ^p (subject to availability of funding)		...	

<i>Activity Objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements^a</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
Awareness-raising on the Convention, its amendments and its ratification.	3. Biodiversity;	Lead country: Belgium, with support of EC ^q		2013.	
	4. Renewable energy: wind farms, renewable fuels (including biomass) and large-scale solar;	Lead country: Poland [and Portugal], with support of REC-CEE (subject to availability of funding) ...		Spring 2013.	
Promoting ratification and application of the Protocol on SEA			Ratifications and other outcomes specified below.		
Ratification, full legal implementation and practical application of the Protocol.	1. Maintenance of the Resource Manual, including its health annex.	Lead: secretariat with the support of WHO	Electronic publication of the Resource Manual.	Ongoing.	
Increased professional skills of officials, and increased awareness of the public, including NGOs, as well as of officials at all relevant administrative levels in relation to SEA and to the application of the Protocol.	2. Elaboration of compact and simplified version of the Resource Manual that focuses on the practical application of the Protocol.	Lead: secretariat with the assistance of an editorial group comprising, Austria, the Netherlands, EC, WHO ^r and REC-CEE ...	A compact and simplified version of the Resource Manual (in paper and digital forms).	...	
Increased exchange of information and experience in the application of the Protocol.	3. Preparation of two-page informal pamphlets on key issues in SEA practice (e.g., how to diversify alternatives, stakeholder engagement, assessment tools, and health and SEA). ^s	Lead organization: the International Association for Impact Assessment, with the support of WHO, SEA and health experts, and the secretariat.	Informal pamphlets on key issues.	Ongoing	

<i>Activity Objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements^a</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
	4. Workshops, including training, on the application of the Protocol for countries in the UNECE region and other Parties to the Protocol, in particular countries of South-Eastern and Eastern Europe, the Caucasus and Central Asia.	Lead country: organizing country (for training: Armenia, Belarus, Georgia, Republic of Moldova, Russian Federation, Ukraine [and countries of Central Asia]), with support of experts from Austria and Slovenia, and from REC-CEE and WHO (subject to the availability of funding) ... invited to share their experience. ^f	Workshop and training reports.	...	
	5. Pilot SEAs in selected countries, in selected sectors.	Lead countries: Republic of Moldova, [Sweden, for maritime plans]... [with named sector/policy/strategy for each], in collaboration with WHO, where relevant. ^g	Project reports.	Pilot project in the Republic of Moldova: 2012. ...	
	6. Preparation of a format for SEA notification.	Lead: secretariat with assistance of an editorial group comprising Austria, Germany ...	Format for SEA notification.	...	

<i>Activity Objectives</i>	<i>Method of work (sub-activities)</i>	<i>Organizational arrangements^a</i>	<i>Expected outcome</i>	<i>Time schedule</i>	<i>Budget</i>
	7. Development of legislation on SEA.	Lead country: Republic of Moldova.	Draft legislation.	2013.	
	8. Joint workshop on public participation in SEA in accordance with the Protocol and article 7 of the Aarhus Convention.	Lead: Bureau in collaboration with Task Force on Public Participation in Decision-making under the Aarhus Convention.	Workshop report.	2013.	

^a The Bureau proposes deletion of any sub-activity for which there are no organizational arrangements.

^b Sixth session of the Meeting of the Parties to the Convention.

^c Second session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol.

^d Proposal by the World Health Organization, through its Regional Office for Europe, that it be included to ensure health is adequately addressed in the questionnaire.

^e Proposal by the Implementation Committee, supported by the Bureau.

^f Proposal by WHO that it be included to ensure health is adequately addressed in country-specific performance reviews.

^g United Nations Economic Commission for Europe.

^h Non-governmental organizations.

ⁱ Strategic Environmental Assessment.

^j Environmental Impact Assessment.

^k The Bureau proposes this sub-activity to replace the already-carried-out seminar on EIA of a large-scale energy project. This proposal has also been informally supported by Greece, Montenegro and Romania, but not as lead countries.

^l United Nations Environment Programme.

^m European Union.

ⁿ The Bureau proposes that this sub-activity, addressing domestic rather than transboundary EIA, not be included in the workplan.

^o The Bureau proposes that this sub-activity, addressing domestic rather than transboundary EIA, not be included in the workplan.

^p All support proposed by the Regional Environmental Centre for Central and Eastern Europe is subject to the availability of funding.

^q European Commission.

^r WHO proposes support.

^s WHO proposes inclusion of health issues, with support from WHO and health experts.

^t The German Agency for International Cooperation (GIZ) is unable to provide support to this sub-activity.

^u WHO proposes support of pilot SEAs, where relevant.

Draft decision V/10

(to be considered by the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context at its fifth session)

Draft decision I/10

(to be considered by the 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 at its first session)

Budget, financial arrangements and financial assistance

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,

Recalling decision III/10 of the Meeting of the Parties to the Convention on the budget and financial arrangements for the period up to the fourth session of the Meeting of the Parties,

Recognizing the wish of the Parties for a high degree of transparency and accountability,

Welcoming the biannual financial reports prepared by the secretariat since the fourth session of the Meeting of Parties to the Convention, with biannual reporting best addressing the schedule of the meetings of the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment, 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, as well as national budgeting cycles,

Recognizing with appreciation the contributions made in cash and in kind to the budget in the period between the fourth and fifth sessions of the Meetings of the Parties to the Convention,

Seeking to facilitate willingness of donor countries to make further contributions, as well as assisting financial and project management,

Believing that the Parties should be informed in a timely manner of the status and developments in the financing of activities under the Convention and the Protocol,

Also believing that the financing of activities under the Convention and the Protocol should be distributed among as many Parties and non-Parties as possible,

Aware of the importance of wide participation by the Parties in its activities in order to ensure progress,

Aware also of the need to facilitate the participation of certain countries with economies in transition that may otherwise not be able to take part,

Recalling the amendment to the Convention (decision II/14 of the Meeting of the Parties to the Convention) which allows United Nations Member States not members of United Nations Economic Commission (UNECE) for Europe to accede to the Convention,

and recalling article 23, paragraph 3, of its Protocol which allows United Nations Member States not members of UNECE to accede to the Protocol,

1. *Confirm* the system of shares endorsed by decision III/10 of the Meeting of the Parties to the Convention, whereby countries choose to make contributions equivalent in value to a number of shares of the budget;

2. *Adopt* the report prepared by the secretariat on the budget and financial arrangements in the period since the fourth session of the Meeting of the Parties to the Convention, as appended to this decision;

3. *Decide* that activities under the workplan for the period up to the sixth session of the Meeting of the Parties to the Convention, and the second session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol, which are not covered by the United Nations regular budget should be covered by contributions of 1,135 shares of 1,000 United States dollars each, of which 470 shares would cover the core (priority 1) requirements and 665 shares would cover the remaining non-core (priority 2) requirements;

4. *Agree* the budget of the Convention and its Protocol for the period up to the sixth session of the Meeting of the Parties to the Convention and the second session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol, as set out in the table below;

5. *Also agree* that contributions shall be allocated to the budgets of the individual items in the table below in the order of priority set for each item unless and to the extent that a contributor specifies that a contribution should be allocated to a particular item in the table; where funds remain after the completion of such items, the surplus shall be transferred to the overall budget to be spent on the items in the table below in the order of priority set for each item;

6. *Request* that Parties seek to transfer their contributions to the UNECE Trust Fund on Local Technical Cooperation (Espoo Convention) as early as possible in their budget year, so as to provide greater certainty for future financial and project management;

7. *Encourage* Parties that have so far not pledged anything to make contributions during the current and future budget cycles, and request the Bureau to contact such Parties for this purpose;

8. *Also encourage* Parties that have so far only committed limited funds or in-kind contributions to raise their contributions during the current and future budget cycles, and request the Bureau to contact such Parties for this purpose;

9. *Request* the secretariat to continue to prepare and submit to the Bureau biannual reports with the view to assist in preparing the report to the sixth session of the Meeting of the Parties to the Convention and the second session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol, as requested in paragraph 13 below, and further request the Bureau to consider the biannual reports prepared by the secretariat and to agree their circulation to the Parties;

10. *Also request* the secretariat to include in the biannual reports information on the resources available (including in-kind contributions and United Nations programme support) and the expenditure on each item specified in the budget, as well as highlighting significant developments;

11. *Further request* the secretariat to provide Parties with timely reminders concerning outstanding pledges;

12. *Decide* that the Bureau shall be able to propose limited adjustments to the budget, up to a maximum of 10 per cent, where such adjustments are necessary before the next meeting of Parties, provided that Parties are promptly informed of such adjustments

and given the opportunity to comment both in writing at the time and at the next meeting of the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment, at which time Parties should be invited to indicate confirmation of the adjustments;

13. *Request* the secretariat, in accordance with the financial rules of the United Nations, to monitor the expenditure of the funds and to prepare a report for the next meeting of the Parties, based on the information contained in the biannual reports and giving a clear indication of the significant developments during the period in order that Parties can best meet future demands for resources under the Convention and its Protocol;

14. *Also request* the secretariat to seek additional staff funded by the regular budget of the United Nations to provide long-term and stable secretariat functions;

15. *Decide* that the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment shall prepare a further draft decision on financial arrangements for adoption at the sixth session of the Meeting of the Parties to the Convention and the second session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol, based on experience gained in the meantime under the financial arrangements adopted by this meeting, and request the Bureau, possibly with the support of a small group, to develop a strategy for carrying out the work under the Convention and the Protocol given the financial constraints;

16. *Call upon* countries with economies in transition to finance to the extent possible their own participation in the activities under the Convention and its Protocol in order to ensure that the limited funds available are used efficiently;

17. *Urge* Parties and encourage non-Parties and relevant international organizations to contribute financial resources to enable countries with economies in transition and non-governmental organizations to participate in the meetings under the Convention and its Protocol;

18. *Decide* that securing proper staffing of the secretariat has priority above financial support to participants in formal meetings and that, among participants, priority should be given to representatives of Parties, then of non-Parties and then of non-governmental organizations;

19. *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;

20. *Request* the secretariat to grant, subject to the availability of funds, financial assistance for the participation in meetings under the Convention and under its Protocol of designated experts from non-governmental organizations identified in a list to be drawn up by its Bureau, subject to a maximum of five such experts, unless otherwise decided by the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment;

21. *Decide* that its Bureau shall, depending on the availability of funding and subject to priority being given to funding the workplan, examine requests for possible financial assistance for the participation in meetings under the Convention and its Protocol by representatives and experts from States outside the UNECE region.

Budget for the implementation of the Convention and its Protocol for the period up to the sixth session of the Meeting of the Parties to the Convention and the second session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol, for activities to be funded from the Convention Trust Fund or by in-kind contributions

<i>Activity</i>	<i>Priority</i>	<i>Notes/sub-activities</i>	<i>Unit</i>	<i>Cost per item per unit (shares)</i>	<i>Cost per unit (shares)</i>	<i>Number of units over three years</i>	<i>Total cost over three years (shares)</i>
Organizational activities (with most meetings taking place in Geneva)							
Sixth session of the Meeting of the Parties to the Convention and the second session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol	2	Participation of countries with economies in transition (CITs)	Meeting	40	90	1	90
	2	Participation of non-governmental organizations		20			
	2	Invited speakers		10			
	2	Participation of non-UNECE countries		20			
Meetings of the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment	2	Participation of CITs	Meeting	20	40	3	120
	2	Participation of non-governmental organizations		10			
	2	Participation of non-UNECE countries		10			
Bureau meetings (free standing)	2	Participation of CITs (Bureau members)	Meeting		5	4	20
Meetings of the Implementation Committee	2	Participation of CITs (Committee members)	Meeting		5	8	40
Informal translations of informal papers for meetings listed above	2		Meeting		5	13	65
Promotion of contacts with countries outside the UNECE region (with reporting of results to Working Group)	2	Travel of secretariat and Chair	Mission		5	5	25
External expert to provide secretariat support for the implementation of the Convention and the Protocol ^a	1	External expert (United Nations Standard Salary Cost, including net salary, taxes and common staff costs)	Year		150	3	450
Further secretariat support for the implementation of the Convention and the Protocol	2	Consultants	Year	20	60	3	180
	2	Promotional materials		10			
	2	Secretariat travel in relation to the workplan		30			
Total (organizational)							990

<i>Activity</i>	<i>Priority</i>	<i>Notes/sub-activities</i>	<i>Unit</i>	<i>Cost per item per unit (shares)</i>	<i>Cost per unit (shares)</i>	<i>Number of units over three years</i>	<i>Total cost over three years (shares)</i>
Substantive activities (see corresponding workplan for details)							
Compliance with and implementation of the Convention and the Protocol	2	Informal translations of submissions				3	10
	1	Drafting of review of implementation	Consultant			20	20
	2	Country-specific performance reviews	Review	25		3	75
Exchange of good practices	2	Workshops or half-day seminars	Seminar	10		4	40
Total (substantive)							145
Grand total (in shares, 1 share = \$1,000)							1 135

^a Including coordination of capacity-development, development and maintenance of website, modification of questionnaire, drafting of review of implementation and of other documents.