



Economic and Social Council

Distr.: General
21 February 2013

Original: English

Economic Commission for Europe

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

Working Group on Environmental Impact Assessment and Strategic Environmental Assessment

Second meeting

Geneva, 27–30 May 2013

Item 1 of the provisional agenda

Adoption of the agenda

Annotated provisional agenda for the second meeting

To be held at the Palais des Nations, Geneva, starting at 10 a.m.
on Tuesday, 27 May 2013*

I. Provisional agenda

1. Adoption of the agenda.
2. Status of ratification.

* Delegates are requested to complete the registration form available from the website of the Convention on Environmental Impact Assessment in a Transboundary Context (<http://www.unece.org/env/eia/mtgs/wg.2-1.html>) 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 elizabeth.james@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 6307.

3. Compliance and implementation.
4. Exchange of good practices:
 - (a) Seminar on biodiversity in environmental impact assessment and strategic environmental assessment;
 - (b) Other activities foreseen in the workplan;
 - (c) Application of the Convention on Environmental Impact Assessment in a Transboundary Context to nuclear energy-related activities;
 - (d) Practices in States outside the region.
5. Subregional cooperation and capacity-building.
6. Promoting ratification and application of the Protocol on Strategic Environmental Assessment.
7. Inputs to related international processes.
8. Budget, financial arrangements and financial assistance:
 - (a) Budget and financial arrangements;
 - (b) Financial assistance to representatives of countries with economies in transition, non-governmental organizations and countries outside the region.
9. Preparations for the sixth session of the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context and the second session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol.
10. Staffing of the secretariat
11. Other business.
12. Presentation of the main decisions taken and closing of the meeting.

II. Annotations to the provisional agenda

1. Adoption of the agenda

Tentative timing: Monday, 27 May, 10–10.15 a.m.

1. The present document, setting out the provisional agenda for the second meeting of the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment, was prepared by the secretariat in agreement with the Bureau under the Convention on Environmental Impact Assessment in a Transboundary Context and its Protocol on Strategic Environmental Assessment. The Chair of the Working Group will invite the Working Group to adopt its agenda as set out herein.

2. Status of ratification

Tentative timing: Monday, 27 May, 10.15–11 a.m.

2. The secretariat will report on the status of the Convention and its two amendments. Delegations will be invited to report on planned ratifications. The Chair will invite each Party to the Convention that has not ratified the two amendments to report on its preparations for ratification.

3. The secretariat will also report on the status of the Protocol. Delegations will be invited to report on planned ratifications. The Chair will invite each Signatory State that has not ratified the Protocol to report on its preparations for ratification.

4. The Bureau will be invited to propose further actions that might be taken to encourage accession to or ratification of the Convention and Protocol and, in particular, to facilitate the entry into force of the two amendments to the Convention.

3. Compliance and implementation

Tentative timing: Monday, 27 May, 11 a.m.–1 p.m. and Tuesday, 28 May, 3–4.30 p.m.

5. The Chair of the Implementation Committee will report on compliance and implementation. She will present the reports of the Committee's twenty-fifth and twenty-sixth sessions (ECE/MP.EIA/IC/2012/4 and ECE/MP.EIA/IC/2012/6, respectively). She will also report on the Committee's follow-up activities to decision V/4 of the Meeting of the Parties to the Convention regarding Ukraine (ECE/MP.EIA/15, decision V/4, paras. 17–26), on submissions that the Committee is considering and on Committee initiatives. In addition, the Chair will report on the Committee's recommendation to the Bureau and the Working Group to consider establishing an ad hoc group to prepare proposals for the sixth session of the Meeting of the Parties to the Convention regarding the implementation of the Convention by Armenia and Azerbaijan, including the possible designation of an intermediary and the use of new communication technologies. The Working Group Chair will present the views of the Bureau on this issue. The Working Group is expected to decide whether to establish the group and agree on possible other actions for assisting the two Parties.

6. The secretariat will inform the Working Group of its efforts to arrange for a review of the text of the three authentic language versions of the Convention (English, French and Russian) by the United Nations to list all inconsistencies in them. As decided by the Working Group at its first meeting, the listed inconsistencies will be submitted to an ad hoc task force comprised of lawyers and native speakers of English, French and Russian which will prepare proposals for the consideration of the Working Group and the Implementation Committee with a view to bringing the three language versions into line. The Working Group is invited to agree on further actions to be taken in this regard.

7. The secretariat will report on the receipt of completed questionnaires on the implementation of the Convention and the Protocol in the period 2010–2012 (see ECE/MP.EIA/SEA/2, decision V/9–I/9) and on the timetable for the production of the draft fourth review of implementation of the Convention and the draft first review of implementation of the Protocol. Taking into account the proposals by the Bureau, the Working Group is expected to provide guidance to the secretariat for the production of reviews of implementation that are substantially shorter than the past reviews, including by agreeing on aspects and articles to be focused on.

8. The secretariat will also report on its promotion of the use by international financial institutions of a checklist prepared by the European Bank for Reconstruction and Development (decision V/4, para. 16) and on its development of a consolidated list reflecting common practice of those institutions.

9. A consultant to the secretariat will present a draft general guidance on resolving a possible systemic inconsistency between the Convention and environmental assessment within the framework of State ecological expertise in place in several countries in Eastern Europe, the Caucasus and Central Asia (see decision V/9–I/9). The Working Group, and in particular representatives of the countries concerned, will be invited to comment and to provide input to the draft with a view to its finalization.

4. Exchange of good practices

(a) Seminar on biodiversity in environmental impact assessment and strategic environmental assessment

Tentative timing: Monday, 27 May, 3–6 p.m.

10. The lead country for this activity, Belgium, will be invited to chair a seminar on biodiversity in environmental impact assessment (EIA) and strategic environmental assessment (SEA) (see decision V/9–I/9). Detailed information on the seminar will be made available in advance. The Working Group is expected to decide on follow-up actions based on the seminar outcomes.

(b) Other activities foreseen in the workplan

Tentative timing: Tuesday, 28 May, 10–10.30 a.m.

11. The Working Group Chair will present proposals by the Bureau for the organization of workshops or half-day seminars specified in the workplan that relate to the exchange of good practices on the long-range impacts of nuclear energy-related activities and on renewable energy. Lead countries will be invited to describe their plans for the organization of the events. The Working Group is expected to reach an agreement on the timing of the events and to discuss their main contents.

(c) Application of the Convention on Environmental Impact Assessment in a Transboundary Context to nuclear energy-related activities

Tentative timing: Tuesday, 28 May, 10.30 a.m.–12.30 p.m.

12. Based on the discussions at its previous meeting, and taking into account the recommendations by the Bureau, the Working Group is expected to agree on actions to assist Parties in their application of the Convention to nuclear energy-related activities, including the development of guidance to codify practical experience and the collection of case studies. In particular, it will be invited to consider establishing a drafting group for the development of draft guidance in this area for consideration by the Working Group at its third meeting, in November 2013.

(d) Practices in States outside the region

Tentative timing: Tuesday, 28 May, 12.30–1 p.m.

13. The Chair will invite representatives or experts from States outside the ECE region that are participating in a meeting under the Convention or its Protocol for the first time to present briefly the EIA and SEA systems and practices in their country.

5. Subregional cooperation and capacity-building

Tentative timing: Tuesday, 28 May, 4.30–6 p.m.

14. Lead countries and the secretariat will be invited to report on subregional cooperation and capacity-building activities carried out since the previous meeting of the Working Group. These are expected to include a subregional workshop for the Baltic Sea areas and the preparation of a pilot project involving Belarus and Ukraine.

15. Lead countries and the secretariat will report on progress in organizing other activities for subregional cooperation and capacity-building foreseen in the workplan.

16. The delegation of Romania, which is the depository for the multilateral cooperation agreement among the countries of South-Eastern Europe for implementation of the Convention, is expected to report on the status of the agreement. The agreement was signed by ministers from the subregion during the fourth session of the Meeting of the Parties to the Convention. The countries of South-Eastern Europe will be invited to report on actions taken to increase the membership of the agreement and on arrangements for the first meeting of the Parties to the agreement.

6. Promoting ratification and application of the Protocol on Strategic Environmental Assessment

Tentative timing: Wednesday, 29 May, 10 a.m.–1 p.m.

17. The secretariat will report on the status of the electronic publication, *Resource manual to support application of the Protocol on Strategic Environmental Assessment*, including its health annex (ECE/MP.EIA/17), which the secretariat was mandated to maintain. It will also report on the publication of a compact and simplified version of the resource manual that focuses on the practical application of the Protocol (ECE/MP.EIA/18).

18. The representative of the International Association for Impact Assessment will be invited to report on the preparation of two-page informal pamphlets on key issues in SEA practice as outlined in the workplan.

19. The secretariat and involved countries will be invited to report on progress in organizing workshops, including training, on the application of the Protocol, in particular for countries of South-Eastern and Eastern Europe, the Caucasus and Central Asia. They will also be invited to report on progress in organizing pilot SEAs.

20. Lead countries and the secretariat will report on progress in organizing other activities for subregional cooperation and capacity-building foreseen in the workplan.

21. The secretariat and involved countries will be invited to report on the development of legislation on SEA, and on future plans for such development.

22. The secretariat and a member of the Bureau will report on the outcomes a joint workshop on public participation in SEA in accordance with the Protocol and article 7 of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), held in Geneva on 29 and 30 October 2012, as well as on the preparation of draft good practice recommendations on public participation in SEA under the guidance of the Bureau. The Working Group is expected to comment the draft recommendations (ECE/MP.EIA/WG.2/2013/3) and agree on their further development.

23. Delegations will be invited to propose cases in which the Protocol has been applied and that could be described in case study fact sheets to be published by the secretariat.

7. Inputs to related international processes

Tentative timing: Wednesday, 29 May, 3–3.30 p.m.

24. The Chair of the Implementation Committee or the secretariat will inform the Bureau on outcomes of the first meeting of an informal network of the chairs of the compliance and implementation bodies under the ECE multilateral environmental

agreements (MEAs), to be held in Geneva on 25 March 2013 to exchange ideas and experience on the procedural and operational aspects of the compliance and implementation work.

25. The Chair will be invited to report on the outcomes of an informal meeting of the chairs and vice-chairs of the bureaux of the ECE MEAs and the Committee on Environmental Policy, to be held in Geneva on 27 February 2013. The Working Group is invited to comment the proposals by the joint meeting, notably as regards sustainable financial arrangements under the ECE treaties.

8. Budget, financial arrangements and financial assistance

(a) Budget and financial arrangements

Tentative timing: Wednesday, 29 May, 3.30–5.30 p.m.

26. The secretariat will present the biannual financial report for the period to 31 December 2012 (ECE/MP.EIA/15, decision V/10–I/10, para. 10). The secretariat will also highlight the contributions made to the trust fund of the Convention, including any outstanding pledges.

27. The Chair will be invited to report on the further measures proposed by the Bureau to encourage Parties, in particular Parties that have so far not made pledges, to make contributions, and to 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 (decision V/10–I/10, paras. 8–9).

28. The Chair will be invited to report on the Bureau's efforts to develop, a strategy for carrying out the work under the Convention and the Protocol given the financial constraints (decision V/10–I/10, para. 16). The Working Group is expected to comment on draft elements for a financial strategy prepared by the secretariat in agreement with the Bureau. It will be invited to agree on the further development of the draft financial strategy, considering also the proposals on financial arrangements discussed by the joint bureaux meeting (under item 6 above).

29. The secretariat will report on the results of any travel outside the ECE region.

(b) Financial assistance to representatives of countries with economies in transition, non-governmental organizations and countries outside the region

Tentative timing: Wednesday, 29 May, 5.30–6 p.m.

30. The Chair will report on any support being provided to representatives and experts from States outside the ECE region (decision V/10–I/10, para. 22).

9. Preparations for the sixth session of the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context and the second session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol

Tentative timing: Thursday, 30 May, 10 a.m.–1 p.m.

31. The Chair of the Bureau and the secretariat will report on the practical arrangements for 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, scheduled to be held in Ukraine in May or June 2014. The Working Group will be invited to consider the proposal of the Bureau to hold the next sessions of the Meetings of the Parties in Kyiv from 2 to 5 June 2014, and to agree on a date for the Meetings.

32. The Chair will present an initial list of draft decisions that might be considered by the Meetings of the Parties at their next sessions. The Working Group is invited to provide its feedback and to request that the Bureau prepare, with the support of the secretariat, for consideration by the Working Group at its next meeting, all draft decisions to be considered by the Meetings of the Parties in 2014, except that on the review of the compliance to be drafted by the Implementation Committee.

33. Delegations, individually or in groups, will be invited to evaluate implementation of the current workplan and, on that basis, to make proposals on possible elements for the workplan to be adopted at the next sessions of the Meetings of the Parties. Delegations are also invited to consider the costs associated with the proposed activities and to propose possible sources of funding. In addition, they may wish to take into account the interface and possible synergies between activities for the Convention and its Protocol. The Working Group is expected to decide on the further development of the draft workplan.

34. The Chair will invite delegations to make proposals on attracting high-level representation in the next sessions of the Meetings of the Parties and on enriching the agenda, for example by holding side events, signing bilateral agreements or making common declarations. The Working Group will also be invited to consider proposals of the Bureau in this respect, for example on holding discussions on impact assessment of energy-related issues, including pipelines, shale gas, nuclear energy and renewables.

35. The Chair will ask delegations to come forward in the next Working Group meeting with nominations for officers for the next intersessional period, that is, four Vice-Chairs of the Working Group, three members of the Bureau and four members of Implementation Committee. Additional new members of the Committee may need to be nominated depending on whether Committee members are Parties to the Protocol, but these additional members will be nominated by the Meeting of the Signatories to the Protocol.

10. Staffing of the secretariat

Tentative timing: Thursday, 30 May, 3–3.30 p.m.

36. The secretariat will report on any staff changes that have occurred since the last meeting of the Working Group or that are anticipated.

11. Other business

Tentative timing: Thursday, 30 May, 3.30–4 p.m.

37. Delegations wishing to raise other business should contact the Chair and the secretariat as soon as possible.

12. Presentation of the main decisions taken and closing of the meeting

Tentative timing: Thursday, 30 May, 4–5 p.m.

38. The Working Group is expected to agree on the main decisions taken at the session, to authorize the secretariat to complete the report after the session under the guidance of the Chair, and to confirm the date and venue of its next meeting, before formally closing the second meeting of the Working Group.

