

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

Bureau

Athens, 30– 31 January 2014

Provisional annotated agenda

To be held in Athens¹, starting at 09.30 a.m. on Thursday, 30 January 2014

I. Provisional agenda

- I. Organizational matters.
 - A. Adoption of the agenda
 - B. Participation
- II. Status of ratification of the Convention, its amendments and its Protocol.
- III. Implementation of the workplan 2011–2014.
 - A. Compliance with and implementation of the Convention and the Protocol.
 - B. Subregional cooperation and capacity-building.
 - C. Exchange of good practices.
 - D. Promoting ratification and application of the Protocol.
- IV. Budget, financial arrangements and financial assistance.
- V. Preparations for the next sessions of the Meetings of the Parties (MOP-6 and MOP/MOP/2)².
 - A. Practical arrangements

¹ The meeting will be held at the premises of the Association of Greek Regions (Meogeion Ave 15, 115 26 , Athens; tel.: 213 2144700; fax: 210 7778992, e-mail: info@enpe.gr). It will be expected to close on Friday, 31 January 2014 by 3 p.m.

² MOP-6: Sixth session of the Meeting of the Parties to the Convention;
MOP/MOP-2: Second session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol on Strategic Environmental Assessment

- B. Outstanding issues:
 - 1. Draft workplan 2014-2017;
 - 2. Proposals to align the three language versions of the Convention;
 - 3. Other draft decisions to be forwarded to the MOPs on:
 - 4. Draft declaration
- C. Programme for the MOP-6 and MOP/MOP-2, panels, seminars and side-events;
 - 1. Chairs of the MOP-6 and MOP/MOP-2
 - 2. Provisional agendas for the two MOPs
 - 3. High-level segment
 - 4. Seminar on renewable (wind and hydro) energy
 - 5. Side-events.
- D. Financial assistance priorities.
- VI. Future Bureau members, Vice-Chairs of the Working Group; members of the Implementation Committee.
- VII. Provisional schedule of meetings in 2014–2017
- VIII. Other business.
- IX. Presentation of the main decisions taken and closing of the meeting.

II. Annotations to the provisional agenda

I. Organizational matters

Tentative timing: Thursday, 30 January, 9.30-9.45

A. Adoption of the agenda

1. This provisional agenda was prepared by the secretariat in agreement with the Chairs. The Bureau will be invited to adopt its agenda as set out in the present document.

B. Participation

2. The Bureau will be informed that due to changes in his functions, Mr. A. Vesic, the member nominated by Serbia, will no longer serve in the Bureau and that the Government of Serbia will not replace him due to the expiry of his mandate in June 2014.

II. Status of ratification of the Convention, its amendments and its Protocol

Tentative timing: Thursday, 30 January, 9.45-10

3. The secretariat will inform the Bureau of the status of ratification of the Convention, its amendments and the Protocol (ECE/MP.EIA/B/2014/INF.2). The Bureau members are expected to report on progress of their countries regarding ratifications and to discuss possible measures to further encourage ratification and accession, in particular to facilitate the entry into force of the two amendments.

III. Implementation of the workplan 2011-2014³

Tentative timing: Thursday, 30 January, 10-11.30

A. Compliance with and implementation of the Convention and the Protocol

4. The Chair of the Implementation Committee is expected to present the main outcomes of the Committee's twenty-seventh, twenty-eighth and twenty-ninth sessions (held on 12–14 March, 10–12 September and 10–12 December 2013, respectively)⁴ as well as the main objectives for the Committee's upcoming session (25–27 February 2014), where the Committee is expected to finalize its input to the sixth session of the Meeting of the Parties to the Convention (MOP-6) and the second session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol (MOP/MOP-2), including the draft decisions on compliance; proposals for the review of its structure,

³ See document ECE/MP.EIA/B/2014/INF.3 on Implementation of the workplan activities

⁴ Reports on the Implementation Committee's sessions held in 2013 are available at:

<http://www.unece.org/index.php?id=7113>

functions and operating rules; and the report on its activities during the intersessional period 2011–2014.

5. The secretariat will report on the implementation of activities in the workplan (decision V/9–I/9) that relate to compliance with and implementation of the Convention and the Protocol, including:

(a) Production of the draft fourth review of implementation on the Convention and the draft first review of implementation of the Protocol (in the period 2010–2012);

(b) Development of general guidance for enhancing consistency between the Convention and environmental impact assessment within the framework of State ecological expertise;

(d) Pre-accession legislative assistance provided to Belarus and the Republic of Moldova to implement the Protocol on SEA and to Georgia on the implementation of the Convention; as well as the plans to carry out a legislative review in Uzbekistan.

6. The Bureau is expected to note the information and provide advice on the implementation of or follow-up to the activities, as needed.

B. Subregional cooperation and capacity-building

7. The secretariat will report on the implementation of activities in the workplan that relate to subregional cooperation and capacity-building in the following subregions:

(a) South-Eastern Europe subregion;

(b) Mediterranean subregion;

(c) Baltic Sea subregion;

(d) Eastern Europe, the Caucasus and Central Asia.

8. The Bureau is expected to take note of the information and to agree on actions to ensure the implementation of these activities.

C. Exchange of good practices

9. The Chair of the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment or the secretariat will report on the outcomes of the workshop on the impacts of nuclear energy-related activities that was held during the third meeting of the Working Group (11–15 November 2013)⁵. The Bureau may comment on the outcomes and consider how to best reflect them in the planned preparation of good practice recommendations on nuclear-energy related activities. It may also refer to them under agenda item 5 B (Outstanding issues) when discussing the draft declaration.

10. The Chair of the Implementation Committee will report on the outcomes of the seminar on sharing good practice and tools for communication, cooperation and conflict resolution, in particular in the context of countries with no diplomatic relations, which she co-organized. The Bureau may comment on the outcomes and possible follow-up to this seminar. It is also invited to consider the outcomes when discussing the possible draft decision on Good practice on communication, cooperation and conflict resolution (VI/9) under agenda item 5 B (Outstanding issues).

⁵ See Co-Chairs' summary of the workshop in annex II of the report on the Working Group's third meeting (ECE/MP.EIA/WG.2/2013/7, available at: <http://www.unece.org/env/eia/mtgs/wg.2-3.html>)

D. Promoting ratification and application of the Protocol

13. The secretariat will report on the implementation of activities specified in the workplan that relate to promoting ratification and application of the Protocol:

- (a) Preparation and maintenance of guidance materials;
- (b) Holding of workshops, including training;
- (c) Organization of pilot projects;
- (e) Development of legislation on SEA.

15. The Bureau is expected to provide its views on the information provided and, as needed, agree on actions to ensure the implementation of or follow-up to these activities.

IV. Budget, financial arrangements and financial assistance (up to MOP-6)

Tentative timing: Thursday, 30 January, 11.30-12

16. The secretariat will report on the receipt of contributions to, and on expenditure from, the Convention's trust fund. The Bureau is invited to consider and comment a third draft of the biannual report covering the period from June 2011 until 31 December 2013.

17. The Bureau may wish to discuss any further measures to encourage Parties that have so far not pledged anything to make contributions, and 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).

18. The Bureau is expected to discuss as necessary limited adjustments to the budget (decision V/10-I/10, para. 13).

19. The Bureau may wish to comment on the secretariat's report on any recent or expected changes in its staffing.

V. Preparations for the next sessions of the Meetings of the Parties (MOP-6 and MOP/MOP-2)

Tentative timing: Thursday, 30 January, 12-12.30 and 14-17.30 and Friday, 31 January

A. Practical arrangements

20. The Chair of the Bureau and the secretariat will report on the practical arrangements for MOP-6 and MOP/MOP-2, to be held in Kyiv from 2 to 5 June 2014. The Bureau is invited to refer to the indicative time schedule for the preparations of the two MOPs in annex II to this agenda and, as necessary, provide guidance to ensure the effective implementation of the preparatory work.

B. Outstanding issues**1. Workplan 2014-17**

21. The secretariat will present the draft workplan for the implementation of the Convention and the Protocol for the next intersessional period 2014-17, as reviewed and revised by the Working Group, and the additional input received after the meeting

(ECE/MP.EIA/B/2014/INF.4). The Bureau is invited to examine the draft workplan in detail ensuring that for each sub-activity full information is provided on the organizational arrangements, expected outcome, timeschedule and budget. It may discuss how to address the relative lack of planned activities for countries in Central Asia. It is expected to finalize the draft workplan taking into account the comments and additions made during and after the Working Group's meeting, and forward it to MOP-6 and MOP/MOP2. It is invited to consider, inter alia, the proposal to develop an implementation guide to assist countries in implementing the Convention, which would also build on the opinions of the Implementation Committee, (similar to that prepared under the Aarhus Convention)⁶ and to attempt to identify consultancy funds for this purpose.

22. The Bureau is also invited to discuss and finalize draft decision VI/3-II/3 on the adoption of the workplan for submission to the MOPs.

2. Proposals to align the three language versions of the Convention

23. The Bureau is expected to review in detail the list of proposed corrections – of technical nature – to the text of the Convention with a view to aligning its the three language versions that was prepared by an ad hoc task force to the Working Group. Taking also into account the comments provided subsequent to the Working Group's third meeting, it is invited to agree a list of corrections to be forwarded to MOP-6 as an annex to draft decision VI/6. It is also expected to review and agree on the draft decision VI/6. (ECE/MP.EIA/B/2014/INF.5)

3. Other draft decisions to be forwarded to the MOPs

24. The Bureau is expected to review, revise and agree on the following decisions to be forwarded to the MOPs

(a) Accession by Member States of the United Nations not members of the United Nations Economic Commission for Europe (VI/5–II/5);

(b) Good practice on communication, cooperation and conflict resolution (VI/9);

4. Draft declaration

25. The Bureau is invited to consider a draft Kyiv declaration prepared by the secretariat, with initial inputs from the Lithuanian EU presidency and the European Commission on the part relating to nuclear energy-related matters (ECE/MP.EIA/B/2014/INF.6). As decided by the Working Group, the Bureau is expected to finalize the draft, and to invite the secretariat to circulate it for comments by the Working Group by late/the end of February, with a view to be finalized for submission to the MOPs in early March, in consultation with the Bureau.

C. Programme for the MOP-6 and MOP/MOP-2, panels, seminars and side-events

1. Chairs of MOP-6 and MOP/MOP-2

26. At its third meeting of the Working Group provided the nomination of Ukraine for the chair of the MOP6 (both general and high-level segments) and possibly also of MOP/MOP-2 should Ukraine have ratified the Protocol 90 days before the MOPs, i.e. by the beginning of March. Alternatively, Lithuania would chair the high-level segment of the MOP/MOP and Poland its general segment. The Chair of the Bureau and the members

⁶

http://www.unece.org/fileadmin/DAM/env/pp/ppdm/Aarhus_Implementation_Guide_second_edition_-_text_only.pdf

representing Lithuania and Poland are invited to confirm and specify the names of the nominated chairs

2. Provisional agendas for the two MOPs

27. The Bureau is expected to review and agree on provisional annotated agendas for the two MOP sessions based on drafts prepared by the secretariat taking into account the views expressed by the Working Group at its third meeting (draft ECE/MP.EIA/19 and ECE/MP.EIA/SEA/3). It may wish to ensure that the tentative timing proposed for the outstanding issues, including the workplan, the draft decisions and the draft declaration, will allow for their sufficient consideration by the MOPs in the general segment, and also discuss arrangements for possible parallel negotiations on issues that are more effectively addressed outside the plenary session.

3. High-level segment⁷

28. The Bureau may then wish to discuss in more detail the programme for the high-level segment, and agree on its timing and specific topics for the panel discussions, as well as confirm or recommend invited speakers; discuss organizational matters; and suggest a list of questions to be addressed by the invited speakers during the panel discussions and by the high-level participants in their statements.

29. It is invited to consider the secretariat's proposal to organize the high-level segment discussions in two parts (Thursday, 5 June, in the morning session) in order to address energy related matters but also to highlight the global application of the Convention and the Protocol (further to the forthcoming entry into force of the 1st amendment to the Convention and the adoption of the decision VI/5–II/5 to facilitate the accession of non-ECE countries). The high-level segment organized in this manner would contribute to raising awareness about the treaties outside the ECE region and to learning about the needs and expectations of the non-ECE countries.

The first high-level panel would showcase **good practise, lessons learned and remaining challenges in the application of the Convention and the Protocol in the ECE region, focusing in particular on the energy sector**, including transboundary cooperation on nuclear energy-related activities, pipelines (Nord Stream), dams, etc.; but covering also the role of SEAs of national energy plans in informing policies for climate change mitigation and greening the economy. The role of the two treaties in ensuring openness and transparency of stakeholder and public consultation and participation; building public trust and increasing social acceptance could also be highlighted.

The second high-level panel would **discuss needs, expectations and opportunities for non-ECE countries in view of their possible future accession to the Convention and the Protocol, and also address the role IFIs could play in promoting the required legislative reforms and the practical application of the treaties outside the ECE region**. EIB has agreed to contribute to the organization of the panel and facilitate the participation of the other IFIs (e.g. EBRD, World Bank, Asian Development Bank, and African Development Bank). Representatives other regions, including Asia, North-Africa, Middle-East, Latin-America would be invited to present their transboundary and sub-regional projects and SEA systems. All the UN Economic and Social Council Regional Commissions would also be invited.

⁷ Representatives of EIB have been invited to attend the discussions on this agenda item on Friday 31 January, in the morning. Bureau is invited to take this into account in the scheduling of its deliberations.

4. Seminar on renewable (wind and hydro) energy

30. The Bureau is expected to consider and comment the programme for the seminar for the exchange of good practices relate to renewable energy, with a focus on wind energy, which is organized by Poland (ECE/MP.EIA/B/2014/INF.7). with inputs regarding hydro-energy by Slovenia (implementation of the Protocol by Slovenia and Croatia regarding national spatial plans for hydropower plants on the Sava river) and Ukraine. Representatives of Ukraine are invited to specify the topic and the speakers for their contribution.

5. Side events

31. At its third meeting, the Working Group noted proposals by the European ECO Forum for the organization of two side events by NGOs in the margins of the MOPs. The Bureau may wish to take note of a more detailed proposal for a side event subsequently presented by a Ukrainian NGO, Ecoclub on application of the Convention to nuclear energy-related activities. It may also wish to consider encouraging the organization of further side events during the MOPs, with the understanding that the payment of equipment and other details of requirements are subject to agreement between the organizer of the side event and the host country.

6. Financial assistance priorities.

32. The Bureau may wish to confirm priorities for the financial assistance to participants from the eligible ECE countries, NGOs, non-ECE countries and invited speakers, in line with the budget agreed by previous MOPs and funds available.

VI. Future Bureau members, Vice Chairs of the Working Group, members of the Implementation Committee

33. The Bureau is invited to consider nominations of officers for the next intersessional period put forward by Parties to date (ECE/MP.EIA/B/2014/INF.8) and provide its views.

VII. Provisional schedule of meetings in 2014-2017

34. The Bureau is expected to review and agree an informal timetable of formal meetings under the Convention and the Protocol in 2014-2017 to be presented at MOP6 and MOP/MOP2 (ECE/MP.EIA/B/2014/INF.9).

VIII. Other business

35. Members of the Bureau wishing to raise other business should contact the secretariat as soon as possible.

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

36. The Bureau is expected to agree on the main decisions taken at the meeting and to confirm the date and location of its next session before the Chair formally closes the session.

Annex I : Status of draft decisions for MOP6 and MOP/MOP2

Symbol	Draft decision	Status
MOP 6		
VI/1	Reporting and review of implementation	<i>Draft MOP6 decision agreed by the Working Group at its 3rd meeting (WG-3, Nov 2013)</i>
VI/2	Review of compliance [with the Convention] In annex: Amendments to the Committee's structure and functions and operating rules	<i>First drafts commented by WG-3. Implementation Committee to finalize in 25-27 Feb 2014 for MOP6.</i>
VI/6	Aligning the authentic language versions of the Convention	<i>Bureau to review and finalize, taking into account (possible) further written comments</i>
VI/7	Application of the Convention to nuclear energy-related activities	<i>Draft MOP6 decision agreed by WG-3</i>
VI/8	General guidance on enhancing consistency between the Convention and environmental assessment within State ecological expertise in countries of Eastern Europe, the Caucasus and Central Asia	<i>Draft MOP6 decision and General guidance agreed by WG-3</i>
VI/9	Good practice on communication, cooperation and conflict resolution	<i>No consensus on the decision/its contents (opposition by Armenia), Was left for MOP6 to discuss. Bureau to review and provide its views.</i>
MOP 6 and MOP/MOP 2 in a joint session		
VI/3-II/3	Adoption of the workplan	<i>Bureau to review and finalize draft decision and the workplan taking into account further inputs and comments</i>
VI/4-II/4	Budget, financial arrangements and financial assistance	<i>Draft MOP6 decision agreed by WG-3</i>
VI/5-II/5	Accession by Member States of the United Nations not members of the United Nations Economic Commission for Europe	<i>Draft MOP6 decision agreed by WG – but contains inconsistencies and procedural errors: Bureau to review and propose amendments</i>
MOP/MOP 2		
II/I	Reporting and the review of implementation of the Protocol	<i>Draft MOP6 decision agreed by WG-3</i>
II/2	Review of compliance [with the Protocol]	<i>Implementation Committee to finalize in 25-27 Feb 2014 for MOP6.</i>
II/6	Aligning the authentic language versions of the Protocol on Strategic Environmental Assessment	<i>Draft MOP6 decision agreed by WG-3</i>
II/8	Format for notification	<i>Draft MOP6 decision agreed by WG-3 (Format agreed by WG-1)</i>
II/9	Good practice recommendations on public participation in Strategic Environmental Assessment	<i>Draft MOP6 decision and Good practice recommendations agreed by WG-3</i>

Annex II: Indicative time schedule for the preparations of MOP6 and MOP/MOP2

Activity	Responsible	Deadline/Date
Submission of documents/proposals/comments for consideration by the Bureau	Delegations, secretariat	By 28 January 2014
Meeting of the Bureau	Bureau	30–31 January 2014, in Athens
Mailing of requests for pending financial contributions in 2014	Secretariat	January–February 2014
Mailing of invitation letters – including requests for pledges for 2014–2017	Secretariat	February 2014
Creation and maintenance of webpages on practical arrangements for the MOPs	Host country	As of February 2014
Submission of documents and inputs for consideration by the Implementation Committee	Committee members, Secretariat	By 10 February 2014
30 th session of the Implementation Committee	Implementation Committee	25–27 February 2014
Finalization of the draft agendas and other official documents for MOP6 and MOP/MOP2	Secretariat	By 28 February (for agendas) and 10 March 2014 (for other documents)
Submission of (outstanding) nominations for officers (Bureau, Working Group) and members of the Implementation Committee	Delegations	By March 2014
Mailing of invitation letters (high-level segment)	Host country	March 2014
Submission of registration forms and financial support forms to ECE	Delegations eligible for financial support	By 11 April 2014
Submission of registration forms to the host country (cc to ECE)	Delegations	By 2 May 2014
Submission of credentials to ECE	Delegations	Copy to be sent before 15 May; original to be presented on arrival at the MOP sessions – before their opening.