

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

Geneva, 22– 23 October 2018

Informal notes of meeting¹

Prepared by the secretariat²

I. Organizational matters

1. The Bureau under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and its Protocol on Strategic Environmental Assessment met in Geneva, on 22 and 23 October 2018.

2. The following members of the Bureau were present: Chair of the Bureau: Mr. Kremlis (European Union), assisted by Ms. Milena Novakova; Ms. Vesna Kolar-Planinsic (Slovenia), Chair of the Working Group on EIA and SEA; and two Vice-Chairs of the Working Group: Ms. Sviatlana Kazakevich (Belarus), and Ms. Maryna Shymskus (Ukraine); Mr. Romas Svedas (Lithuania), Chair of the Implementation Committee; and Ms. Maria do Carmo Figueira (Portugal), First Vice-Chair of the Implementation Committee; Ms. Elyanora Grygoryan (Armenia); Ms. Lourdes Aurora Hernando (Spain) and Mr. Vegard Engh (Norway).

3. Ms. Seija Rantakallio (Finland) and Mr. Ruhid Damirov (Azerbaijan) were absent. The Bureau regretted the lack of information about the nomination of a new Bureau member from Azerbaijan, which was pending since the beginning of the year, and again invited Azerbaijan to nominate a member as soon as possible. It exceptionally agreed that a representative of Azerbaijan's permanent mission, Ms. Kamala Huseynli-Abishova could attend the present meeting despite the lack of advance notice from the capital on her participation. (The secretariat was informed about that only during the Bureau meeting, on 23 October).

4. The Bureau adopted its agenda, as contained in informal document ECE/MP.EIA/B/2018/2/INF.1.

¹ Available at: <http://www.unece.org/index.php?id=48976>.

² Prepared in consultation with the Bureau.

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

5. The secretariat reported on the status of ratification of the Convention, its two amendments and the Protocol on SEA. It also reported on the status of ratification of the 2008 multilateral agreement among the countries of South-Eastern Europe for implementation of the Convention (Bucharest Agreement).

6. The Bureau noted that there had been no new ratifications since the ratification by Canada of the two amendments to the Convention in April 2018. It also noted that earlier in October, Serbia informed the secretariat that it had completed its domestic steps for ratifying the Bucharest Agreement but that it was still to deposit its instrument of ratification with the foreign ministry of Romania serving as the depository of the Agreement.

7. The Bureau was concerned that further seven ratifications from the following Parties to the Convention were still needed for the first amendment to have effect: Armenia, Azerbaijan, Belgium, Greece, the Former Yugoslav Republic of Macedonia, the United Kingdom United Kingdom of Great Britain and Northern Ireland, and Ukraine. Moreover, out of the Convention Parties represented in the Bureau, Armenia, Azerbaijan, Belarus and Ukraine were still to ratify the second amendment. Considering that the second amendment had entered into force in October 2017, the Bureau stressed the importance of its ratification by all Parties to ensure the unified application of the Convention. The Bureau regretted the lack of progress by Armenia, Belarus and Ukraine in ratifying the amendments and the lack of news from Azerbaijan in that respect. It invited its members to continue to prompt their own countries and the other concerned countries to complete their ratifications as soon as possible.

8. The Bureau also agreed on the text of the invitation letters to the intermediary sessions of the Meetings of the Parties of the Convention and the Protocol (Geneva, 5-7 February 2019) from the Economic Commission for Europe (ECE) Executive Secretary, inviting all the concerned countries to ratify the Convention amendments and the Protocol and to report on progress at the intermediary sessions. Moreover, those seven Parties that have yet to ratify the first amendment, would be invited to provide by 28 January 2019 a progress report on the steps that they have taken on that regard.

III. Implementation of the workplan 2017–2020

9. The Bureau reviewed progress in implementation of the various sub-items of the present workplan for 2017–2020 under the Convention and the Protocol.³

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

1. Review of compliance

10. The Chair of the Implementation Committee reported on the Committee's finalization of draft decisions on compliance, including a general decision (IS/1) and country and issue-specific decisions (IS/1a–IS/1h), for their submission to the Meeting of the Parties to the Convention at its intermediary session. The Committee had done this in taking into account its past deliberations at its ad hoc session (Minsk, 12 June 2017), the discussions held during and in the margins of the seventh session of the Meeting of the

³ See ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1, decision VII/3–III/3

Parties to the Convention (Minsk, 13–16 June 2017), the progress made by the concerned countries since the seventh session and the comments on the draft decisions provided by the delegations of Armenia, Azerbaijan, Belarus and Client Earth during and after the seventh meeting of the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment (Geneva, 28–30 May 2018). Once issued as official documents, the secretariat would publish the draft decisions at the Convention’s website, i.e. by no later than 26 November 2018.

11. The Bureau noted that the Committee had dedicated one full year (four sessions) of its term of office to the revision of draft decision VII/2, having had to considerably delay its examination of many pending issues before it and new information received since March 2017 from other sources. The Committee would finally be able to fully focus on their consideration as of its next, forty-third, session (Geneva, 4–7 December 2018).

12. The Bureau noted the statements by the Bureau members from Armenia, Belarus and Ukraine on the procedure for preparing the draft compliance decisions regarding their own countries for consideration of the Meeting of the Parties at its intermediary session. It agreed that the countries would provide these statements in writing for inclusion into the present report (see in annex the statement received by the secretariat). The Committee Chair and Vice-Chair explained that, once the Committee had finalized the draft decisions at its last session preceding the Meetings of the Parties’ sessions, it could no longer consider and take into account any further comments from the concerned Parties but that these had to be discussed by the Meetings of the Parties. In that regard, the Bureau Chair also recalled the Working Group’s recommendation that, with a view to improving the conduct and outcomes of future sessions of the Meetings of the Parties, the Implementation Committee should avoid amending draft decisions on compliance that have been issued as official documents but have not yet been considered by the Parties. That did not however prevent the Meetings of the Parties from considering any factual issues that might have occurred in between (such as the adoption of the new legislation on environmental impact assessment by Ukraine in May 2017). The secretariat stressed that it and the treaty bodies were bound by deadlines imposed by the UN document services for processing and translating the draft documents in order to ensure their timely availability well in advance of the meetings.

13. The Bureau also noted the clarifications from the Committee’s Chair and the secretariat on the differences between “new” draft decisions on compliance matters that were yet to be considered by the Meeting of the Parties for the first time (for example draft decision IS/1h on compliance by the United Kingdom with its obligations under the Convention in respect of the Hinkley Point C nuclear plant) and “follow-up” decisions on decisions that the Meeting of the Parties had adopted at its earlier sessions (such as decision IS/1(a) on compliance by Armenia with its obligations under the Convention in respect of its national legislation that followed-up on decisions adopted by the Meetings of the Parties starting from 2008 (decisions IV/2, V/4 and VI/2)).

(a) It observed that further to its operating rules (rules 11–13), the Committee, after consideration of compliance matters submitted to it (or initiated by it), should prepare draft findings and recommendations which, in accordance to its practice are thorough documents that summarize facts, information and issues on the matter; explain the Committee’s consideration and evaluation of them; and, list its concluding findings (on whether a Party is in non-compliance with its obligations under the Convention or not) and, in the end, provide a number of recommendations to the Party/Parties in question that are submitted to the Meetings of the Parties. Once prepared, that draft findings and recommendations document must first be transmitted to the Parties involved inviting them to comment (or make representations) within a reasonable deadline, and to submit their comments through the secretariat. The Committee should then finalize the document taking

into the comments received prior to its publication as an official document. The document will be made available for information of the Meetings of the Parties, while the recommendations from that document are included into a draft decision on compliance for the Meeting of the Parties to consider adopting;

(b) The Implementation Committee is mandated to follow-up on the decisions adopted by the Meeting of the Parties. It does so, on the basis of regular progress reports and responses to its specific questions received from the concerned Parties. The outcomes of the Committee's deliberations are included in the reports on its sessions that are publicly available. The Parties concerned with follow-up decisions have ample opportunities to provide the Committee with information and to comment the Committee's conclusions on their progress throughout the intersessional period. They will also have the possibility to review and comment preliminary draft decisions that, to the extent possible, the Committee submits for information to the Working Group on EIA and SEA at its meetings that precede the sessions of the Meetings of the Parties.⁴

14. The Bureau invited the secretariat to explicitly specify in the cover page of the draft decision documents to be submitted to the upcoming session of the Meeting of the Parties whether they are follow-up decisions to previously adopted decisions or a new decision, prepared further to a Committee Initiative (since no recent submissions was made by a Party concerning the compliance with its obligations by another Party).

15. Finally, the Bureau recommended that Parties recognize and respect the Committee's thorough work in drafting decisions that aim at assisting Parties to comply fully with their obligations under the Convention.

2. Reporting and review of implementation

16. The secretariat informed the Bureau on its preparatory work for inviting Parties to report by 31 March 2019 on their implementation of the Espoo Convention and the Protocol on SEA during the period 2016–2018. The Bureau noted that the minor modifications to the previous questionnaires agreed by the Working Group at the seventh meeting had been translated into Russian and French and that the invitations to the Parties to report would be sent out by e-mail on 30 October 2018. The Bureau agreed that the secretariat, in its cover letter, recommend Parties to also provide, if available and on a voluntary basis, a scheme or a flow chart illustrating:

(a) The steps (stages) of the transboundary EIA and SEA procedures, including timeframes for notification, consultations, public participation, etc., and;

(b) The integration of these steps into national EIA and SEA procedures.

17. This information was requested with a view to improving coordination and cooperation among the Parties for the implementation of the Convention and the Protocol through facilitating the understanding of each other's national procedures and requirements. The Bureau invited the secretariat to post the possible schemes and flow charts from the Parties on the website alongside with the questionnaire responses. Finally, the Bureau noted the timetable for the preparation of the draft reviews on the implementation, including preparation of the draft sixth review of implementation of the Convention and the draft third review of implementation of the Protocol for the consideration of the Working Group at its eight session (Geneva, 26–28 November 2019).

⁴ ECE/MP.EIA/IC/2018/4, para. 8.

3. Legislative assistance

18. The Bureau noted the report from the secretariat on the ongoing and planned legislative assistance to support the implementation or ratification of the Convention and the Protocol since the meeting of the Working Group in May 2018, including:

(a) In Kazakhstan, the finalization of amendments to the national environmental law (“Environmental Code”) regarding environmental impact assessment and strategic environmental assessment and drafting secondary legislation on strategic environmental assessment (with the funding from the EU, Switzerland and OSCE); and the efforts to raise further funding for drafting secondary legislation on environmental impact assessment.

(b) In Tajikistan: ongoing reviews of the existing environmental assessment legislation vis-à-vis the requirements of the Convention and the Protocol, funded by Switzerland and Germany, with a meeting to present the preliminary outcomes of the reviews scheduled to be held in Tashkent on 22–23 November 2018;

(c) In Uzbekistan (with the funding from Germany, Switzerland and OSCE): finalization of a review of the existing environmental assessment legislation vis-à-vis the requirements of the Convention and the Protocol. Then, based on the review’s recommendations, assistance in the preparatory work for possible the future amendment of the existing environmental legislation to align it with the Convention and the Protocol, which involved a working group meeting on legal drafting held in Tashkent, on 24 and 25 October 2018. The secretariat is also raising further funds for legislative support to draft amendments to selected pieces of environmental and sectoral legislation of Uzbekistan and, as requested, to draft secondary legislation on environmental impact assessment and strategic environmental assessment.

4. Lifetime extension of nuclear power plants

19. The Chair recalled that at its seventh meeting, the Working Group on EIA and SEA had adopted terms of reference for guidance on the application of the Convention to the lifetime extension of nuclear power plants prepared by an ad hoc group established by the Meeting of the Parties in June 2017. The Working Group also extended the mandate of the ad hoc group, inviting it to work on the draft guidance based on the adopted terms of reference, taking also into account the outcomes of a workshop on the same topic held during its meeting, and to submit a written report on its progress to the intermediary session of the Meeting of the Parties.

20. The Bureau noted the initial draft progress report by the ad hoc group submitted for its information that was yet to be finalized by the Co-Chairs based on comments requested from the ad hoc group’s members by 24 October. It considered that the draft was going into the right direction and that it contained elements that were relevant. Taking into account how time consuming it had been to draft and agree on the draft the terms of reference, and how urgently the guidance itself was needed, the Bureau recommended avoiding any formal reopening of negotiations for the inclusion of additional elements into them.

21. Aware of the absences of the nominated experts from Armenia, Belarus and Ukraine in the most recent meetings of the ad hoc group, the Bureau recommended that in the future these three countries actively participate in the group with a view to improving the representation of the views of the broader UNECE region in the group and the effectiveness of the group’s work. To that end, it strongly encouraged the three countries, as a minimum, to provide comments in writing, including to the draft progress report. The Bureau members from Belarus and Ukraine confirmed that their countries were in the process of preparing written comments.

22. Considering the resource constraints that affected their capacity to attend meetings, and the unavailability of budgeted funds for unofficial meetings under the Convention and

the Protocol, the Bureau agreed to invite Parties to consider financially supporting the participation of the nominated experts from Armenia, Belarus and Ukraine. It also noted Armenia's wish for Russian translation of the ad hoc group's working documents.

23. Then, as requested by the Working Group on EIA and SEA in May, the Bureau revised and agreed on the text of draft decision IS/2 on the application of the Convention to the lifetime extension of nuclear power plants, taking into account the comments made by the Working Group. It requested the secretariat to forward the finalized draft decision to the Meeting of the Parties at its intermediary session.

24. Finally, the Bureau urged Parties to ensure the adoption of the guidance on the lifetime extension of nuclear power plants by 2020 to assist Parties in the implementation of the Convention and the Committee in the finalization of its pending deliberations on several cases on that topic.

5. Draft revised guidelines on environmental impact assessment in a transboundary context for Central Asian countries

25. The secretariat presented the draft revised guidelines on environmental impact assessment in a transboundary context for Central Asian countries, as amended based on the comments provided during and after the seventh meeting of the Working Group. The Bureau agreed on the text of the draft revised guidelines with minor additional changes.

26. The Bureau also reviewed and agreed on the text of draft decision IS/3 on the revised Guidelines, after incorporation of the changes agreed by the Working Group, and minor additional modifications.

27. It invited the secretariat to forward both the revised Guidelines and draft decision IS/3 to the Meeting of the Parties for its consideration at its intermediary session. The Bureau also recommended the use of the revised Guidelines by the Central Asian countries, as set out in the draft decision.

6. Strategy and an action plan for the future application of the Convention and the Protocol

28. The Bureau recalled that the draft decision on a possible strategy and an action plan for the future application of the Convention and the Protocol (decision VII/7–III/6 and the workplan workplan 2017–2020 (annex II to decision VII/3–III/3)) was prepared to follow-up on the brainstorming session that Austria, Finland and the Netherlands had organized during the meeting of the Working Group, in April 2016 to discuss the strategic vision and the future role and aims of the two legal instruments. The Chair also recalled that the Bureau had recommended that the preparation of a strategy be done by volunteering representatives of Parties rather than by external consultants. At its meeting in May, the Working Group had noted that recommendation and invited delegations, especially from the three countries that had organized the brainstorming session, to consider their availability to lead the development of a draft strategy and an action plan and to report to the secretariat by the end of August 2018. It had also encouraged other Parties to provide expertise for that activity and invited all volunteering Parties to contact the secretariat.

29. The Bureau welcomed the informal meeting that Austria and Netherlands had taken the initiative to organize in London, on 1 October 2018, back to back to the meeting of the ad hoc working group on the lifetime extension of nuclear power plants hosted by the United Kingdom on 2 and 3 October 2018. The aim of the meeting was to initiate the discussions on the development of the future strategy and the action plan. The informal meeting was co-chaired by representatives of Austria and the Netherlands and attended by representatives of Finland, France, Italy, Lithuania, Poland, Portugal, Romania, Slovakia, Slovenia, the United Kingdom and the European Commission. The Secretary to the Convention and the Protocol was also present.

30. The Bureau recommended the continuation of those discussions at possible additional informal meetings with a broader participation of all volunteering national focal points. It invited all Bureau members and representatives of other Parties to contribute to that work. It further recommended that an informal note be submitted for consideration of the intermediary session of the Meeting of the Parties with suggestions on the contents, the procedure and the time schedule for the development of a draft strategy and an action plan for adoption by the Meetings of the Parties of the Convention and the Protocol at their sessions, preliminarily scheduled for December 2020.

B. Subregional cooperation and capacity-building

31. The secretariat reported on the implementation of activities in the workplan that related to subregional cooperation and capacity-building, including:

(a) A subregional workshop entitled "Feasibility of the application of transboundary environmental impact assessment as a tool for "greening" economies and ensuring sustainable investments in Central Asian countries" that was held in Tashkent on 4 June 2018, back to back to Central Asian Environment Forum, attracting 22 representatives from Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan;

(b) A series of activities to raise awareness of the Central Asian countries about the benefits of SEA, including a study-tour to Germany and a sub-regional workshop, that are planned to be implemented in 2019 and 2020 in cooperation with OSCE with the expected funding from Germany;

(c) Plans by the Governments of Finland and Sweden to organize in Sweden a two-day Baltic Sea subregional meeting that had originally been scheduled for September 2018 but now postponed to Spring 2019.

C. Exchange of good practices

32. The Bureau took note of the information from the secretariat regarding the implementation of activities in the workplan that related to exchange of good practices.

33. The Bureau supported the organization of a possible seminar during the eighth meeting of the Working Group (26–28 November 2019) in connection with the planned guidance on the assessment of health impacts and the involvement of health sector in strategic environmental assessment to be developed jointly with the WHO and overseen and funded by the European Investment Bank. The Bureau reiterated its recommendation to invite also the health authorities to participate in the seminar.

34. The Bureau noted the continuous willingness of the European Commission to organize a seminar on synergies between the transboundary EIA and SEA and the UN Convention on the Law of the Sea (UNCLOS) (articles 204–206) during a meeting of the Working Group either in 2019 or in 2020.

D. Promoting ratification and application of the Protocol and the Convention

35. The Bureau took note of the report by the secretariat on the implementation of the workplan activities that related to promoting ratification and application of the Protocol and the Convention since May 2018. In particular, it noted progress in the preparation of the final event for the European Union funded project "Supporting Kazakhstan's Transition to a Green Economy Model" in Astana, on 14 November 2018, with the objective to present

the results of the legislative assistance and a pilot SEA of the plan for the development of a fuel and energy strategy for Kazakhstan until 2030

36. The Bureau also noted the secretariat's update on the preparations for a new European Union funded project "EU4Environment" that would allow to further promote the ratification and implementation of the Protocol, and as needed the Convention, in Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova and Ukraine, including in accordance with the waitlisted activities of the 2017-2020 workplan. That project was now expected to start in the first quarter of 2019.

37. The secretariat informed the Bureau about the European Investment Bank's recent reconfirmation of its funding for the development of a joint UNECE – WHO guidance on the assessment of health impacts in SEA, in accordance with the workplan. It noted that it had, jointly with WHO, identified possible consultants for that work. The Bureau welcomed the information and supported the presentation of the future draft guidance and good practice examples from countries at a possible seminar to be organized during the meeting of the Working Group in 2019, with the health sector's involvement.

38. As foreseen in the workplan, the Bureau invited the secretariat to draft informal pamphlets or "FasTips" on the Convention and the Protocol for its consideration prior to their publication by IAIA.⁵

V. Budget, financial arrangements and financial assistance

39. The Bureau considered and agreed on the first annual financial report prepared by the secretariat extending from 1 July 2017 to 30 June 2018 and invited the secretariat to post it on the website of the Convention and the Protocol. It also noted the information from the secretariat on recent contributions to the trust fund under the Convention and the Protocol.

40. The Bureau requested that in its invitation letters to the intermediary sessions of the Meetings of the Parties, the secretariat also invite Parties to provide additional contributions to the trust funds under the treaties. This was deemed necessary, including with a view to financing the extension of the intersessional period by some six months (from mid 2020 to December 2020), without any additional funds foreseen to cover for the costs of implementing and servicing the two treaties during the extended period.

41. Regarding the financial support to representatives of non-UNECE countries to the intermediary session of the Meetings of the Parties, the Bureau recalled its invitation to the secretariat to consult the Bureau on each request for funding for it to decide on them on a case by case basis taking into account the budget agreed by the Parties.

V. Preparations for the intermediary sessions of the Meetings of the Parties

42. The secretariat provided an update on the practical arrangements for the intermediary sessions of the Meeting of the Parties to the Convention and the Protocol, and the time schedule for its preparation of the meeting documentation and the invitation letters. The Bureau noted the meeting room (XVI) had been allocated for the sessions (and that the EU coordination could this time exceptionally be held in a separate room (VIII) during specific time slots.

⁵ Available at: <http://www.iaia.org/fasttips.php>.

43. The Bureau commented the contents of the secretariat's draft invitation letters, and agreed on the text to be included in them regarding ratifications and financial contributions (see paras. 8 and 40 above). The Bureau agreed that in addition to addressing them to the environment ministers the invitation letters should be copied to foreign ministers.

44. The Bureau considered and agreed on the draft agenda for the intermediary session of the Meetings of the Parties (ECE/MP.EIA/22–ECE/MP.EIA/SEA/6) that the secretariat has prepared taking into account the comments from the Working Group's seventh meeting in May 2018. It invited the secretariat to forward the draft agenda to the Meetings of the Parties at its upcoming session as an official document.

45. The Bureau considered the written proposal from the NGO Client Earth to organize a one-hour side event on transboundary EIA of coal and lignite related activities during the lunchbreak of the intermediary sessions of the Meetings of the Parties, on 6 February 2019, (tentatively from 13.30 to 14.30). The NGO intended to organize interpretation between English and Russian for the event, and possibly also catering. The Bureau welcomed the initiative of ClientEarth for the side-event.

46. Moving on to considering the Chairs of the upcoming sessions, to be elected at the sessions, the Bureau welcomed the information from the Bureau member from Norway that the Ambassador of Norway (The Permanent Representative of Norway to the United Nations Office and other international organization in Geneva), His Excellency, Mr. Hans Brattskar was willing to chair the high-level segment of the intermediary session. The Chair and the secretariat confirmed their availability to brief and assist Mr. Brattskar regarding that task. Secondly, the Chair again recalled that the Meetings of the Parties had agreed in June 2017, that he, in his capacity of the Bureau Chair would chair the general segment of the intermediary sessions.

47. The Bureau then reviewed the informal timetable of formal meetings under the Convention and the Protocol for the remainder of the present intersessional period 2019 and 2020. It agreed that it should in addition meet for 1,5 days on 17 and 18(am) June 2019 to prepare for the Working Group's eighth meeting of November 2019 and invited the secretariat to explore possibilities for booking a meeting room for these dates. Noting that obtaining an interpretation slot was unlikely, the Bureau agreed to meet in English only, if needed. Its members agreed also to explore opportunities for hosting a meeting. (*Note from the secretariat: The secretariat was subsequently able to book a room with interpretation for the requested dates*) (See annex II to the present document for the time schedule of meetings).

48. The Chair again recalled that in June 2017, the Meetings of the Parties had extended his mandate as the Chair of the Bureau until the intermediary sessions of the Meetings of the Parties. The Bureau invited Parties to make proposals for the Bureau chairmanship for the period extending from February 2019 to December 2020. In absence of such proposals, it again welcomed the availability of Mr. Kremlis to continue chairing until the eight and fourth sessions of the Meetings of the Parties to the Convention and the Protocol in December 2020.

VI. Related events

49. The Bureau noted the information from the secretariat on a first in a series of training courses for Chinese investors and Central Asian governmental officers in relation to China's Belt and Road Initiative (with a view to "greening" that initiative) organized by the UN Environment with participation of several other organizations, including the UNECE secretariats of the Espoo and Aarhus Convention and the Protocol on SEA. The

first training course that addressed Central Asian representatives was held in the UN Staff College (Turin, Italy) on 8-12 October 2018 and included a module on SEA and EIA.

VII. Other business

50. No other business was raised under the agenda item.

VIII. Presentation of the decisions and closing of the meeting

51. The meeting of the Bureau concluded on Tuesday, 23 October 2018.

52. The Bureau reviewed and agreed on the main conclusions of its meeting. It invited the secretariat to draft the informal meeting report and to circulate it for comments by the Bureau members prior to its finalization.

Annex I

Statement by Belarus on the procedure for preparing the draft compliance decisions for IS-MOP made during the Bureau meeting, Geneva, 22–23 October 2018^{6,7}

It would be an essential prerequisite to ensure successful and smooth deliberations at the upcoming MOP if the Committee provides the country Parties in question with the opportunities to comment on the respective findings or draft decisions prior to their publication as official pre-session documents of the MOP.

In fact, this is the first time the Committee finalized its consideration of the Lithuanian submission regarding Belarus.

The 6th MOP adopted interim findings of the Committee made in March 2013 and mandated the latter to further analyze the case taking into account steps undertaken by Belarus and Lithuania after the adoption of those interim conclusions.

Earlier, according to the report on the Committee's activities in the period between 6th and 7th MOP the Committee could not reach a final conclusion on the compliance of the steps taken by Belarus to reach the final decision with the provisions of the Convention.

In the report on its activities in the period between 5th and 6th MOP the Committee noted that the steps taken by both Parties, especially by Belarus since the Committee's 27th session had the potential to address the findings of non-compliance.

So, this is the first time the Committee finalized the consideration of the case after Belarus took the final decision on the activity in November 2013.

Accordingly, from the procedural perspective, Belarus shall have the right to comment on the final Committee's conclusion on compliance.

Moreover, we noticed that regarding Belarus the Committee's report on the 42nd session and its draft decision missed arguments justifying the finding of the Committee on the Belarusian NPP case, which are clear and consistent with the letter of the Convention.

For instance, we did not find in the Committee's report on the 42nd session and draft decision regarding Belarus clear and consistent with the letter of the Convention arguments justifying the finding of the Committee about Belarus' non-compliance with the Convention.

In our view the Committee's approach to the Belarusian NPP case has no legal, no practical ground. It is based neither on the letter of the Convention nor on the international good practice on its application to nuclear energy-related activities.

Therefore, we suggest that the Bureau recommends the Committee to provide the country Parties in question with the opportunities to comment on the respective findings or draft decisions by the end of October to allow the Committee and the Secretariat to timely finalize preparations for the intermediary MOP.

⁶ The present statement was submitted by the Bureau member from Belarus. Its inclusion into the annex of the informal notes of the Bureau's meeting does not imply endorsement of its contents by the Bureau, the Implementation Committee or UNECE.

⁷ The First Vice Chair of the Implementation Committee requested the insertion of a footnote stating that she "underlines, as expressed during the Bureau meeting, that the procedures applied in the Ostrovets case are in line with the rules of procedure of the Implementation Committee".

Annex II

Provisional meeting schedule⁸

<i>Year</i>	<i>Date</i>	<i>Body</i>	<i>Session/comments</i>
2018			
	22 (pm)–23 October	Bureau (stand-alone meeting)	-
	4–7 December	Implementation Committee	43
2019			
	5–7 February	Intermediary sessions of the Meetings of the Parties to the Convention and the Protocol	
	19–22 March	Implementation Committee	44
	25–26 March	<i>Ad hoc group on LTE of NPPs</i>	5 (in Geneva)
	17–18 (am) June	Bureau (stand-alone meeting)	-
	<i>June</i>	<i>Ad hoc group on LTE of NPPs</i>	6
	10–13 September	Implementation Committee	45
	<i>October</i>	<i>Ad hoc group on LTE of NPPs</i>	7
	26–28 November	Working Group on EIA & SEA	8
			<i>Document deadline, 2 September</i>
	<i>December</i>	<i>Ad hoc group on LTE of NPPs</i>	8
	10–13 December	Implementation Committee	46
2020			
	First half of February	Bureau (stand-alone meeting)	-
	February/March	Implementation Committee	47
	<i>March</i>	<i>Ad hoc group on LTE of NPPs</i>	9
	9–11 June (or 12–14 May)	Working Group on EIA & SEA	9
			<i>(Document deadline 16.3 or 17.2)</i>
	<i>June</i>	<i>Ad hoc group on LTE of NPPs</i>	10
	2–4 September	Implementation Committee	48 (Additional)
	9–11 December	Meetings of the Parties to the Convention & the Protocol	8/4
			<i>Document deadline 16 September</i>

⁸ The 2020 meeting dates must be booked by early 2019. They will remain indicative only and subject to confirmation by the UN Geneva Office in July 2019.