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ECONOMIC COMMISSION FOR EUROPE

COMMITTEE ON ENVIRONMENTAL POLICY
(Ninth session, 4 - 6 November 2002)

PROVISIONAL AGENDA FOR THE NINTH SESSION

Addendum

**PROGRESS IN THE IMPLEMENTATION OF THE PROGRAMME OF WORK
SINCE THE EIGHTH SESSION**

PROGRAMME ELEMENT		PROGRESS IN IMPLEMENTATION
Number	Title	
	Follow-up to the Regional Ministerial Meeting for the World Summit on Sustainable Development	<p>Immediately prior to the Committee's eighth session, the UNECE Regional Ministerial Meeting for the World Summit on Sustainable Development took place in Geneva. Its participants adopted a Ministerial Statement to the World Summit. Subsequently, the regional assessment report that had been prepared for the Regional Ministerial Meeting was redrafted, in part, based on comments from member States and issued as an official publication in English, French and Russian (ECE/CEP/84).</p> <p>At the World Summit on Sustainable Development (Johannesburg, South Africa, 24 August – 4 September 2002), a side event entitled “Participatory democracy and good governance as fundamental tools for a human rights approach to sustainable development” will be organized jointly by ECE, the Regional Environmental Center for Central and Eastern Europe, and the North-South Centre of the Council of Europe. It will focus on strengthening environmental rights and their contribution to sustainable development in the context of good governance and respect for human rights. A number of ministers from the ECE region and beyond as well as other high-level representatives are expected to share information on how the principles of environmental democracy may be put into practice using the Aarhus Convention as one regional example. The Executive Secretary of ECE is expected to chair the side event.</p> <p>The second session of the High-Level Meeting on Transport, Environment and Health, convened jointly by the WHO/EURO and UNECE secretariats, took place on 5 July 2002 and decided to propose Transport, Health and Environment Pan-European Programme (THE PEP) as one of the partnerships for the regional implementation of Agenda 21 to be launched at the World Summit on Sustainable Development (see programme element 3.1).</p>
FUTURE DIRECTION OF UNECE ENVIRONMENTAL POLICIES		
		Based on the request by the Committee at its eighth session, the secretariat prepared with the help of a consultant a draft of a comprehensive analytical paper on future direction of the UNECE environmental policies and presented it to the Bureau for discussion (March, July 2002). In addition, the Chairman of the Committee's Bureau prepared a discussion

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		<p>paper on environmental governance for discussion at the meetings of the Committee's Bureau and of the Working Group of Senior Officials (2 and 3 July 2002).</p> <p>The Bureau considered it important that the two papers should be looked at together, and felt that the discussion on both papers should continue also in the light of the outcome of the Johannesburg Summit and of the Secretary-General's reform proposal. To that end the Bureau decided to hold its next meeting on 11 September. It was agreed that the minutes of that meeting would serve as a basis for the discussions at the ninth session of the Committee in November alongside the above-mentioned documents. The Bureau confirmed the importance of also inviting the Bureaux of the Conventions to participate in the discussions under this item at the ninth session.</p>
PROGRAMME ACTIVITY 1: ENVIRONMENTAL PERFORMANCE REVIEWS		
1.1	The ECE environmental performance review programme	<p>New review missions were carried out in Albania (October 2001), the former Yugoslav Republic of Macedonia (February 2002) and Yugoslavia (April 2002). An EPR mission is planned for Georgia in November 2002.</p> <p>The ad hoc Environmental Performance Expert Group is scheduled to meet in Geneva on 7-11 October 2002 to carry out the expert review for Albania, the former Yugoslav Republic of Macedonia and Yugoslavia. A round table will be organized during the Committee's ninth session to discuss issues of importance common to all three countries.</p> <p>The Bureau proposed that the following two issues should be the focus of the round table: (1) the impact of decentralization on environmental management and the need for capacity building at local levels, and (2) enforcement of legislation and regulations (environmental impact assessment, permits and inspections), and the impact of the EU pre-accession process.</p>
PROGRAMME ACTIVITY 2: "ENVIRONMENT FOR EUROPE" PROCESS/ENVIRONMENTAL PROGRAMME FOR EUROPE		
2.1	Preparations for the fifth Ministerial Conference	<p>The ad hoc Working Group of Senior Officials met on 27-28 September 2001 and on 3-4 July 2002. Its Executive Committee held its fourth meeting in Kiev on 1 March 2002 and its fifth meeting in Geneva on 3 July 2002. Reports of these meetings are available. Among the major substantive issues discussed during the third meeting of the Working Group (3-4 July) were the environment strategy of the Group of 12 (newly independent</p>

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		States); environment, water and security; a strategy for environmental education; a ten-year review of the Environment Performance Reviews; and the future of the "Environment for Europe" process. The Working Group established a small drafting group to work out proposals on the future of the process. Its first meeting is scheduled for 12 September 2002.
2.2	Environmental monitoring	The Working Group on Environmental Monitoring held its meetings in February-March and August 2002 (CEP/AC.10/2002/2 and 14). It kept under review and contributed to the preparations of the Kiev Assessment Report, launched an activity on tools and guidelines, assessed the environmental monitoring situation and information systems in nine countries in transition and adopted recommendations for these countries, considered activities on monitoring hazardous substances, air pollution and inland waters, environmental indicators, waste data and classifications, state-of-the-environment reporting, remote sensing, and made arrangements for follow-up. It also compiled an inventory of ongoing environmental monitoring activities at the international level.
2.3	Compliance and enforcement	In the course of its work, the Task Force on Environmental Compliance and Enforcement concluded that it was more appropriate to address the broader aspects of implementation, rather than to focus on enforcement. At its fourth meeting in May 2002, the Task Force agreed on the new title "guidelines for strengthening compliance with and implementation of multilateral environmental agreements in the ECE region". The draft was presented and discussed at the joint meeting of the Bureaux of the five ECE environmental conventions on 1 July 2002. The draft guidelines will be finalized at the fifth meeting of the Task Force in October 2002.
2.4	Follow-up to the Strategy to Phase Out Leaded Petrol	A total of 22 countries have replied to the 2002 questionnaire sent to the Parties to the Convention on Long-range Transboundary Air Pollution to provide information on progress in making unleaded petrol available and in phasing out the use of leaded petrol for on-road vehicles, twenty indicated that they have already phased out lead, one country will phase it out by 2003, another by 2005.
2.5	Local initiatives towards sustainable consumption patterns	The planned workshop on practical experience in the environmentally sound management of urban transport integrated with sustainable land-use planning, scheduled for 2001, was postponed. The secretariat is looking into the possibility of organizing the workshop later.

PROGRAMME ACTIVITY 3: INTEGRATION OF ENVIRONMENTAL AND SECTORAL POLICIES

3.1	Transport, environment and health	<p>The second session of the High-level Meeting on Transport, Environment and Health, convened jointly by the WHO/EURO and UNECE secretariats, took place on 5 July 2002 in Geneva. The Meeting followed the decisions taken at the first session on the basis of the preparatory process carried out by the Joint UNECE – WHO Ad Hoc Expert Group on Transport, Environment and Health between November 2001 and May 2002. The Meeting established a Transport, Health and Environment Pan-European Programme (THE PEP), focusing the joint ECE and WHO activities on a few key priority areas and actions, namely (1) the integration of environmental and health aspects into transport policy; (2) demand-side management and modal shift; and (3) urban transport. Furthermore, special attention will be given to the needs of the newly independent States and South-East European countries as well as to areas which are particularly sensitive from an environmental point of view. To promote and coordinate the implementation of THE PEP work plan, the Meeting set up a Steering Committee on Transport, Environment and Health, which replaces the intergovernmental governing bodies of the ECE Programme of Joint Action on Transport and the Environment and the WHO Charter follow-up processes.</p> <p>The Meeting decided further to propose THE PEP as one of the partnerships for the regional implementation of Agenda 21 to be launched at the World Summit on Sustainable Development (see above).</p>
3.2	Environment and health	<p>The European Environment and Health Committee (EEHC) met in Istanbul, Turkey, in 2001 and in Sofia in 2002. In addition, an intergovernmental meeting was held in Italy in 2002 to discuss possible priority issues to be put on the agenda for the WHO Health and Environment Ministerial Conference (Budapest, 2004). In selecting the overall theme of the Conference, namely “the future of our children”, the EEHC considered that it should support political decisions and should result in action-oriented commitments. Close contacts were established between EEHC and the Working Group of Senior Officials “Environment for Europe”.</p>
3.3	Energy and the environment	<p>The Committees on Sustainable Energy and on Environmental Policy have established a joint task force, which is developing, as a first step, guidelines on raising energy prices to economic levels in countries in transition and on reforming energy (consumption) subsidies throughout Europe. Two consultants are preparing elements for these guidelines, using as a basis documents developed by the International Energy Agency, the Organisation for</p>

		<p>Economic Co-operation and Development, the United Nations Environment Programme, the United Nations Commission on Sustainable Development, UNECE and other forums. The task force will consider these elements at its meeting in Geneva on 19-20 November 2002 on the eve of the annual session of the Committee on Sustainable Energy.</p>
<p>PROGRAMME ACTIVITY 4: REGIONAL ENVIRONMENTAL CONVENTIONS AND PROTOCOLS</p>		
<p>4.1</p>	<p>Follow-up and support to the regional environmental conventions</p>	<p>At the invitation of the Chairman of the Committee on Environmental Policy, an informal meeting was organized with the Bureaux of the Committee on Environmental Policy and of the ECE environmental conventions in July 2002. The aim was to follow up and support the regional environmental conventions, following a decision of the Committee to offer a catalysing forum to share experience and investigate possible synergies and areas of cooperation among instruments and to discuss specific items which are of common interest. Participants discussed the issue of compliance on the basis of the draft guidelines. They also discussed the provisions and activities of the ECE environmental conventions relevant to the themes of the Aarhus Convention as well as the implications of the recent entry into force of that Convention for the fields covered by the other conventions on the basis of a preliminary draft in-depth legal analysis.</p> <p>Finally, on the basis of a draft analysis on good practices and potential problems in public participation in international forums, participants discussed their experience. Several comments and suggestions were provided as input to the guidelines and to the consultants' analytical papers.</p>
<p>4.2</p>	<p>Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters</p>	<p>The Convention entered into force on 30 October 2002. The first meeting of the Parties, including a ministerial segment, is scheduled for 21-23 October 2002 in Lucca, Italy. A Working Group was established to review the preparations of the first meeting of the Parties. The Working Group on Compliance and Rules of Procedure held one meeting to conclude its work. The Meeting of the Parties is also expected to elect its first compliance committee. The Working Group on Genetically Modified Organisms held three meetings and concluded its work. Its Guidelines on Access to Information, Public Participation and Access to Justice with respect to GMOs are expected to be adopted by the Parties by a decision by which they will also set up a new working group on GMOs to further develop the application of the Convention in this area. The Working Group on Pollutant Release and Transfer Registers (PRTRs), which is preparing a draft protocol on PRTRs, has held five meetings so far. A sixth meeting is scheduled for September 2002. A new working group is expected to be set up by Parties with a view to having the draft protocol ready for</p>

		<p>adoption and signature at the Kiev Conference. The Task Forces on Electronic Information Tools and Access to Justice both held workshops in 2001; the latter also produced a draft handbook on access to justice. It is expected that the Parties will set up two new task forces to continue the work. The Parties are also expected to decide on a work programme and budget for 2003-2005 and on financial arrangements to cover the budget.</p> <p>A number of activities aimed at promoting the effective implementation of the Convention have been undertaken, including two subregional workshops (South Caucasus, November 2001, and Central Asia, June 2002, jointly with other organizations, including UNEP and the Organization for Security and Cooperation in Europe. A clearing-house mechanism and a capacity-building service are being established by the secretariat in cooperation with UNEP in order to provide more coherent and stable assistance with the implementation of the Convention.</p> <p>At the World Summit, the Aarhus Convention will be prominent in a side event and also be presented in a joint exhibition with UNEP. (See Follow-up to the Regional Ministerial Meeting above.)</p>
4.3	Convention on Long-range Transboundary Air Pollution	<p>The Convention, as detailed in the report of the nineteenth session of its Executive Body (ECE/EB.AIR/75), continues to make progress with the implementation of existing protocols and preparations for review and possible revision of its three most recent protocols, which have not yet entered into force. The number of ratifications for the 1998 Aarhus Protocols on Heavy Metals and on Persistent Organic Pollutants continues to increase and expectations of entry into force have prompted the Working Group on Strategies and Review to plan for the review of these protocols in 2005. The 1999 Gothenburg Protocol has few ratifications but they have increased in number in recent months and plans for a review are targeted at 2004. Scientific activities preparing for the review are progressing and a timetable for the work has been drawn up.</p> <p>The Convention's Implementation Committee has addressed the compliance of Parties with their obligations under the 1991 Protocol on Volatile Organic Compounds. Non-compliance by some Parties had resulted in national submissions indicating areas of difficulty; the Executive Body has requested action and reporting of measures from these Parties that would bring them back into compliance. The Implementation Committee also addressed non-compliance relating to Parties' reporting obligations; the Executive Body</p>

		<p>requested those Parties in non-compliance to meet their obligations.</p> <p>Negotiations on a funding instrument for the scientific coordination activities not covered by the 1984 EMEP Protocol are nearing completion and two options will be presented to the Executive Body at its twentieth session in December 2002.</p>
4.4	<p>Convention on the Protection and Use of Transboundary Watercourses and International Lakes</p>	<p>Work under the Water Convention (currently 33 Parties) and its Protocol on Water and Health (currently 7 ratifications) is carried out by five working groups on legal aspects, civil liability, water management, monitoring, and water and health, and an ad hoc expert group on water and industrial accidents (jointly with the Parties to the Industrial Accidents Convention). Major activities included the International Conference on Sustainable Water Management in Europe (Poland, April 2002), which laid the ground for a long-term work plan under the Convention; the further strengthening of the International Water Assessment Centre, which provides the ECE input for regional and global water programmes; the finalization of pilot projects on monitoring of five river basins, and the start of pilot projects for four other transboundary rivers. Currently, arrangements are being made for two seminars and one international conference to be convened in 2003 on the occasion of the International Year of Freshwater.</p> <p>A legally binding instrument on civil liability for damage caused by hazardous activities to transboundary waters is being drawn up jointly with the Conference of the Parties to the Industrial Accidents Convention (see item 4.6).</p>
4.5	<p>Convention on Environmental Impact Assessment in a Transboundary Context</p>	<p>The third meeting of the Parties will take place in Spain on 26-28 November 2003.</p> <p>The Convention now has 39 Parties. Following the second meeting of the Parties, the Implementation Committee was established. It prepared an updated questionnaire to review compliance with the Convention. The information from the responses will also be used to identify areas for possible amendment of the Convention for a better and smoother implementation. The Parties continue to work on the guidelines on public participation in a transboundary context and by doing so ensure that the relevant provisions of the Aarhus Convention will be used in the practical application of the Espoo Convention. The Working Group under the Convention will meet in January 2003 in order to start the preparations for the third meeting of the parties, which will be held in May 2004 in Croatia. The Parties also continued negotiations on the protocol on strategic environmental assessment (SEA).</p>

		<p>The text of the draft protocol contains provisions for the application of strategic environmental assessment to plans and programmes in a binding way and to policies and legislation/legal acts in a flexible way. The health component is fully integrated in the protocol, which also includes provisions on public participation, access to justice and strategic environmental assessment in a transboundary context. The protocol is expected to be adopted and signed at the forthcoming Ministerial Conference "Environment for Europe".</p>
4.6	Convention on the Transboundary Effects of Industrial Accidents	<p>ECE/CEP/79 Annex I The Convention entered into force on 19 April 2000. Currently there are 25 Parties. The second meeting of the Conference of the Parties will take place in Chisinau on 6-8 November 2002. It will review the Convention's implementation and compliance by Parties with the Convention's provisions and decisions of the Conference of the Parties based on the first report on implementation. It is expected to adopt a decision on strengthening the Convention's implementation giving a direction for future activities including a possible programme of international assistance to some countries (especially newly independent States).</p> <p>It will also review the implementation of the 2001-2002 work plan (identification of hazardous activities, practical application of the UNECE Industrial Accident Notification System; progress in the work plan of the joint ad hoc expert group on water and industrial accidents; workshops on prevention, preparedness and response to industrial accidents in conjunction with two response exercises (one of them on the border between Poland and the Russian Federation). It will also decide on priorities, the programme of work and resources for 2003-2004.</p> <p>Negotiations are under way under both the Industrial Accidents and the Water Conventions to draw up a legally binding instrument on civil liability for damage caused by hazardous activities (see also item 4.4). The Working Group on Civil Liability has already met three times, two more meetings are scheduled for 2002. The Working Group completed the first reading of the draft instrument. Certain articles or parts of articles are still in square brackets (definitions, public participation, technical annexes) and will be rediscussed during the second reading.</p>
OTHER ACTIVITIES		
	Activities of the Regional	The activities of the Regional Adviser focused on the following areas:

Adviser

- Special Programme for the Economies of Central Asia (SPECICA): Project "Rational and efficient use of energy and water resources". Based on a decision by the General Assembly, the United Nations Development Account is providing US\$ 1.7 million for the project in the period 2000-2003. The emphasis is on regional strategy development. Regional workshops were held in Bishkek in November 2001, February and July 2002.
- Development of a project on the establishment of a web site for donors' projects and programmes in Central Asia.
- Facilitation of negotiations on trilateral agreements on the rivers of Daugava (Russian Federation, Belarus and Latvia) and Nemunas (Russian Federation, Belarus and Lithuania).
- Participation in a project on transboundary water agreements in the newly independent States.
- Development of project proposals on sustainable use of shared aquifers in the Mediterranean region. These proposals are developed in collaboration with the Economic and Social Commission for Western Asia (ESCWA) and the Economic Commission for Africa (ECA).
- Organization of a seminar in November 2001 on UNEP and ECE environmental conventions in Yugoslavia.