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ECONOMIC COMMISSION FOR EUROPE

**MEETING OF THE PARTIES TO THE CONVENTION
ON ENVIRONMENTAL IMPACT ASSESSMENT
IN A TRANSBOUNDARY CONTEXT**

Fourth meeting
Bucharest, 19–21 May 2008

ANNOTATED PROVISIONAL AGENDA FOR THE FOURTH MEETING
to be held at the Parliament Palace in Bucharest
starting at 3 p.m. on Monday, 19 May 2008*

I. PROVISIONAL AGENDA

A. First general segment

1. Opening of the meeting
 - (a) Opening of the meeting
 - (b) Constitution of the general segments

* The fourth meeting of the Parties will be held in Bucharest at the invitation of the Government of Romania. The provisional agenda has been prepared by the secretariat in agreement with the Romanian Government. Delegates are requested to complete the registration form, which is annexed to this document and also available from the Convention's website at www.unece.org/env/eia/bucharest.htm, and to transmit it to the Convention secretariat at the latest six weeks prior to the meeting, either by fax to +41 22 917 0613 / 0107 or by e-mail to eia.conv@unece.org. Delegates are requested to send a copy of the registration form to the host country, either by fax to +40.21.3.16.04.21 or by e-mail to pineta.daniela@mmediu.ro, and to the travel agent, either by fax to +40.21.336.07.55 / 66 or by e-mail to office@fortunabusiness.ro. In case of difficulty, please contact the Convention secretariat by telephone at +41 22 917 2447.

- (c) Adoption of the agenda
2. Outstanding issues
 - (a) Review of compliance with the Convention
 - (b) Strengthening subregional cooperation
 - (c) Capacity-building in Eastern Europe, Caucasus and Central Asia
 - (d) Workplan
 - (e) Budget and financial arrangements
 - (f) Matters relating to the Protocol on Strategic Environmental Assessment
 - (g) Nomination of officers and members of the Implementation Committee
 - (h) Other business
 3. Panel discussion on energy-related projects

B. High-level segment

4. Opening ceremony
5. The Convention 10 years after its entry into force: future directions
6. Statements by Ministers
7. Signing of a multilateral agreement by Ministers from South-Eastern Europe

C. Second general segment

8. Review of the work done by the Working Group on Environmental Impact Assessment and adoption of decisions
 - (a) Review of implementation of the Convention
 - (b) Review of compliance with the Convention
 - (c) Inquiry procedure
 - (d) Strengthening subregional cooperation
 - (e) Capacity-building in Eastern Europe, Caucasus and Central Asia

- (f) Exchange of good practices
 - (g) Workplan
 - (h) Budget and financial arrangements
 - (i) Financial assistance to representatives of countries with economies in transition, non-governmental organizations and countries outside the UNECE region
9. Date, venue and election of officers for the fifth meeting of the Parties.
 10. Other business
 11. Presentation of the main decisions and closing of the meeting

II. ANNOTATIONS TO THE PROVISIONAL AGENDA

1. The fourth meeting of the Parties will consist of two general segments and one high-level segment. The two general segments, dealing with items 1 to 3 and 8 to 11 of the provisional agenda, will take place in the afternoon of Monday, 19 May; the morning of Tuesday, 20 May; and the morning of Wednesday, 21 May 2008.
2. The high-level segment, dealing with items 4 to 7, will be held in the afternoon of Tuesday, 20 May, starting at 3 p.m. A press conference will be organized at the end of the high-level segment.
3. In the afternoon of Wednesday, 21 May, there will be a cultural visit.
4. Additional practical information on the venue, accommodation and transport arrangements will be circulated at a later stage.

A. First general segment

Item 1: Opening of the meeting

Tentative timing: 3 – 3:30 p.m., Monday, 19 May 2008

(a) Opening of the meeting

5. A representative of Romania will open the meeting.

(b) Constitution of the general segments

6. The Meeting of the Parties will be invited to elect Ms. Daniela Pineta (Romania), Chair of the Bureau, as Chair for the two general segments. The secretariat will report on the

representation at the fourth meeting of the Parties and the credentials submitted by the Parties and Signatories.

7. The secretariat will inform the Meeting of the Parties about the status of ratification of the Convention and the declarations made by Parties upon deposit of their instruments of ratification of the Convention since the third meeting of the Parties. The secretariat will similarly inform the Meeting of the Parties about the status of ratification of the amendments to the Convention adopted at the second and third meetings of the Parties. Finally, the secretariat will also inform the Meeting of the status of ratification of the Convention's Protocol on Strategic Environmental Assessment and the declarations made by Parties upon deposit of their instruments of ratification.

(c) Adoption of the agenda

Documentation: ECE/MP.EIA/9 (Annotated provisional agenda for the fourth meeting)

8. The Meeting of the Parties is expected to adopt its agenda as set out in the present document.

Item 2: Outstanding issues

Tentative timing: 3:30 – 6 p.m., Monday, 19 May 2008

9. The Meeting of the Parties is expected to discuss and agree on the following outstanding issues prior to the high-level segment.

(a) Review of compliance with the Convention

Documentation: ECE/MP.EIA/2008/1 (Report of the twelfth meeting of the Implementation Committee)
ECE/MP.EIA/2008/2 (Report of the thirteenth meeting of the Implementation Committee)
ECE/MP.EIA/2008/3 (Report of the fourteenth meeting of the Implementation Committee)
ECE/MP.EIA/2008/4 (Draft decision IV/2 on the review of compliance)

10. The Chair of the Implementation Committee will report on this activity, beginning with a report on the Committee's fourteenth meeting. She will then present a revised draft decision on the review of compliance, to which are appended draft operating rules for the conduct of Committee meetings. The Meeting is expected to finalize the draft decision on the review of compliance on the basis of the information provided by the Chair and taking into account documents referenced under item 8(b) below.

(b) Strengthening subregional cooperation

Documentation: ECE/MP.EIA/2008/8 (Draft decision IV/4 on strengthening subregional cooperation)

11. The delegation of Italy is expected to report on a meeting for the Mediterranean Sea subregion held in Morocco. On the basis of this information, the Meeting is expected to amend as necessary the draft decisions on strengthening subregional cooperation and on adoption of the workplan.

(c) Capacity-building in Eastern Europe, Caucasus and Central Asia

Documentation: ECE/MP.EIA/2008/9 (Draft decision IV/5 on capacity-building in Eastern Europe, Caucasus and Central Asia)

12. The delegation of the country that hosts the capacity-building workshop for the Eastern Europe subregion is expected to report on the workshop. On the basis of this information, the Meeting is expected to amend as necessary the draft decisions on capacity-building in Eastern Europe, Caucasus and Central Asia and on adoption of the workplan.

(d) Workplan

Documentation: ECE/MP.EIA/2008/10 (Draft decision IV/7 on adoption of the workplan for the period to the fifth meeting of the Parties)

13. The Bureau will present a revised draft decision on the adoption of the workplan for the period to the fifth meeting of the Parties, amended in response to the comments made at the eleventh meeting of the Working Group on Environmental Impact Assessment (EIA). The Meeting is expected to finalize the text of the draft decision in light of its earlier deliberations under items (a), (b) and (c) above.

(e) Budget and financial arrangements

Documentation: ECE/MP.EIA/2008/11 (Draft decision IV/8 on budget and financial arrangements for the period to the fifth meeting of the Parties)

14. The Bureau will present a revised draft decision on budget and financial arrangements, amended in response to the comments made at the eleventh meeting of the Working Group on EIA. The secretariat will present its financial report appended to the draft decision. Delegations will then be invited to pledge contributions to the budget.

15. The Meeting is expected to finalize the text of the draft decision in light of this information and of its earlier deliberations under items (a), (b), (c) and (d) above.

(f) Matters relating to the Protocol on Strategic Environmental Assessment

16. The delegations of Austria and Bulgaria will be invited to provide information to the Meeting on a workshop on public participation in strategic decision-making, held in Sofia in December 2007.

(g) Nomination of officers and of members of the Implementation Committee

17. The Meeting is expected to discuss nominations of officers and of members of the Implementation Committee. These nominations will be completed and confirmed under agenda item 9.

(h) Other business

18. Delegations wishing to propose additional outstanding issues under this item are requested to inform the secretariat as soon as possible.

Item 3: Panel discussion on energy-related projects

Tentative timing: 10 a.m. – 1 p.m., Tuesday, 20 May 2008

19. A panel comprising invited Ministers and other high-level representatives from governmental institutions, together with representatives from non-governmental organizations (NGOs) and other stakeholders from across the region, will provide insights into how the Convention is applied to energy-related projects likely to have significant adverse transboundary impact.

20. Thereafter, delegations will be invited to make short interventions from the floor in response to the panel discussion, based on guidance provided by the secretariat, providing specific examples of how the Convention has been applied to such activities in their countries.

B. High-level segment

Item 4: Opening ceremony

Tentative timing: 3 – 3:15 p.m., Tuesday, 20 May 2008

21. The Minister of the Environment and Sustainable Development of Romania will open the high-level segment of the fourth meeting of the Parties. The Executive Secretary of the Economic Commission for Europe will make an opening statement.

Item 5: The Convention 10 years after its entry into force: future directions

Tentative timing: 3:15 – 4:45 p.m., Tuesday, 20 May 2008

22. The Bureau, with the approval of the Working Group on EIA, has invited a number of speakers to address the Meeting of the Parties on the subject of the Convention, its past implementation and future directions. It is expected that the following topics will be addressed:

- (a) Transboundary EIA and biodiversity;
- (b) Environmental assessment and climate change;
- (c) EIA and strategic environmental assessment (SEA), notably their interrelationship and their role as instruments for sustainable development;
- (d) Promoting subregional cooperation, with a focus on the Black Sea subregion.

23. A representative of an NGO is expected to make a statement on behalf of the NGOs represented at the meeting.

Item 6: Statements by Ministers

Tentative timing: 4:45 – 5:30 p.m., Tuesday, 20 May 2008

24. Delegations will be invited to make short interventions from the floor in response to the opening statements (agenda item 4) and the topics and presentations under agenda item 5. Delegations wishing to speak on this agenda item are requested to inform the secretariat as soon as possible.

Item 7: Signing of a multilateral agreement by South-East Europe Ministers

Tentative timing: 5:30 – 6 p.m., Tuesday, 20 May 2008

Documentation: ECE/MP.EIA/2008/8 (Draft decision IV/4 on strengthening subregional cooperation)

25. Within the framework of the workplan activity on strengthening subregional cooperation, the countries of South-Eastern Europe (SEE) have negotiated a multilateral agreement for implementation of the Convention. Those SEE countries that wish to become future parties to the multilateral agreement will be invited to adopt and then sign it.

26. SEE countries wishing to adopt and sign the multilateral agreement should bring with them full powers for presentation to the secretariat in advance of this agenda item.

27. The signing ceremony will be followed by a press conference for Ministers.

C. Second general segment

Item 8: Review of the work done by the Working Group on Environmental Impact Assessment and adoption of decisions

Tentative timing: 10 – 11:30 a.m., Wednesday, 20 May 2008

Documentation: ECE/MP.EIA/WG.1/2007/8 (Report of the eleventh meeting of the Working Group on Environmental Impact Assessment)

28. The Meeting of the Parties is expected to adopt the decisions drafted by the Working Group on EIA on the sub-items below addressing activities in the workplan for the period up to the fourth meeting of the Parties (decision III/9).

29. The secretariat will provide information on progress on the activities in the workplan for the period up to the fourth meeting of the Parties that have not been followed up by a draft decision. The Meeting is expected to take note of this information

(a) Review of implementation of the Convention

Documentation: ECE/MP.EIA/2008/12 (Draft decision IV/1 on review of implementation)
ECE/MP.EIA/2008/13 (Review of the legal and administrative framework for implementation of Articles 2 and 3)
ECE/MP.EIA/2008/14 (Review of the legal and administrative framework for implementation of Articles 4 to 9)
ECE/MP.EIA/2008/15 (Review of the practical application of the Convention during the period 2003–2005)

30. The Meeting of the Parties will adopt a review of the implementation of the Convention based on information provided by Parties. The decision put forward for adoption suggests that all Parties should further strengthen their implementation of the Convention, indicating a number of practical means by which implementation may be improved. The decision will also initiate a third review of implementation and suggests that a failure to report on implementation might be a compliance matter to be considered by the Implementation Committee.

(b) Review of compliance with the Convention

Documentation: ECE/MP.EIA/2008/4 (Draft decision IV/2 on the review of compliance)
ECE/MP.EIA/2008/5 (Report on the activities of the Implementation Committee)
ECE/MP.EIA/2008/6 (Findings and recommendations further to a submission by Romania)
ECE/MP.EIA/2008/7 (Findings and recommendations further to a Committee initiative on Armenia)

31. The decision put forward for adoption will encourage Parties to bring issues concerning their own compliance before the Implementation Committee. The decision will also adopt operating rules for the conduct of meetings of the Committee. Further, the decision will adopt a

report to the Meeting of the Parties by the Committee. Finally, the decision will endorse the Committee's findings and adopt a number of recommendations regarding specific Parties' compliance with their obligations under the Convention.

(c) Inquiry procedure

Documentation: ECE/MP.EIA/2008/16 (Draft decision IV/3 on inquiry procedure)

32. This decision proposes measures to improve the effectiveness of the inquiry procedure set out in Appendix IV to the Convention, in the light of experience with the first inquiry procedure.

(d) Strengthening subregional cooperation

Documentation: ECE/MP.EIA/2008/8 (Draft decision IV/4 on strengthening subregional cooperation)

33. This decision suggests welcoming the signing by the SEE countries of the subregional agreement implementing the Convention, as provided for in item 7 above. It also suggests the inclusion of subregional cooperation as an activity in the workplan to be adopted by the Meeting of the Parties, recognizing that such cooperation improves the practical application of the Convention.

(e) Capacity-building in Eastern Europe, Caucasus and Central Asia

Documentation: ECE/MP.EIA/2008/9 (Draft decision IV/5 on capacity-building in Eastern Europe, Caucasus and Central Asia)
ECE/MP.EIA/WG.1/2007/6 (Guidelines on Environmental Impact Assessment in a Transboundary Context for Central Asian Countries)

34. This decision suggests the inclusion of activities for further capacity-building in Eastern Europe, Caucasus and Central Asia in the workplan to be adopted by the Meeting, recognizing that capacity-building improves the practical application of the Convention in the subregion. The decision also suggests the endorsement of guidelines on transboundary EIA in Central Asia.

(f) Exchange of good practices

Documentation: ECE/MP.EIA/2008/17 (Draft decision IV/6 on exchange of good practices)

35. This decision suggests the inclusion of an activity for the exchange of good practices in the workplan to be adopted by the Meeting, recognizing that such exchanges improve the practical application of the Convention.

(g) Workplan

Documentation: ECE/MP.EIA/2008/10 (Draft decision IV/7 on adoption of the workplan up to the fifth meeting of the Parties)

36. The Meeting of the Parties is expected to adopt its workplan for the period up to its fifth meeting. The workplan put forward for adoption will provide for activities in support of the implementation and practical application of both the Convention and its Protocol.

(h) Budget and financial arrangements

Documentation: ECE/MP.EIA/2008/11 (Draft decision IV/8 on budget and financial arrangements for the period up to the fifth meeting of the Parties)

37. The Meeting of the Parties is expected to decide on the financial and human resources needed for implementing the activities in the workplan. Delegations will be invited to indicate funding for these activities according to the Meeting's priorities. The decision put forward for adoption will continue the share-based system intended to provide stable and predictable funding, and will request Parties and non-Parties and international organizations to contribute financially.

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

Documentation: ECE/MP.EIA/2008/18 (Draft decision IV/9 on financial assistance to representatives of countries with economies in transition, non-governmental organizations and countries outside the UNECE region)

38. Recognizing the importance of broad participation by all member States, the Meeting of the Parties is expected to adopt a decision that will define criteria for providing financial assistance to representatives and experts from countries with economies in transition, from NGOs and from States outside the UNECE region.

Item 9: Date, venue and election of officers for the fifth meeting of the Parties

Tentative timing: 11:30 a.m. – noon, Wednesday, 21 May 2008

39. Following the rules of procedure, the Meeting of the Parties will elect: its officers, who will remain in office until the next election at its fifth meeting; the Chair and two Vice-Chairs of the Working Group on EIA; the Chair and two Vice-Chairs of the Meeting of the Signatories to the Convention's Protocol; and the Chair of the Implementation Committee. The Chair of the Working Group is expected to serve as Chair of the Bureau. The Meeting will also elect four Parties that will each appoint a member of the Implementation Committee, replacing Armenia, Finland, The former Yugoslav Republic of Macedonia and Slovakia.

40. In accordance with rule 4 of the rules of procedure, the Meeting of the Parties will set the indicative dates for its fifth meeting and agree on its venue, which the Working Group suggested be Geneva. The Meeting may agree a tentative calendar of meetings of its subsidiary bodies until its fifth meeting. Delegations may also wish to put forward proposals for hosting such meetings.

Item 10: Other business

Tentative timing: Noon – 12:15 p.m., Wednesday, 21 May 2008

41. Delegations wishing to propose points under this item are requested to inform the secretariat as soon as possible.

Item 11: Presentation of the main decisions and closing of the meeting

Tentative timing: 12:15 – 1 p.m., Wednesday, 21 May 2008

42. The Chair will present the main decisions taken at the fourth meeting of the Parties. The secretariat will finalize the report of the meeting in consultation with the Bureau.

43. A representative of the host country will close the meeting.

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