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ECONOMIC COMMISSION FOR EUROPE

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

Implementation Committee

Sixteenth session
Berlin, 10–12 March 2009

ANNOTATED PROVISIONAL AGENDA FOR THE SIXTEENTH SESSION

to be held on the premises of the German Federal Ministry for the Environment,
Nature Conservation and Nuclear Safety, Berlin,
starting at 10 a.m. on Tuesday, 10 March 2009*

I. PROVISIONAL AGENDA

1. Adoption of the agenda.
2. Follow-up to decision IV/2 regarding Ukraine (paragraphs 7–14).
3. Follow-up to decision IV/2 regarding Armenia (paragraphs 15–19).
4. Second review of implementation.
 - (a) General compliance issues;
 - (b) Specific compliance issues.

* Members of the Committee are requested to complete the registration form available from the Convention's website (<http://www.unece.org/env/eia/practical.html>) and to transmit it to the Convention secretariat, at the latest two weeks prior to the meeting, either by fax to +41 22 917 0613 / 0107 or by e-mail to eia.conv@unece.org.

5. Submissions.
6. Committee initiative.
7. Revised questionnaire.
8. Structure and functions and operating rules.
9. Other business.
10. Presentation of the main decisions taken and closing of the session.

II. ANNOTATIONS TO THE PROVISIONAL AGENDA

Item 1: Adoption of the agenda

1. This provisional agenda was prepared by the secretariat in agreement with the Chair, in accordance with rule 9 of the operating rules of the Implementation Committee, adopted by the fourth meeting of the Parties (ECE/MP.EIA/10, decision IV/2, annex IV).

Item 2: Follow-up to decision IV/2 regarding Ukraine (paragraphs 7–14)

2. This agenda item may not be open to observers.
3. The Committee will consider progress vis-à-vis an independent review of Ukraine's legal, administrative and other measures to implement the provisions of the Convention (decision IV/2, para. 11), further to the Committee's agreement on a consultant at its previous session (ECE/MP.EIA/IC/2008/2, para. 34). The Committee is also expected to review a report by the Government of Ukraine on steps taken to apply the relevant provisions of the Convention to: (a) any further works related to Phase I of the Bystroe Canal Project, including operation and maintenance works; and (b) Phase II of the Project (ECE/MP.EIA/IC/2008/2, para 32).
4. If appropriate, the Committee may then provide guidance to the Government of Ukraine on the submission by the end of 2009 of a strategy, taking into account the efforts by the Government of Ukraine to implement the provisions of the Convention and based on the outcome of the independent review, including its time schedule and training and other actions to bring about compliance with the Convention (ECE/MP.EIA/10, decision IV/2, para. 12).

Item 3: Follow-up to decision IV/2 regarding Armenia (paragraphs 15–19)

5. This agenda item may not be open to observers.
6. The Committee will consider progress vis-à-vis technical assistance in drafting the necessary legislation to support Armenia in ensuring its full implementation of the Convention (decision IV/2, para. 17), further to the Committee's agreement on a consultant at its previous session (ECE/MP.EIA/IC/2008/2, para. 36).

7. If appropriate, the Committee may then provide guidance to the Government of Armenia on submission, if possible by the end of 2009, of a report to the Committee on actions taken to implement the above recommendations (ECE/MP.EIA/10, decision IV/2, para. 19).

Item 4: Second review of implementation

(a) General compliance issues

8. Mr. Matthias Sauer and Ms. Nina Stoyanova are expected to present the findings of their examination of the second review of implementation (ECE/MP.EIA/10, decision IV/1, annex), focusing on the final decision (article 6) and consultation (article 5), respectively (ECE/MP.EIA/IC/2008/2, para. 12).

(b) Specific compliance issues

9. This agenda item may not be open to observers.

10. The Committee is expected to consider replies from Albania, Azerbaijan, Hungary, Latvia and Liechtenstein in response to letters sent by the Chair on behalf of the Committee (ECE/MP.EIA/IC/2008/2, paras. 13 and 15–18).

11. The Committee is also expected to consider replies from Austria, Belgium (regarding the Walloon Region), Greece, Hungary and Slovenia in response to an enquiry sent by the secretariat on behalf of the Committee (ECE/MP.EIA/IC/2008/2, para. 14).

Item 5: Submissions

12. This agenda item is not open to observers.

13. The Committee will examine any submissions by Parties since the previous session of the Committee. Specifically, the Committee is expected to consider a submission by Slovenia expressing concerns about Italy's compliance with its obligations under the Convention (ECE/MP.EIA/IC/2008/2, para. 20).

Item 6: Committee initiative

14. This agenda item is not open to observers.

15. The Committee is expected to consider a reply from the Government of Romania to a letter sent by the Chair on behalf of the Committee.

16. The Committee will also consider other information provided by sources, including the secretariat, regarding the implementation of the Convention, in accordance with rule 15 of the operating rules of the Committee.

Item 7: Revised questionnaire

17. The Committee will review a draft questionnaire on the implementation of the Convention in the period 2006–2009, prepared by Ms. Vesna Kolar-Planinsic and Mr. Nenad Mikulic on the basis of comments received from other members. The draft questionnaire will be considered by the Working Group on Environmental Impact Assessment (ECE/MP.EIA/10, decision IV/1, para. 5), at its next meeting. The Committee will also prepare a detailed timetable for the submission of completed revised questionnaires, and for the generation of the subsequent draft review of implementation, to be put before the Working Group (ECE/MP.EIA/10, decision IV/2, appendix III, para. 53).

Item 8: Structure and functions and operating rules

18. The Committee is expected to keep under review and, if necessary, develop its structure and functions as well as its operating rules, in the light of the experience it has gained (ECE/MP.EIA/10, decision IV/2, para. 6).

Item 9: Other business

19. Members of the Committee wishing to raise other business should contact the Chair and the secretariat as soon as possible.

20. The Chair is expected to inform the Committee of items on the provisional agenda for the twelfth meeting of the Working Group on Environmental Impact Assessment (to be held from 11 to 14 May 2009 in Geneva) that relate to the Committee.

21. The secretariat will present a first draft of a leaflet or booklet briefly introducing the Committee and its role, and presenting the possibility for bodies and individuals to provide information to the Committee, further to rule 15, paragraph 1 (b), of the Committee's operating rules (ECE/MP.EIA/IC/2008/2, para. 46). The Committee is expected to offer advice on the further development of the publication of the leaflet or booklet.

22. Further to a request by the Committee (ECE/MP.EIA/IC/2008/2, para. 47), the secretariat will report on its provision of information on this Convention's compliance mechanism within a training course on the use by non-governmental organizations of the compliance mechanism under the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters. The course was held from 16 to 19 December 2008 in Geneva.

Item 10: Presentation of the main decisions taken and closing of the session

23. The Committee is expected to agree on the main decisions taken at the meeting and to agree on the date and venue of its next session.

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