



# Economic and Social Council

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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

#### Twenty-second session

Geneva, 5–7 September 2011

Item 1 of the provisional agenda

#### Adoption of the agenda

### Annotated provisional agenda for the twenty-second session

To be held at the Palais des Nations, Geneva, starting at 10 a.m.  
on Monday, 5 September 2011\*

#### I. Provisional agenda

1. Adoption of the agenda.
2. Membership of the Implementation Committee.
3. Review of decisions by the Meetings of the Parties.
4. Follow-up to decision V/4 regarding individual Parties.
5. Submissions.
6. Committee initiative.
7. Information gathering.
8. Review of implementation.
9. Structure, functions and operating rules.
10. Other business.
11. Presentation of the main decisions taken and closing of the session.

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\* Members of the Committee and observers are requested to complete the registration form available from the website of the Economic Commission for Europe (<http://www.unece.org/meetings/practical.htm>) and to transmit it to the Convention secretariat, at the latest two weeks prior to the meeting, either by fax to +41 22 917 0107 or by e-mail to [eia.conv@unece.org](mailto:eia.conv@unece.org).

## **II. Annotations to the provisional agenda**

### **1. Adoption of the agenda**

1. This provisional agenda was prepared by the secretariat in agreement with the Chair,<sup>1</sup> in accordance with rule 9 of the operating rules of the Implementation Committee, adopted by the fourth session of the Meeting of the Parties (ECE/MP.EIA/10, decision IV/2, annex IV). The Committee will be invited to adopt its agenda as set out in the present document.

### **2. Membership of the Implementation Committee**

2. The members of the Implementation Committee are expected to introduce themselves. The Committee will then elect its Chair and Vice-Chair.

3. The Chair will introduce the new members of the Committee to the key documents used by the Committee, including:

(a) The Convention on Environmental Impact Assessment in a Transboundary Context and the Protocol on Strategic Environmental Assessment;

(b) Decision III/2 of the Meeting of the Parties to the Convention on the review of compliance, including its appendix, "Structure and functions of the Implementation Committee and procedures for review of compliance" (ECE/MP.EIA/6, annex II), and decision V/6 of the Meeting of the Parties to the Convention (decision I/6 of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol) on the application of the compliance procedure of the Convention to the Protocol (ECE/MP.EIA/15, decision V/6);<sup>2</sup>

(c) The operating rules of the Implementation Committee, as amended (ECE/MP.EIA/15, decision V/4);<sup>3</sup>

(d) The opinions of the Implementation Committee, 2001–2010 (ECE/MP.EIA/2011/6);

(e) The third review of implementation, as set out in documents ECE/MP.EIA/2011/2 and ECE/MP.EIA/2011/3.

### **3. Review of decisions by the Meetings of the Parties**

4. The Committee will review decisions taken by the fifth session of the Meeting of the Parties to the Convention and by the first session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol, particularly on the review of implementation, the review of compliance, the adoption of the workplan, and the budget and financial arrangements, as included in the reports of the two sessions (ECE/MP.EIA/15 and ECE/MP.EIA/SEA/2, respectively). The Committee is expected to then identify an outline workplan and to assign roles to its members.

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<sup>1</sup> Acting in that role until the fifth session of the Meeting of the Parties to the Convention (20–23 June 2011).

<sup>2</sup> This decision and the meeting report in which it will be reproduced will be presented for adoption at the fifth session of the Meeting of the Parties.

<sup>3</sup> See footnote 2.

#### **4. Follow-up to decision V/4 regarding individual Parties**

5. Discussion under this agenda item will not be open to observers, unless the Committee decides otherwise, further to rule 17 of the operating rules.

6. The Committee is expected to follow up on decision V/4 with regard to actions to be taken by individual Parties, including by possibly requiring Parties to submit reports to the Implementation Committee.

#### **5. Submissions**

7. Discussion under this agenda item will not be open to observers, except if invited by the Committee.

8. The Committee will examine any submissions by Parties received since the Committee's previous session.

9. The Committee will examine a submission by Azerbaijan regarding the application of the Convention to the planned building of a nuclear power station in Metsamor, Armenia, together with any reply from Armenia, as well as corroborating and supporting information.

#### **6. Committee initiative**

10. Discussion under this agenda item will not be open to observers, unless the Committee decides otherwise, further to rule 17 of the operating rules.

11. The Committee is expected to consider further its initiative on Azerbaijan.

12. In accordance with rule 15 of its operating rules, the Committee will also consider other information provided by sources regarding the implementation of the Convention.

#### **7. Information gathering**

13. Discussion under this agenda item will not be open to observers, except if invited by the Committee.

14. Taking into account the deliberations at its twenty-first session, the Committee is expected to continue its examination of the information submitted by a Ukrainian non-governmental organization, Ecoclub, regarding a proposed activity in Belarus, close to the border with Lithuania.

15. The Committee may also further consider whether there might be a systemic inconsistency between the Convention and environmental assessment within the framework of the State ecological expertise system in Belarus.

16. The Committee is also expected to consider information from Ecoclub regarding a proposed activity in Ukraine, as well as information submitted by the Romanian non-governmental organizations Centre for Legal Resources and Greenpeace Romania regarding a planned activity in Romania, close to the border with Bulgaria.

#### **8. Review of implementation**

17. The secretariat will bring to the attention of the Committee general and specific compliance issues identified in the third review of implementation. The Committee is

expected to take these into account in its work (decision V/3). In line with decisions V/7 and I/7, the Committee is also expected to discuss modifications to the current questionnaire with a view to providing a draft questionnaire on the implementation of the Convention and of the Protocol in 2010–2012 to be submitted for consideration by the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment by the end of 2012.

## **9. Structure, functions and operating rules**

18. The Committee is expected to keep under review and, if necessary, to develop its structure and functions, as well as its operating rules.

19. The Committee is also expected to continue its consideration of a note by the Legal Service of the European Commission, dated 7 February 2011, asserting that European Union (EU) law precludes an EU member State, having concerns about another EU member State's compliance with its obligations under the Convention, from making a submission to the Committee. It may also take into account any further opinions provided by the Legal Service prior to the twenty-second session. The Committee might also discuss whether it might provide advice on possible discrepancies between the three language versions of the Convention and of the Protocol.

## **10. Other business**

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

## **11. Presentation of the main decisions taken and closing of the session**

21. The Committee 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.

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