



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-third session

Geneva, 5–7 December 2011

Item 1 of the provisional agenda

Adoption of the agenda

Annotated provisional agenda for the twenty-third session

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

I. Provisional agenda

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

* There are accreditation procedures for all delegates attending meetings at the Palais des Nations. Members of the Committee and observers are therefore requested to complete the registration form available from the United Nations Economic Commission for Europe (UNECE) website (<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. On the day of the meeting, delegates should obtain an identification badge from the Pass and Identification Unit at the United Nations Office at Geneva Security and Safety Section at the Pregny gate (14, Avenue de la Paix). A map is available on the UNECE website (http://www.unece.org/meetings/UN_Map.pdf).

II. Annotations to the provisional agenda

1. Adoption of the agenda

1. The provisional agenda was prepared by the secretariat to the Convention on Environmental Impact Assessment in a Transboundary Context.¹ The Convention's Implementation Committee will be invited to adopt its agenda as set out in the present document.

2. Subject to confirmation by the Committee at its twenty-second session, this session should only address issues related to the Convention. Any issues related to the Convention's Protocol on Strategic Environmental Assessment that may arise can be referred to a subsequent session of the Committee.

2. Submissions

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

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

5. The Committee will consider the submission by Azerbaijan expressing concerns about Armenia's compliance with its obligations under the Convention (ECE/MP.EIA/IC/2011/4, paras. 12–13). The two Parties will be invited to participate in the discussion and to present the Committee with information and opinions on the matter under consideration, in accordance with the appendix to decision III/2 of the Meeting of the Parties (ECE/MP.EIA/6, annex II) and with the Committee's operating rules (ECE/MP.EIA/10, decision IV/2, annex IV, as amended by decision V/4, ECE/MP.EIA/15). The Committee will start by considering the submission in a closed session on 5 December in the morning. In the afternoon, it will invite presentations by the concerned Parties and will ask them questions. The Committee will then consider the submission again in a closed session on 6 December, in the morning.

6. The Committee will then consider the submission by Lithuania expressing concerns about compliance by Belarus with its obligations under the Convention (ECE/MP.EIA/IC/2011/4, paras. 14–17).

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

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

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

¹ Pending election of the Chair of the Committee at the twenty-second session of the Committee (5–7 September 2011).

4. Committee initiative

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

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

11. 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.

5. Information gathering

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

13. Taking into account the deliberations at its twenty-second session, the Committee is expected to continue its examination of the information submitted by the Ukrainian non-governmental organization 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.

14. 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 systems, basing itself on its examination of information provided by Belarus.

6. Review of implementation

15. Subject to availability of time, the Committee may wish to continue its consideration of the general and specific compliance issues identified in the Third Review of Implementation of the Convention.

16. The Committee will receive a brief update on the modification by Committee members of the draft questionnaire on the implementation of the Convention and the Protocol in the period 2010–2012, which is to be submitted for consideration by the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment by the end of 2012 (in line with decision V/7, ECE/MP.EIA/SEA/2).

7. Structure, functions and operating rules

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

18. Taking into account the deliberations at its twenty-second session, and subject to the availability of time, the Committee may wish to continue its consideration of the views of the European Commission on the application of the Convention's compliance procedure by the European Union member States (ECE/MP.EIA/IC/2011/4, paras. 27–30), in taking into account any further opinions provided by the Legal Service of the European Commission prior to the present session.

19. The Committee might also further consider the issue brought to its attention by the European Commission regarding possible discrepancies between the different language versions of the Convention, and in particular the appropriate interpretation of the provisions of the Convention with a view to establishing whether the description of the no-action

alternative as set out in appendix II, item (b), was compulsory or whether the national authorities had any margin of discretion.

8. Other business

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

9. 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.
