



# 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

Meeting of the Parties to the Convention  
on Environmental Impact Assessment in  
a Transboundary Context serving as the  
Meeting of the Parties to the Protocol on  
Strategic Environmental Assessment

### Implementation Committee

#### Fifty-first session

Geneva, (online), 4–7 October 2021

Item 1 of the provisional agenda

#### Adoption of the agenda

## Annotated provisional agenda for the fifty-first session

To be held online, starting at 10 a.m.  
on Monday, 4 October 2021\*

### I. Provisional agenda

1. Adoption of the agenda.
2. Follow-up to decisions VIII/4 a–e.
3. Submissions.
4. Committee initiatives.
5. Information gathering:
  - (a) Convention matters;
  - (b) Protocol matters.

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\* There are accreditation procedures for all delegates attending meetings at the Palais des Nations, Geneva. Members of the Committee and observers are therefore requested to register online at least two weeks before the start of the meeting, i.e. by **20 September 2021**, indicating intended mode of participation, through the following link: <https://indico.un.org/event/34750/>. In case of difficulty registering, please email the secretariat ([eia.conv@un.org](mailto:eia.conv@un.org); [maricar.delacruz@un.org](mailto:maricar.delacruz@un.org)).



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.

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

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

1. The present provisional agenda was prepared by the secretariat to the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and its Protocol on Strategic Environmental Assessment in agreement with the Implementation Committee Chair, in accordance with rule 9 of the Implementation Committee's operating rules.<sup>1</sup> The Implementation Committee under the Convention and the Protocol will be invited to adopt the present agenda.

### **2. Follow-up to decisions VIII/4 a–e**

2. Discussions under agenda item 2 will not be open to observers, unless the Committee decides otherwise, further to rule 17 of the operating rules.

3. Further to its deliberations at its forty-ninth and fiftieth sessions (Geneva, online, 2–5 February 2021 and Geneva, online, 4–7 May 2021, respectively), the Committee is expected to follow up on:

(a) Decision VIII/4a on compliance by Armenia with its obligations under the Convention in respect of its national legislation;

(b) Decision VIII/4b on compliance by Azerbaijan with its obligations under the Convention in respect of its national legislation;

(c) Decision VIII/4c on compliance by Belarus with its obligations under the Convention in respect of the Belarusian nuclear power plant in Ostrovets;

(d) Decision VIII/4d on compliance by Ukraine with its obligations under the Convention in respect of the Danube-Black Sea Deep Water Navigation Canal in the Ukrainian sector of the Danube Delta;

(e) Decision VIII/4e on compliance by Ukraine with its obligations under the Convention in respect of the extension of the lifetime of the Rivne nuclear power plant.<sup>2</sup>

### **3. Submissions**

4. Discussions under agenda item 3 will not be open to observers, unless the Committee decides otherwise, further to rule 17 of the operating rules.

5. The Committee will continue to consider the submission by Bulgaria of 30 May 2019 of its concerns about compliance by Serbia with its obligations under the Convention regarding several mining activities located close to the border with Bulgaria, in

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<sup>1</sup> Available at [https://unece.org/DAM/env/eia/documents/ImplementationCommittee/2014\\_Structure\\_and\\_functions/Implementation\\_Committee\\_structure\\_functions\\_procedures\\_rules.e\\_2014.pdf](https://unece.org/DAM/env/eia/documents/ImplementationCommittee/2014_Structure_and_functions/Implementation_Committee_structure_functions_procedures_rules.e_2014.pdf).

<sup>2</sup> For all decisions, see ECE/MP.EIA/30/Add.2–ECE/MP.EIA/SEA/13/Add.2. Available at [https://unece.org/sites/default/files/2021-02/ece.mp\\_eia\\_30.add\\_2\\_ece.mp\\_eia\\_sea\\_13.add\\_2.pdf](https://unece.org/sites/default/files/2021-02/ece.mp_eia_30.add_2_ece.mp_eia_sea_13.add_2.pdf).

accordance with the Committee's structure and functions and its operating rules.<sup>3</sup> Further to the outcome of the discussions with Bulgaria and Serbia held at its fiftieth session,<sup>4</sup> the Committee is expected to agree on its draft findings and recommendations with a view to transmitting them to Bulgaria and Serbia for comments and representations prior to finalizing them at its fifty-second session (Geneva, 1–4 February 2022).

6. As agreed at its fiftieth session, the Committee will continue its consideration of the submission received on 25 September 2019 from Montenegro of its concerns about compliance by Albania with its obligations under the Convention regarding the planned construction of a number of small hydropower plants on the Cijevna River. In accordance with the Committee's structure and functions and its operating rules,<sup>5</sup> the Committee is expected to draft its findings and recommendations with a view to transmitting them to Albania and Montenegro for comments and representations prior to finalizing them at its fifty-second session.

7. The Committee is also expected to continue its examination of the submission received on 11 December 2020 from Montenegro of its concerns about compliance by Bosnia and Herzegovina with its obligations under the Convention regarding the construction of Buk Bijela and Foča hydropower plants on the Drina River.

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

#### 4. Committee initiatives

9. Discussions under agenda item 4 will not be open to observers, unless the Committee decides otherwise, in accordance with rule 17 of the operating rules.

10. The Committee will continue to consider its initiative concerning compliance by Serbia with regard to its obligations under the Protocol with respect to the Energy Sector Development Strategy of the Republic of Serbia for the Period up to 2025 with Projections up to 2030 and the Strategy's Implementation Programme for the Period 2017–2023. It is expected to agree on its draft findings and recommendations with a view to transmitting them to the Parties concerned for comments and representations prior to finalizing them at its fifty-second session.

11. The Committee will also continue its consideration of its initiative concerning compliance by Ukraine regarding its obligations under the Convention in respect of the construction of a large tourism complex (Svydovets mountains, Ukraine), close to the borders with Hungary and Romania.<sup>6</sup> Further to the Committee's deliberations at its fiftieth session, Hungary, Romania and Ukraine were invited to participate in the session on Tuesday, 5 October 2021, with a view to presenting information and opinions on the matter under consideration, in accordance with paragraph 9 of the Committee's structure and functions.<sup>7</sup> The Committee will then consider the matter in a closed session before proceeding to draft its findings and recommendations.

<sup>3</sup> Rules 11–14, available at [https://unece.org/DAM/env/eia/documents/ImplementationCommittee/2014\\_Structure\\_and\\_functions/Implementation\\_Committee\\_structure\\_functions\\_procedures\\_rules.e\\_2014.pdf](https://unece.org/DAM/env/eia/documents/ImplementationCommittee/2014_Structure_and_functions/Implementation_Committee_structure_functions_procedures_rules.e_2014.pdf).

<sup>4</sup> ECE/MP.EIA/IC/2021/4, paras. 19–22. Available at <https://unece.org/environment/documents/2021/06/reports/report-implementation-committee-its-fiftieth-session-advance>.

<sup>5</sup> Rules 11–14, available at [https://unece.org/DAM/env/eia/documents/ImplementationCommittee/2014\\_Structure\\_and\\_functions/Implementation\\_Committee\\_structure\\_functions\\_procedures\\_rules.e\\_2014.pdf](https://unece.org/DAM/env/eia/documents/ImplementationCommittee/2014_Structure_and_functions/Implementation_Committee_structure_functions_procedures_rules.e_2014.pdf).

<sup>6</sup> *Ibid.*, paras. 32–36.

<sup>7</sup> Available at [https://unece.org/DAM/env/eia/documents/ImplementationCommittee/2014\\_Structure\\_and\\_functions/Implementation\\_Committee\\_structure\\_functions\\_procedures\\_rules.e\\_2014.pdf](https://unece.org/DAM/env/eia/documents/ImplementationCommittee/2014_Structure_and_functions/Implementation_Committee_structure_functions_procedures_rules.e_2014.pdf).

## 5. Information gathering

12. Discussions under agenda item 5 will not be open to observers, unless the Committee decides otherwise, in accordance with rule 17 of the operating rules.

### (a) Convention matters

13. The Committee will continue consideration of information it has gathered concerning:

(a) Bosnia and Herzegovina, in respect of the planned activities at the Tuzla thermal power plant;

(b) Ukraine, regarding: the planned construction of nuclear reactors 3 and 4 at the Khmelnytsky nuclear power plant; and the activities at the Muzhiyev goldmine, including by holding informal discussions on the matters with the delegations of Ukraine and the Parties concerned.<sup>8</sup>

14. The Committee is also expected to continue to consider information it has gathered on the extension of the lifetime of nuclear power plants, including concerning: the Doel and Tihange nuclear power plants in Belgium; the Kozloduy nuclear power plant in Bulgaria; the Dukovany nuclear power plant in Czechia; the Blayais, Bugey, Chinon, Cruas, Dampierre, Gravelines, St. Laurent and Tricastin nuclear power plants in France; the Borssele nuclear power plant in the Netherlands; the Almaraz nuclear power plant in Spain; and the Rivne (units 3 and 4), South Ukrainian, Zaporizhzhya and Khmelnytsky nuclear power plants in Ukraine.

### (b) Protocol matters

15. The Committee will also continue to consider the information it has gathered concerning compliance with the provisions of the Protocol on Strategic Environmental Assessment by Poland regarding the Energy Policy until 2040 of the Government of Poland.

## 6. Review of implementation

16. The secretariat will bring to the attention of the Committee general and specific compliance issues identified in the sixth review of implementation of the Convention (ECE/MP.EIA/2020/8) and the third review of implementation of the Protocol (ECE/MP.EIA/SEA/2020/8). The Committee is expected to take these into account in its work, in accordance with decision VIII/5 of the Meeting of the Parties to the Convention (ECE/MP.EIA/30/Add.2–ECE/MP.EIA/SEA/13/Add.2) and decision IV/5 (ECE/MP.EIA/30/Add.3–ECE/MP.EIA/SEA/13/Add.3) of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol.

17. The Committee is also expected to continue its consideration of the specific issues regarding compliance by:

(a) The European Union with the Protocol identified in the first review of implementation of the Protocol<sup>9</sup> as needed

(b) Serbia identified in the second review of implementation of the Protocol.<sup>10</sup>

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<sup>8</sup> The Parties concerned for the compliance matter regarding units 3 and 4 of the Khmelnytsky nuclear power plant are Hungary, the Republic of Moldova, Romania and Slovakia. The Party concerned for the compliance matter regarding the Muzhiyev gold mine is Hungary.

<sup>9</sup> See ECE/MP.EIA/SEA/2014/3, para. 5.

<sup>10</sup> See ECE/MP.EIA/SEA/2014/3, para. 5.

Although not referred to by name in figure 5, Serbia is one of the three Parties that responded to question I.10 How do you ensure sufficient quality of the reports? by selecting option c. There are no specific procedures or mechanisms.

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

18. Further to decision VIII/4<sup>11</sup> of the Meetings of the Parties to the Convention and decision IV/4<sup>12</sup> of the Meetings of the Parties to the Protocol, the Committee is expected to continue to review and to propose revisions to its structure and functions and its operating rules with a view to enhancing coherence and reducing duplication between the two sets of rules and to increasing use of videoconferencing and other online and electronic communication tools as effective means for managing the Committee's workload. In doing so, the Committee is expected to take into account the experience gained by the Committee in the interim, including the discussions on its working methods and practice and suggestions provided by it at its forty-fifth session (Geneva, 10–13 September 2019).<sup>13</sup>

## **8. Other business**

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

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

20. 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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<sup>11</sup> See ECE/MP.EIA/30/Add.2–ECE/MP.EIA/SEA/13/Add.2, available at [https://unece.org/sites/default/files/2021-02/ece.mp\\_eia\\_30.add\\_2\\_ece.mp\\_eia\\_sea\\_13.add\\_2.pdf](https://unece.org/sites/default/files/2021-02/ece.mp_eia_30.add_2_ece.mp_eia_sea_13.add_2.pdf).

<sup>12</sup> See ECE/MP.EIA/30/Add.3–ECE/MP.EIA/SEA/13/Add.3, available at [https://unece.org/sites/default/files/2021-02/ece.mp\\_eia\\_30.add\\_3\\_ece.mp\\_eia\\_sea\\_13.add\\_3.pdf](https://unece.org/sites/default/files/2021-02/ece.mp_eia_30.add_3_ece.mp_eia_sea_13.add_3.pdf).

<sup>13</sup> ECE/MP.EIA/IC/2019/4, paras. 120–130.