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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

Fifteenth meeting*
Geneva, 28–30 October 2008

ANNOTATED PROVISIONAL AGENDA FOR THE FIFTEENTH MEETING

to be held at the Palais des Nations, Geneva
starting at 10 a.m. on Tuesday, 28 October 2008**

I. PROVISIONAL AGENDA

1. Adoption of the agenda
2. Membership of the Implementation Committee
3. Review of decisions by the Meeting of the Parties

* Documentation for previous meetings was not issued as official documents and may be found at http://www.unece.org/env/eia/implementation_committee.htm.

** 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. On their way to the meeting, members should obtain an identification badge at the Pass and Identification Unit of the United Nations Office at Geneva Security and Safety Section, located at the Pregny Gate entrance to the Palais des Nations (14, Avenue de la Paix; a map is available at <http://www.unece.org/meetings/map.pdf>). In case of difficulty, please contact the Convention secretariat by telephone at +41 22 917 2447.

4. Second Review of Implementation
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 meeting

II. ANNOTATIONS TO THE PROVISIONAL AGENDA

Item 1: Adoption of the agenda

1. This provisional agenda was prepared by the secretariat. Rule 9 of the Operating Rules of the Implementation Committee, adopted by the fourth meeting of the Parties (ECE/MP.EIA/10, annex II, appendix IV), foresees preparation of the provisional agenda by the secretariat in agreement with the Chair. However, the Chair of the Committee will be elected during this meeting.

Item 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 text of the Convention;
- (b) The Meeting of the Parties' decision III/2 on 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);
- (c) The Meeting of the Parties' decision IV/2 on review of compliance, including its appendix, Operating Rules of the Implementation Committee (ECE/MP.EIA/10, annex II, appendix IV);
- (d) The Second Review of Implementation, as set out in the appendix to decision IV/1 (ECE/MP.EIA/10, annex I).

Item 3: Review of decisions by the Meeting of the Parties

Documentation: Report of the fourth meeting of the Parties (ECE/MP.EIA/10)

4. The Committee will review decisions taken by the fourth meeting of the Parties, 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 report of the fourth meeting (ECE/MP.EIA/10). The Committee is expected to then identify an outline workplan and to assign roles to its members.

Item 4: Second Review of Implementation

5. The secretariat will bring to the attention of the Committee general and specific compliance issues identified in the Second Review of Implementation. The Committee is expected to take these into account in its work (decision IV/1, para. 4). The Committee is also expected to examine the implementation of the Convention by those Parties that had failed to respond to the questionnaire, notably Albania (decision IV/2, appendix III, para. 51). Appendix III to decision IV/2 also identified Ireland as not having completed and returned the questionnaire. However, Ireland did provide a completed questionnaire on 7 February 2008.

Item 5: Submissions

6. This agenda item is not open to observers according to rule 17, paragraph 1, of the Operating Rules of the Implementation Committee.

7. The Committee will consider any report provided by the Government of Ukraine further to paragraph 9 of decision IV/2. The Committee will then consider whether the Government of Ukraine has fulfilled the conditions set out in paragraph 10 of decision IV/2, i.e. whether it has:

- (a) Stopped the works on the project for the Danube-Black Sea Deep-Water Navigation Canal in the Ukrainian sector of the Danube Delta;
- (b) Repealed the final decision of 28 December 2007, concerning the implementation of the project;
- (c) Taken steps to comply with the relevant provisions of the Convention.

8. If these conditions have not been satisfied, the caution to the Government of Ukraine issued by the fourth meeting of the Parties will become effective on 31 October 2008.

9. The Committee will also discuss the nomination and financing of a consultant to undertake an independent review of Ukraine's legal, administrative and other measures to implement the provisions of the Convention for consideration by the Committee in the first half of 2009 (decision IV/2, para. 11).

10. The Committee will examine any submissions by Parties since the fourth meeting of the Parties.

Item 6: Committee initiative

11. This agenda item is not open to observers according to rule 17, paragraph 1, of the Operating Rules of the Implementation Committee.

12. The Committee will discuss the nomination and financing of a consultant to undertake technical assistance in drafting the necessary legislation to support Armenia in ensuring its full implementation of the Convention.

13. The Committee may examine any other compliance matter of which it may become aware, including further to item 4 above, in accordance with rule 15 of the Operating Rules of the Implementation Committee.

Item 7: Revised questionnaire

14. The Committee will begin modification of the current questionnaire to provide a questionnaire on the implementation of the Convention in the period 2006–2009, for consideration by the Working Group on Environmental Impact Assessment (decision IV/1, para. 5). The Committee will include in the questionnaire a question on the application by the Parties of Article 3, paragraph 8, and Article 4, paragraph 2, of the Convention (decision IV/1, para. 6). 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 (decision IV/2, appendix III, para. 53).

Item 8: Structure and functions and operating rules

15. 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 (decision IV/2, para. 6).

Item 9: Other business

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

17. The Committee may also address other matters raised under agenda item 3.

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

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

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