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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

Seventeenth session
Geneva, 14–18 September 2009

ANNOTATED PROVISIONAL AGENDA FOR THE SEVENTEENTH SESSION

to be held at the Palais des Nations, Geneva,
starting at 10 a.m. on Monday, 14 September 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 and observers 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 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)

Documentation: ECE/MP.EIA/IC/2009/5 (Independent review of Ukraine's legal, administrative and other measures to implement the provisions of the Convention)

2. This agenda item may not be open to observers.
3. The Committee will consider progress made 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 discussion at its previous session (ECE/MP.EIA/IC/2009/2, paras. 6–7).
4. The Committee is also expected to review reports by the Government of Ukraine on steps taken to apply the relevant provisions of the Convention to the Bystroe Canal Project, including a statement expected in response to a letter to the Deputy Prime Minister of Ukraine from the Executive Secretary of the Economic Commission for Europe (ECE/MP.EIA/IC/2009/2, paras. 14–19). The Chair will report to the Committee on discussions of the matter during the twelfth meeting of the Working Group on Environmental Impact Assessment (EIA), held from 11 to 13 May 2009 in Geneva (ECE/MP.EIA/WG.1/2009/1).
5. 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: This strategy should be 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)

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

7. The Committee will consider progress made 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).

8. If appropriate, the Committee may then provide guidance to the Government of Armenia on the 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

9. Firstly Ms. Javanshir and Ms. Kalygulova and secondly Ms. Kolar-Planinsic 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 preparation of EIA documentation (article 4) and cases, respectively (ECE/MP.EIA/IC/2009/2, para. 28).

(b) Specific compliance issues

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

11. The Committee is also expected to consider replies from Albania, Azerbaijan, Belgium and Greece to letters sent by the Chair on behalf of the Committee, seeking further clarification (ECE/MP.EIA/IC/2009/2, paras. 29, 34, 35 and 42).

12. The Committee is expected to consider replies from Austria, Hungary, Latvia, Liechtenstein and Slovenia to the Committee's request that the secretariat be allowed to publish on the Convention's website the earlier exchanges of communications (ECE/MP.EIA/IC/2009/2, paras. 33, 36, 37, 40 and 41).

Item 5: Submissions

13. This agenda item is not open to observers, except if invited by the Committee (see para. 15).

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

15. The Committee will consider the submission by Ukraine expressing concerns about Romania's compliance with its obligations under the Convention (ECE/MP.EIA/IC/2009/2,

paras. 45–47). 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 (ECE/MP.EIA/6, annex II) and with the Committee's operating rules. The Committee will consider the submission in a closed session on 15 September, will invite presentations by the concerned Parties and will ask them questions on 16 September. The Committee will then consider the submission again in a closed session on 17 September.

Item 6: Committee initiative

16. This agenda item is not open to observers.

17. The Committee is expected to consider replies from Belgium, the Netherlands, the Republic of Moldova, Romania and Ukraine to letters sent by the Chair on behalf of the Committee (ECE/MP.EIA/IC/2009/2, paras. 49–52).

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

Item 7: Revised questionnaire

19. The Chair will report on any amendments to the draft questionnaire on the implementation of the Convention in the period 2006–2009 that the Working Group on EIA recommended during its twelfth meeting. The secretariat will report on progress made regarding the circulation of the questionnaire (ECE/MP.EIA/10, decision IV/1, para. 5).

Item 8: Structure and functions and operating rules

20. 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

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

22. The Chair will report on any matters of relevance to the Committee that were raised during the twelfth meeting of the Working Group on EIA and that have not been addressed under the agenda items above.

23. The secretariat will report made with respect to progress with the publication of a leaflet 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/2009/2, para. 57).

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

24. The Committee is expected to agree on the main decisions taken at the meeting and to confirm that its next session will be held from 23 to 25 February 2009 in Geneva.

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