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ECONOMIC COMMISSION FOR EUROPE

**Meeting of the Parties to the Convention
on Environmental Impact Assessment
in a Transboundary Context**

**Working Group on Environmental Impact Assessment
(Fifth meeting, Geneva, 27-29 January 2003)**

PROVISIONAL AGENDA FOR THE FIFTH MEETING

to be held at the Palais des Nations, Geneva
starting at 10 a.m. on Monday, 27 January 2003

1. Adoption of the agenda.
2. Election of officers.
3. Cooperation with the ECE Committee on Environmental Policy.
4. Activities undertaken according to the work-plan adopted at the second meeting of the Parties:
 - (a) Review of the implementation of the Convention;
 - (b) Implementation Committee (MP.EIA/WG.1/2003/3);
 - (c) Strengthening cooperation with other ECE Conventions;
 - (d) Guidelines on good practice and on bilateral or multilateral agreements (MP.EIA/WG.1/2003/4);
 - (e) Strategic environmental assessment;
 - (f) Subregional cooperation (MP.EIA/WG.1/2003/5);
 - (g) Database on environmental impact assessment;
 - (h) Amendments to the Convention; and
 - (i) Public participation in EIA in a transboundary context.

5. Financing of the activities of the Convention:
 - (a) Current funding; and
 - (b) Future funding.
6. Preparation of the extraordinary meeting and the third meeting of the Parties.
7. Activities for promoting the implementation and ratification of the Convention:
 - (a) Status of ratification; and
 - (b) Amendment of the Convention.
8. Other business.
9. Presentation of the main decisions taken and closing of the meeting.

EXPLANATORY NOTES TO THE PROVISIONAL AGENDA

The fifth meeting of the Working Group is convened in accordance with a decision taken at the second meeting of the Parties. The agenda and its explanatory notes have been prepared by the secretariat in consultation with the Bureau of the Meeting, in accordance with rule 8 of the rules of procedure.

Item 1. Adoption of the agenda

In accordance with the rules of procedure adopted at the first meeting of the Parties, the Chairperson, Mr. Stefan Ruchti, will open the meeting.

The Working Group is expected to adopt its agenda as set out in the present document.

Item 2. Election of officers

The Meeting of the Parties elected Mr. Stefan Ruchti (Switzerland) as Chairperson of the Working Group (ECE/MP.EIA/4, para. 42). In accordance with the rules of procedure, the Working Group is expected to elect its own vice-chairperson.

Item 3. Cooperation with the ECE Committee on Environmental Policy

Mr. Nenad Mikulic (Croatia), Chairperson of the Meeting of the Parties, will report on the meeting with representatives of the Bureaux of the Committee and of the governing bodies of the ECE environmental conventions (CEP/2002/8) and in particular on the work of the Task Force on Monitoring and Compliance, the report on public participation in international environmental forums (CEP/2002/13 and Add.1) and the links between the Aarhus Convention and other ECE legal instruments (CEP/2002/14). The Working Group is expected to take note of this information and take appropriate action in relation to the activities in the work-plan as referred to in item 4 of this agenda.

Item 4. Activities undertaken pursuant to the work-plan adopted at the second meeting of the Parties

(a) Review of the implementation of the Convention

The secretariat will inform the Working Group of the preparation of the draft review of the implementation of the Convention, pursuant to item 1 of the work-plan adopted at the second meeting of the Parties (ECE/MP.EIA/4, annex XI). The Working Group is expected to consider

this information and also establish a small group to prepare, with the assistance of the secretariat, an analysis of the implementation of the Convention based on the replies provided by delegations, for consideration at the third meeting of the Parties.

(b) Implementation Committee

The Working Group will consider the report of the second meeting of the Implementation Committee (MP.EIA/WG.1/2003/3). The Working Group is expected to decide upon further tasks for the Committee on the basis of this report.

(c) Strengthening cooperation with other ECE conventions

The delegation of Romania, lead country for this activity, will inform the Working Group on how this activity will be implemented. This activity will support the cooperation between the EIA Convention and the other ECE conventions with the aim of further strengthening their implementation and in particular to further improve the application of environmental impact assessment (EIA) in a transboundary context. This activity will include an analysis of the relationship with the Convention on Long-range Transboundary Air Pollution and its protocols and identify opportunities for improving the application of the Convention with respect to public participation, content requirements for EIA documentation, risk assessment, post-project analysis and monitoring. The Working Group may wish to provide further guidance to the lead country for future work.

(d) Guidelines on good practice and on bilateral or multilateral agreements

This activity aims at reviewing and updating the guidelines on the practical application of the Convention and on the preparation of bilateral and multilateral agreements. The delegations of Finland, the Netherlands and Sweden, lead countries for this activity, will present the draft guidance (MP.EIA/WG.1/2003/4). The Working Group is expected to decide on how to finalize the guidelines for possible adoption at the next meeting of the Parties (May 2004, Croatia) and may wish to discuss and put forward proposals for implementing such guidelines.

(e) Strategic environmental assessment

The Chairman of the ad hoc Working Group on the Protocol on Strategic Environmental Assessment, Mr. Terje Lind (Norway), will inform the Working Group of the outcome of the negotiations of the Protocol, and further steps to be taken for its adoption and signature at the extraordinary meeting of the Parties, to be held during the Ministerial Conference "Environment for Europe" (May 2003, Kiev, Ukraine). The Working Group is expected to take note of this information.

(f) Subregional cooperation

Subregional cooperation aims at strengthening the application of environmental impact assessment in a transboundary context through the provisions of the Convention, in particular in the countries in transition. The delegations of Croatia and Poland, lead countries for this activity,

will provide information on how this activity will be further implemented. The delegation of Bulgaria will present the outcome of a workshop on this issue (MP.EIA/WG.1/2003/5), which was held in Sandanski, Bulgaria, in April 2002. The Working Group is expected to decide on the finalization of the report of the workshop and to provide guidance to the lead countries for the implementation of this activity, for possible adoption at the next meeting of the Parties.

(g) Database on environmental impact assessment

The delegation of Poland, lead country for this activity, will provide written information on the workings of the database. The Working Group is expected to decide on how to maintain the database, in particular to allow an exchange of information on matters related to EIA in a transboundary context and to provide support to Parties and non-Parties in the establishment and maintenance of a networking system.

(h) Possible future amendments to the Convention

According to the decision taken at the fourth meeting of the Working Group (MP.EIA/WG.1/2001/2), the delegation of Austria, lead country of a small group of experts, will present a written proposal on possible areas for amendment. The Working Group may wish to discuss the proposal and decide on further steps to be taken to prepare amendments to the Convention, including the establishment of a negotiation group.

(i) Public participation in EIA in a transboundary context

The delegation of the Russian Federation, lead country for this activity, will present written information on the implementation of this activity, which is expected to lead to the preparation of the final version of the draft guidance on public participation in a transboundary context, taking also into account the report on the links between the Aarhus Convention and other ECE legal instruments (CEP/2002/14) referred to in item 3 of this agenda. Requests for information on case studies on public participation have been circulated to the focal points of the Convention. The Working Group may wish to agree on further steps to finalize the guidelines.

Item 5. Financial aspects

(a) The Working Group will review decision II/13 on the budget (ECE/MP.EIA/4, annex XIII) and, in particular, identify possibilities for fully funding the activities set out in the table. Parties may wish to inform the Meeting of the practical arrangements that they have made for the provision of extrabudgetary resources pursuant to paragraph 4;

(b) As requested at the fourth meeting of the Working Group, the Bureau of the Meeting of the Parties will present possible options for securing future funding for the activities in the work-plan. The Working Group is expected to decide on further steps to ensure funding for these activities.

Item 6. Preparation of the extraordinary meeting and the third meeting of the Parties

Mr. Nenad Mikulic (Croatia) will inform the Meeting about the practical arrangements for the extraordinary meeting of the Parties to be held during the Ministerial Conference "Environment for Europe" (May 2003, Kiev, Ukraine) and the third meeting of the Parties (May 2004, Croatia). The Meeting will discuss details regarding the decisions to be taken at the third meeting of the Parties. The Meeting will be informed of the activities which will take place up to the third meeting. The Working Group is expected to decide on further action to be taken to prepare for the extraordinary meeting and the third meeting of the Parties.

Item 7. Activities for promoting the implementation and ratification of the Convention

(a) Status of ratification

The secretariat will inform the Working Group of the status of ratification of the Convention. Representatives of non-Parties will report on the steps that they are taking to become a Party to the Convention. The Meeting is expected to take note of this information.

(b) Amendment of the Convention as adopted at the second meeting of the Parties

At their second meeting, the Parties decided to amend the Convention, in particular to allow States outside the UNECE region to become Parties to the Convention (decision II/14, ECE/MP.EIA/4, annex XIV). Delegations are expected to report on the steps taken to promote the ratification, approval or acceptance of this amendment. Mr. N. Mikulic will inform the Working Group of the preliminary discussions within the Bureau on the implementation of this decision, in particular on ways and means of contacting States outside the UNECE region. The Meeting is expected to take note of the information provided.

Item 8. Other business

Delegations wishing to propose points under this item are requested to inform the secretariat as soon as possible.

Item 9. Presentation of the main decisions taken and closing of the meeting

The Chairperson will close the meeting by presenting the main decisions taken by the Working Group.