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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

Thirty-ninth session

Geneva, 5–7 September 2017

Item 1 of the provisional agenda

Adoption of the agenda

Annotated provisional agenda for the thirty-ninth session

To be held at the Palais des Nations, Geneva, starting at 10 a.m.
on Tuesday, 5 September 2017*

I. Provisional agenda

1. Adoption of the agenda.

* There are accreditation procedures for all delegates attending meetings at the Palais des Nations. 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 **22 August 2017**, through the following link: <https://www2.unece.org/uncdb/app/ext/meeting-registration?id=Bz0aKy> (the use of the Internet Explorer browser is recommended). In case of difficulty, please refer to the online user manual (<https://www2.unece.org/wiki/display/OMR/Online+Meeting+Registration+Guidelines>) or contact the secretariat by e-mail (anelia.rambosson@unece.org). On their way to the meeting, delegates should obtain an identification badge at the Pass and Identification Unit of the United Nations Office at Geneva's Security and Safety Section, located at the Pregny Gate, 14, Avenue de la Paix (see map and other practical information available from the Economic Commission for Europe website at <http://www.unece.org/meetings/practical.html>). In case of difficulty, please contact the Convention secretariat by telephone at +41 22 917 4128.



2. Membership of the Implementation Committee.
3. Review of decisions of the Meetings of the Parties.
4. Follow-up to decision VI/2.
5. Submissions.
6. Committee initiative.
7. Information gathering.
8. Review of implementation.
9. Structure, functions and operating rules.
10. Other business.
11. 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,¹ in accordance with rule 9 of the Implementation Committee's operating rules.² The Implementation Committee under the Convention and the Protocol will be invited to adopt its agenda as set out herein.

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-Chairs.

3. The Chair will introduce the new members of the Committee to the key documents used by the Committee.

3. Review of decisions by the Meetings of the Parties

4. The Committee will review decisions taken by the Meeting of the Parties to the Convention at its seventh session and by Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol at its third session (Minsk, 13-16 June 2017). The Committee will particularly consider the decisions on the review of implementation of the Convention and the Protocol (decisions VII/1 and III/1, respectively), the review of compliance with the Protocol (decision III/2), the adoption of the workplan (decision VII/3–III/3) and on the budget and financial arrangements (decision VII/4–III/4), as included in the report of the two sessions (ECE/MP.EIA/23-ECE/MP.EIA/SEA/7 (forthcoming)).

¹ Acting in that role until the seventh session of the Meeting of the Parties to the Convention and the third session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol.

² The Meeting of the Parties to the Convention adopted the Committee's operating rules through decision IV/2 (see ECE/MP.EIA/10), and later amended them through decisions V/4 (see ECE/MP.EIA/15) and VI/2 (see ECE/MP.EIA/20/Add.1–ECE/MP.EIA/SEA/4/Add.1, annex II). A consolidated version is available on the Committee web page (see http://www.unece.org/env/eia/implementation/implementation_committee.html).

5. As the Meeting of the Parties to the Convention at its seventh session agreed that additional efforts were needed to reach consensus on draft decision VII/2 on review of compliance with the Convention (ECE/MP.EIA/2017/8), the deliberations on that decision will be finalized by the Meeting of the Parties at an intermediary session to be convened at the end of 2018 or the beginning of 2019. Subsequently, the Committee was mandated to prepare for that intermediary session a revised draft decision VII/2 covering both the general and specific parts of the decision. In doing so, the Committee was requested to take into account the work already carried out and progress achieved before, during and in the margins of the seventh session of the Meeting of the Parties to the Convention.

6. The secretariat will inform the Committee about the results of the informal meetings that the Committee held in the margins of the seventh session of Meeting of the Parties in order to facilitate agreement on draft decision VII/2, and the outcomes of the negotiations of the general segment of the seventh session. The Committee members who participated in the seventh session might wish to inform the other members about their views on the discussions that took place during the session.

7. The Committee is expected to decide on how to reflect the outcomes of the seventh session of the Meeting of the Parties in its future work, the value it would assign to draft decision VII/2 and the outcomes of the informal meetings of the Committee members held during the session. The Committee will thereafter plan its work accordingly and assign roles to its members.

4. Follow-up to decision VI/2

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

9. The Committee is expected to follow up on decision VI/2³ of the Meeting of the Parties to the Convention with regard to actions to be taken by Armenia, Azerbaijan, Belarus and Ukraine. Further to the Committee's deliberations at its ad hoc session held in Minsk on 12 June 2017,⁴ the proposals provided and the outcomes reached at the seventh session of the Meeting of the Parties to the Convention and the discussion held on the margins of that session, the Committee is also expected to review and, as needed, revise draft decision VII/2 regarding the follow-up to decision VI/2 by the Parties (in particular paras. 5, 6 and 13-65).

10. Further to the deliberations at its thirty-eighth session (Geneva, 20–22 February 2017) on the follow-up by Azerbaijan to decision VI/2 (paras. 38–44),⁵ the Committee is expected to prepare for the discussion with the representatives of Azerbaijan scheduled to take place at the Committee's fortieth session (Geneva, 5-7 December 2017) and, if needed, agree on questions to be sent to the Azerbaijan before the session.

5. Submissions

11. Discussion under agenda item 5 will not be open to observers, unless the Committee decides otherwise, further to rule 17 of the operating rules.

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

³ See ECE/MP.EIA/20/Add.1–ECE/MP.EIA/SEA/4/Add.1 and Corr.1.

⁴ See ECE/MP.EIA/IC/2017/4, annex (forthcoming).

⁵ See ECE/MP.EIA/IC/2017/2 (forthcoming).

6. Committee initiative

13. Discussion under agenda item 6 will not be open to observers, unless the Committee decides otherwise, in accordance with rule 17 of the operating rules.

14. The Committee will continue the consideration of its initiative on the United Kingdom of Great Britain and Northern Ireland, in accordance with the Committee's structure and functions and the procedures for the review of compliance (see MP.EIA/2004/3, decision III/2, appendix, para. 6), and the Committee's operating rules. The Committee is expected to reconsider its additional recommendations prepared at its thirty-eighth session and review the specific parts of draft decision VII/2 regarding the United Kingdom (paras. 69–72), taking into account the progress achieved during the seventh session of the Meeting of the Parties to the Convention and the information to be provided by the Government of the United Kingdom in advance of the session.

7. Information gathering

15. Discussion under agenda item 7 will not be open to observers, except if invited by the Committee.

16. Taking into account the deliberations at its thirty-eighth session and the outcomes of the seventh session of the Meeting of the Parties, the Committee may wish to continue consideration of information it has gathered regarding the extension of the lifetime of reactors at the Borssele nuclear power plant in Netherlands, the Doel and Tihange nuclear power plants in Belgium, the Dukovany nuclear power plant in Czechia and the Rivne, South Ukrainian, Zaporizhia and Khelmnitskiy nuclear power plants in Ukraine.

17. Should the Committee find that it cannot proceed with these information-gathering cases pending the development of clear guidance on how to approach them by the ad hoc working group mandated by the Meetings of the Parties to the Convention at its seventh session, it may wish to consider and refine the general ideas on the matter discussed by the Committee during the previous intersessional period.

18. The Committee may also continue consideration of the information-gathering cases regarding:

(a) Compliance with the provisions of the Convention by Bosnia and Herzegovina in respect of the planned activities at the Ugljevik and Stanari thermal power plants;

(b) Compliance with the provisions of the Convention by Spain concerning the planned construction of individual temporary storage for radioactive waste at the Almaraz nuclear power plant;

(b) Compliance with the provisions of the Protocol on Strategic Environmental Assessment by Serbia with regard to the Serbian Energy Development Strategy and its Spatial Plan.

19. Time permitting, the Committee is also expected to consider information submitted by a non-governmental organization (NGO) from Bosnia and Herzegovina regarding two proposed activities in Bosnia and Herzegovina, by a German civil initiative regarding a proposed activity in Switzerland and by an NGO from the Republic of Moldova regarding a programme prepared by Ukraine.

8. Review of implementation

20. The secretariat will bring to the attention of the Committee general and specific compliance issues identified in the fifth review of implementation of the Convention (ECE/MP.EIA/2017/9) and the second review of implementation of the Protocol (ECE/MP.EIA/SEA/2017/9). The Committee is expected to take these into account in its work in accordance with decision VII/1 of the Meeting of the Parties to the Convention and

decision III/1 of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol. In line with decisions VII/1 and III/1, the Committee may decide to introduce minor modifications to the questionnaire to be used for the preparation of the next review on the implementation of the Protocol during the period 2016–2018. In doing so, the Implementation Committee should take into account the suggestions provided by Parties for improving the questionnaire and the report (see ECE/MP.EIA/WG.2/2016/6/INF.6).⁶

21. The Committee is also expected to continue its consideration of the specific compliance issue regarding compliance by the European Union with the Protocol identified in the first review of implementation of the Protocol (ECE/MP.EIA/SEA/2014/3).

9. Structure, functions and operating rules

22. Further to decision III/2 of the Meeting of the Parties of the Protocol and the Committee's deliberations at its ad hoc session in Minsk, the Committee is expected to consider revising its structure and functions and its operating rules with a view to improving the efficiency of the Committee's working methods, facilitating deliberations on compliance issues and developing a procedure to be followed when adopting additional recommendations regarding a Party's follow-up on recommendations that have not yet been endorsed by the Meeting of the Parties.

10. Other business

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

11. 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 the date and location of its next session before the Chair formally closes the session.

⁶ This informal document was submitted to the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment at its sixth meeting (Geneva, 7–10 November 2016) and is available on the web page for that meeting (<http://www.unece.org/index.php?id=42745#/>).